

U. S. Laws, Statutes etc,  
"

# UNITED STATES STATUTES AT LARGE

CONTAINING THE

LAWS AND CONCURRENT RESOLUTIONS  
ENACTED DURING THE SECOND SESSION OF THE  
EIGHTY-NINTH CONGRESS  
OF THE UNITED STATES OF AMERICA

1966

AND

REORGANIZATION PLANS AND PROCLAMATIONS

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VOLUME 80

IN TWO PARTS

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PART 1

PUBLIC LAWS AND REORGANIZATION PLANS



UNITED STATES  
GOVERNMENT PRINTING OFFICE  
WASHINGTON : 1967

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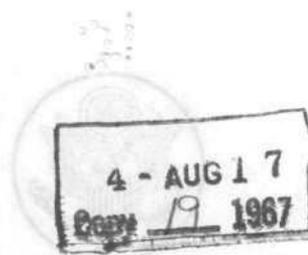
REORGANIZATION PLANS AND PROCLAMATIONS

VOLUME 80

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PART 1

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# PUBLIC LAWS



# Public Laws

ENACTED DURING THE

SECOND SESSION OF THE EIGHTY-NINTH CONGRESS

OF THE

UNITED STATES OF AMERICA

*Begun and held at the City of Washington on Monday, January 10, 1966, and adjourned sine die on Saturday, October 22, 1966.* LYNDON B. JOHNSON, *President.* HUBERT H. HUMPHREY, *Vice President.* JOHN W. MCCORMACK, *Speaker of the House of Representatives.*

Public Law 89-350

JOINT RESOLUTION

Extending the date for transmission of the Economic Report.

January 19, 1966  
[S. J. Res. 125]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That notwithstanding the provisions of section 3 of the Act of February 20, 1946, as amended (15 U.S.C. 1022), the President shall transmit to the Congress not later than January 27, 1966, the 1966 Economic Report.

Approved January 19, 1966.

President's 1966  
Economic Report.  
70 Stat. 289.

## Public Law 89-351

## JOINT RESOLUTION

Authorizing the President to proclaim National Ski Week.

January 21, 1966  
[H. J. Res. 767]National Ski  
Week.  
Proclamation.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States is hereby authorized and requested to issue a proclamation designating the period beginning January 21, 1966, and ending January 30, 1966, as "National Ski Week", in recognition of the economic, recreational, and healthful aspects of the sport of skiing; and inviting the people of the United States to observe such week by participation in appropriate ceremonies and activities.

Approved January 21, 1966.

## Public Law 89-352

## AN ACT

February 2, 1966  
[H. R. 327]

To amend section 501(c) of the Internal Revenue Code of 1954 to exempt from taxation certain nonprofit corporations and associations operated to provide reserve funds for domestic building and loan associations, and for other purposes.

Nonprofit orga-  
nizations.  
Tax exemptions.  
68A Stat. 165.  
26 USC 501.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 501(c)(14) of the Internal Revenue Code of 1954 (relating to certain organizations exempt from Federal income tax) is amended to read as follows:

"(14) (A) Credit unions without capital stock organized and operated for mutual purposes and without profit.

"(B) Corporations or associations without capital stock organized before September 1, 1957, and operated for mutual purposes and without profit for the purpose of providing reserve funds for, and insurance of shares or deposits in—

"(i) domestic building and loan associations,

"(ii) cooperative banks without capital stock organized and operated for mutual purposes and without profit, or

"(iii) mutual savings banks not having capital stock represented by shares.

"(C) Corporations or associations organized before September 1, 1957, and operated for mutual purposes and without profit for the purpose of providing reserve funds for associations or banks described in clause (i), (ii), or (iii) of subparagraph (B); but only if 85 percent or more of the income is attributable to providing such reserve funds and to investments. This subparagraph shall not apply to any corporation or association entitled to exemption under subparagraph (B)."

SEC. 2. Section 511(a)(2)(A) of such Code (relating to organizations subject to tax) is amended by inserting "(14) (B) or (C)," after "(6)," in the heading and in the text.

SEC. 3. The amendment made by the first section of this Act shall apply to taxable years ending after the date of the enactment of this Act. The amendment made by section 2 shall apply to taxable years beginning after the date of the enactment of this Act.

Approved February 2, 1966.

26 USC 511.

## Public Law 89-353

## AN ACT

To amend the International Organizations Immunities Act with respect to the European Space Research Organization.

February 2, 1966  
[H. R. 8210]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the International Organizations Immunities Act (22 U.S.C., sec. 288-288f) is amended by adding at the end thereof the following new section:

European Space  
Research Organi-  
zation.  
59 Stat. 669.

"SEC. 11. The provisions of this title may be extended to the European Space Research Organization in the same manner, to the same extent, and subject to the same conditions, as they may be extended to a public international organization in which the United States participates pursuant to any treaty or under the authority of any Act of Congress authorizing such participation or making an appropriation for such participation."

Approved February 2, 1966.

## Public Law 89-354

## AN ACT

To amend the Internal Revenue Code of 1939 and the Internal Revenue Code of 1954 to change the method of computing the retired pay of judges of the Tax Court of the United States.

February 2, 1966  
[H. R. 8445]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 1106(d) of the Internal Revenue Code of 1939 (relating to retired pay of judges of the Tax Court of the United States) and section 7447(d) of the Internal Revenue Code of 1954 (relating to retired pay of judges of the Tax Court of the United States) are amended by striking out in each such section "at a rate which bears the same ratio to the rate of the salary payable to him as judge at the time he ceases to be a judge" and inserting in lieu thereof in each such section "during any period at a rate which bears the same ratio to the rate of the salary payable to a judge during such period"; and by striking out in each such section "the rate of such salary" each place it appears and by inserting in lieu thereof in each such place "the rate of such salary for such period".

U. S. Tax Court  
judges.  
Retirement pay.  
67 Stat. 483.  
68A Stat. 881.  
26 USC 7447.

SEC. 2. The amendments made by the first section of this Act shall apply with respect to retired pay accruing under section 1106 of the Internal Revenue Code of 1939 or section 7447 of the Internal Revenue Code of 1954 on or after the first day of the first calendar month which begins after the date of enactment of this Act.

Approved February 2, 1966.

## Public Law 89-355

## AN ACT

To provide for participation of the United States in the Inter-American Cultural and Trade Center in Dade County, Florida, and for other purposes.

February 19, 1966  
[H. R. 30]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President is authorized, through such department or agency in the executive branch of the Government as he may designate, to provide for United States participation in the Inter-American Cultural and Trade Center

Inter-American  
Cultural and Trade  
Center, Dade  
County, Fla.

(hereafter in this Act referred to as "Interama"). In providing for United States participation, the President shall cooperate with the Inter-American Center Authority (an agency of the State of Florida). The purposes of Interama are—

(1) to provide a permanent international center which will serve as a meeting ground for the governments and industries of the Western Hemisphere and of other areas of the world;

(2) to facilitate broad and continuous exchanges of ideas, persons, and products through cultural, educational, and other exchanges; and

(3) by other appropriate means, to promote mutual understanding between the peoples of the Western Hemisphere and to strengthen the ties which unite the United States with other nations of the free world.

Invitation to participate.

SEC. 2. (a) The President is authorized, by proclamation or in such other manner as he may deem proper, to invite the several States of the United States and foreign countries to take part in Interama, except that no Communist de facto government holding any people in subjugation shall be invited to participate.

Reports to Congress.

(b) The department or agency in the executive branch designated by the President under the first section of this Act shall, not later than May 15, 1966, report to the Committees on Foreign Relations and Appropriations of the Senate and to the Speaker of the House of Representatives with respect to the proposed nature, extent, and cost of United States participation in Interama and the nature and extent of the participation in Interama to be anticipated on the part of foreign countries (particularly Latin American countries) and private industries.

Commissioner for Interama. Appointment.

SEC. 3. (a) There shall be in the designated department or agency a Commissioner for Interama who shall be appointed by the President and who shall receive compensation at the rate prescribed for level IV of the Federal Executive Salary Schedule. Subject to the direction of the head of the designated department or agency, the Commissioner for Interama shall perform such duties as the President may prescribe to carry out this Act.

78 Stat. 417.  
5 USC 2211.

(b) In order to carry out the provisions of this Act, the head of the designated department or agency is authorized—

(1) to appoint and fix the compensation of such persons as he deems necessary without regard to the civil service laws and the Classification Act of 1949; except that no person so appointed shall receive compensation at a rate in excess of that received by persons under the Classification Act of 1949 for the performance of comparable duties;

(2) to procure temporary and intermittent services in accordance with the provisions of section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a);

(3) to enter into contracts;

(4) to select, purchase, rent, construct, or otherwise acquire exhibits, including materials and equipment therefor, and to provide for the transportation, insurance, display, maintenance, and dismantling thereof;

(5) to incur such other expenses as may be necessary; and

(6) to accept donations of money, property, and services and the loan of property.

SEC. 4. The head of each department, agency, or instrumentality of the Federal Government is authorized—

(1) to cooperate with the head of the designated department or agency with respect to determining the manner in which and the

63 Stat. 954.  
5 USC 1071  
note.  
Post, p. 288.

60 Stat. 810.

Cooperation of Federal entities.

extent to which the United States shall be a participant in and an exhibitor at Interama; and

(2) to make available to the head of the designated department or agency, on a reimbursable basis, such personnel as may be necessary to assist him in carrying out his functions under this Act.

SEC. 5. (a) There is authorized to be appropriated not to exceed \$7,500,000 to provide for United States participation in Interama under this Act, of which not to exceed \$250,000 shall be available for expenditure in connection with the preparation of the report required to be submitted to the Congress under section 2(b) of this Act. Sums appropriated under this subsection shall remain available until expended.

(b) In addition to the amount authorized in subsection (a), there is authorized to be appropriated not to exceed \$1,000,000 annually for each of the fiscal years 1968 and 1969 for the maintenance of United States installations and activities at Interama.

Approved February 19, 1966.

Appropriation.

## Public Law 89-356

### AN ACT

February 21, 1966  
[S. 1698]

To establish a procedure for the review of proposed bank mergers so as to eliminate the necessity for the dissolution of merged banks, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) section 18(c) of the Federal Deposit Insurance Act (12 U.S.C. 1828(c)) is amended to read:

Bank mergers.  
64 Stat. 892.

“(c) (1) Except with the prior written approval of the responsible agency, which shall in every case referred to in this paragraph be the Corporation, no insured bank shall—

“(A) merge or consolidate with any noninsured bank or institution;

“(B) assume liability to pay any deposits made in, or similar liabilities of, any noninsured bank or institution;

“(C) transfer assets to any noninsured bank or institution in consideration of the assumption of liabilities for any portion of the deposits made in such insured bank.

“(2) No insured bank shall merge or consolidate with any other insured bank or, either directly or indirectly, acquire the assets of, or assume liability to pay any deposits made in, any other insured bank except with the prior written approval of the responsible agency, which shall be—

“(A) the Comptroller of the Currency if the acquiring, assuming, or resulting bank is to be a national bank or a District bank;

“(B) the Board of Governors of the Federal Reserve System if the acquiring, assuming, or resulting bank is to be a State member bank (except a District bank);

“(C) the Corporation if the acquiring, assuming, or resulting bank is to be a nonmember insured bank (except a District bank).

“(3) Notice of any proposed transaction for which approval is required under paragraph (1) or (2) (referred to hereafter in this subsection as a ‘merger transaction’) shall, unless the responsible agency finds that it must act immediately in order to prevent the probable failure of one of the banks involved, be published—

Notice of proposed merger transactions.

“(A) prior to the granting of approval of such transaction,

“(B) in a form approved by the responsible agency,

“(C) at appropriate intervals during a period at least as long

as the period allowed for furnishing reports under paragraph (4) of this subsection, and

“(D) in a newspaper of general circulation in the community or communities where the main offices of the banks involved are located, or, if there is no such newspaper in any such community, then in the newspaper of general circulation published nearest thereto.

Attorney General.  
Reports on competitive factors.

“(4) In the interests of uniform standards, before acting on any application for approval of a merger transaction, the responsible agency, unless it finds that it must act immediately in order to prevent the probable failure of one of the banks involved, shall request reports on the competitive factors involved from the Attorney General and the other two banking agencies referred to in this subsection. The reports shall be furnished within thirty calendar days of the date on which they are requested, or within ten calendar days of such date if the requesting agency advises the Attorney General and the other two banking agencies that an emergency exists requiring expeditious action.

“(5) The responsible agency shall not approve—

“(A) any proposed merger transaction which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or

“(B) any other proposed merger transaction whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless it finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

In every case, the responsible agency shall take into consideration the financial and managerial resources and future prospects of the existing and proposed institutions, and the convenience and needs of the community to be served.

Notification of Attorney General.

“(6) The responsible agency shall immediately notify the Attorney General of any approval by it pursuant to this subsection of a proposed merger transaction. If the agency has found that it must act immediately to prevent the probable failure of one of the banks involved and reports on the competitive factors have been dispensed with, the transaction may be consummated immediately upon approval by the agency. If the agency has advised the Attorney General and the other two banking agencies of the existence of an emergency requiring expeditious action and has requested reports on the competitive factors within ten days, the transaction may not be consummated before the fifth calendar day after the date of approval by the agency. In all other cases, the transaction may not be consummated before the thirtieth calendar day after the date of approval by the agency.

“(7) (A) Any action brought under the antitrust laws arising out of a merger transaction shall be commenced prior to the earliest time under paragraph (6) at which a merger transaction approved under paragraph (5) might be consummated. The commencement of such an action shall stay the effectiveness of the agency's approval unless the court shall otherwise specifically order. In any such action, the court shall review de novo the issues presented.

“(B) In any judicial proceeding attacking a merger transaction approved under paragraph (5) on the ground that the merger transaction alone and of itself constituted a violation of any antitrust laws

other than section 2 of the Act of July 2, 1890 (section 2 of the Sherman Antitrust Act, 15 U.S.C. 2), the standards applied by the court shall be identical with those that the banking agencies are directed to apply under paragraph (5).

26 Stat. 209.

“(C) Upon the consummation of a merger transaction in compliance with this subsection and after the termination of any antitrust litigation commenced within the period prescribed in this paragraph, or upon the termination of such period if no such litigation is commenced therein, the transaction may not thereafter be attacked in any judicial proceeding on the ground that it alone and of itself constituted a violation of any antitrust laws other than section 2 of the Act of July 2, 1890 (section 2 of the Sherman Antitrust Act, 15 U.S.C. 2), but nothing in this subsection shall exempt any bank resulting from a merger transaction from complying with the antitrust laws after the consummation of such transaction.

“(D) In any action brought under the antitrust laws arising out of a merger transaction approved by a Federal supervisory agency pursuant to this subsection, such agency, and any State banking supervisory agency having jurisdiction within the State involved, may appear as a party of its own motion and as of right, and be represented by its counsel.

“(8) For the purposes of this subsection, the term ‘antitrust laws’ means the Act of July 2, 1890 (the Sherman Antitrust Act, 15 U.S.C. 1-7), the Act of October 15, 1914 (the Clayton Act, 15 U.S.C. 12-27), and any other Acts in pari materia.

“Antitrust laws.”

26 Stat. 209.  
38 Stat. 730.

“(9) Each of the responsible agencies shall include in its annual report to the Congress a description of each merger transaction approved by it during the period covered by the report, along with the following information:

Report to Congress.

“(A) the name and total resources of each bank involved;

“(B) whether a report was submitted by the Attorney General under paragraph (4), and, if so, a summary by the Attorney General of the substance of such report; and

“(C) a statement by the responsible agency of the basis for its approval.”

(b) Section 18 of such Act is further amended by adding at the end thereof the following new subsection:

64 Stat. 891.  
12 USC 1823.

“(i) (1) No insured State nonmember bank (except a District bank) shall, without the prior consent of the Corporation, reduce the amount or retire any part of its common or preferred capital stock, or retire any part of its capital notes or debentures.

Reduction of capital. Restrictions.

“(2) No insured bank shall convert into an insured State bank if its capital stock or its surplus will be less than the capital stock or surplus, respectively, of the converting bank at the time of the shareholder's meeting approving such conversion, without the prior written consent of—

Conversions.

“(A) the Comptroller of the Currency if the resulting bank is to be a District bank;

“(B) the Board of Governors of the Federal Reserve System if the resulting bank is to be a State member bank (except a District bank);

“(C) the Corporation if the resulting bank is to be a State nonmember insured bank (except a District bank).

“(3) Without the prior written consent of the Corporation, no insured bank shall convert into a noninsured bank or institution.

“(4) In granting or withholding consent under this subsection, the responsible agency shall consider—

“(A) the financial history and condition of the bank,

“(B) the adequacy of its capital structure,

- “(C) its future earnings prospects,
- “(D) the general character of its management,
- “(E) the convenience and needs of the community to be served, and
- “(F) whether or not its corporate powers are consistent with the purposes of this Act.”

Prior mergers.

SEC. 2. (a) Any merger, consolidation, acquisition of assets, or assumption of liabilities involving an insured bank which was consummated prior to June 17, 1963, the bank resulting from which has not been dissolved or divided and has not effected a sale or distribution of assets and has not taken any other similar action pursuant to a final judgment under the antitrust laws prior to the enactment of this Act, shall be conclusively presumed to have not been in violation of any antitrust laws other than section 2 of the Act of July 2, 1890 (section 2 of the Sherman Antitrust Act, 15 U.S.C. 2).

26 Stat. 209.

(b) No merger, consolidation, acquisition of assets, or assumption of liabilities involving an insured bank which was consummated after June 16, 1963, and prior to the date of enactment of this Act and as to which no litigation was initiated by the Attorney General prior to the date of enactment of this Act may be attacked after such date in any judicial proceeding on the ground that it alone and of itself constituted a violation of any antitrust laws other than section 2 of the Act of July 2, 1890 (section 2 of the Sherman Antitrust Act, 15 U.S.C. 2).

(c) Any court having pending before it on or after the date of enactment of this Act any litigation initiated under the antitrust laws by the Attorney General after June 16, 1963, with respect to the merger, consolidation, acquisition of assets, or assumption of liabilities of an insured bank consummated after June 16, 1963, shall apply the substantive rule of law set forth in section 18(c)(5) of the Federal Deposit Insurance Act, as amended by this Act.

“Antitrust laws.”

38 Stat. 730.

(d) For the purposes of this section, the term “antitrust laws” means the Act of July 2, 1890 (the Sherman Antitrust Act, 15 U.S.C. 1-7), the Act of October 15, 1914 (the Clayton Act, 15 U.S.C. 12-27), and any other Acts in pari materia.

12 USC 1828.

SEC. 3. Any application for approval of a merger transaction (as the term “merger transaction” is used in section 18(c) of the Federal Deposit Insurance Act) which was made before the date of enactment of this Act, but was withdrawn or abandoned as a result of any objections made or any suit brought by the Attorney General, may be reinstated and shall be acted upon in accordance with the provisions of this Act without prejudice by such withdrawal, abandonment, objections, or judicial proceedings.

Approved February 21, 1966.

Public Law 89-357

JOINT RESOLUTION

March 1, 1966  
[H. J. Res. 403]

Authorizing an appropriation to enable the United States to extend an invitation to the World Health Organization to hold the Twenty-second World Health Assembly in Boston, Massachusetts, in 1969.

Whereas the Twenty-second World Health Assembly is scheduled to be held in 1969; and

Whereas the year 1969 is considered particularly appropriate for holding the assembly in Boston, Massachusetts, since that year will mark the centennial of the establishment of the first modern State public health department in Massachusetts in 1869; and 1969 also

marks the "coming of age", the twenty-first anniversary of the World Health Organization; and

Whereas the assembly and related functions will provide outstanding opportunities for the Ministers and Directors of Health of the World Health Organization's one hundred and twenty-five member countries to view American health and medical methods in practice, and to make and renew friendships among American health and medical leaders; and

Whereas the assembly will focus public attention in the United States on the important work of the World Health Organization as an integral part of the economic and social program of the United Nations and as a constructive work contributing to better international appreciation and world peace; and

Whereas American health and medical groups and certain urban organizations have suggested arrangements to make the World Health Assembly in the United States a particularly useful professional occasion through related seminars, field trips, and social activities; and

Whereas the cost of holding an assembly in Boston, Massachusetts, would exceed the amount provided in the budget of the World Health Organization for holding an assembly in Geneva, Switzerland, the headquarters of the Organization: Therefore be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled.* That there is authorized to be appropriated to the Secretary of State, out of any money in the Treasury not otherwise appropriated, the sum of not to exceed \$500,000 for the purpose of defraying the expenses incident to organizing and holding the Twenty-second World Health Assembly in Boston, Massachusetts. Funds appropriated pursuant to this authorization shall be available for advance contribution to the World Health Organization for additional costs incurred by the Organization in holding the Twenty-second World Health Assembly outside the Organization's headquarters at Geneva, Switzerland; and shall be available for expenses incurred by the Secretary of State, on behalf of the United States as host government, including personal services without regard to civil service and classification laws; employment of aliens; travel expenses without regard to the Standardized Government Travel Regulations and to the rates of per diem allowances in lieu of subsistence expenses under the Travel Expense Act of 1949, as amended; rent of quarters by contract or otherwise; and hire of passenger motor vehicles.

World Health Assembly.

63 Stat. 166.  
5 USC 835 note.

Approved March 1, 1966.

## Public Law 89-358

March 3, 1966  
[S. 9]

## AN ACT

To provide readjustment assistance to veterans who serve in the Armed Forces during the induction period.

Veterans' Re-  
adjustment Bene-  
fits Act of 1966.

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

## SHORT TITLE

SECTION 1. This Act may be cited as the "Veterans' Readjustment Benefits Act of 1966".

## EDUCATIONAL BENEFITS

72 Stat. 1170,  
38 USC 1501  
et seq.

SEC. 2. Part III of title 38, United States Code, is amended by inserting immediately after chapter 31 thereof the following new chapter:

**"CHAPTER 34—VETERANS' EDUCATIONAL ASSISTANCE****"SUBCHAPTER I—PURPOSE—DEFINITIONS**

"Sec.

"1651. Purpose.

"1652. Definitions.

**"SUBCHAPTER II—ELIGIBILITY AND ENTITLEMENT**

"1661. Eligibility; entitlement; duration.

"1662. Time limitations for completing a program of education.

"1663. Educational and vocational counseling.

**"SUBCHAPTER III—ENROLLMENT**

"1670. Selection of program.

"1671. Applications; approval.

"1672. Change of program.

"1673. Disapproval of enrollment in certain courses.

"1674. Discontinuance for unsatisfactory conduct or progress.

"1675. Period of operation for approval.

"1676. Education outside the United States.

**"SUBCHAPTER IV—PAYMENTS TO ELIGIBLE VETERANS**

"1681. Educational assistance allowance.

"1682. Computation of educational assistance allowances.

"1683. Measurement of courses.

"1684. Overcharges by educational institutions.

"1685. Approval of courses.

"1686. Discontinuance of allowances.

**"Subchapter I—Purpose—Definitions****"§ 1651. Purpose**

"The Congress of the United States hereby declares that the education program created by this chapter is for the purpose of (1) enhancing and making more attractive service in the Armed Forces of the United States, (2) extending the benefits of a higher education to qualified and deserving young persons who might not otherwise be able to afford such an education, (3) providing vocational readjustment and restoring lost educational opportunities to those service men and women whose careers have been interrupted or impeded by

reason of active duty after January 31, 1955, and (4) aiding such persons in attaining the vocational and educational status which they might normally have aspired to and obtained had they not served their country.

#### “§ 1652. Definitions

“For the purposes of this chapter—

“(a) (1) The term ‘eligible veteran’ means any veteran who (A) served on active duty for a period of more than 180 days any part of which occurred after January 31, 1955, and who was discharged or released therefrom under conditions other than dishonorable or (B) was discharged or released from active duty after such date for a service-connected disability.

“(2) The requirement of discharge or release, prescribed in paragraph (1) (A), shall be waived in the case of any individual who served at least two years in an active-duty status for so long as he continues on active duty without a break therein.

“(3) For purposes of paragraph (1) (A) and section 1661(a), the term ‘active duty’ does not include any period during which an individual (A) was assigned full time by the ‘Armed Forces to a civilian institution for a course of education which was substantially the same as established courses offered to civilians, (B) served as a cadet or midshipman at one of the service academies, or (C) served under the provisions of section 511(d) of title 10 pursuant to an enlistment in the Army National Guard or the Air National Guard or as a Reserve for service in the Army Reserve, Naval Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard Reserve.

77 Stat. 135.

“(b) The term ‘program of education’ means any curriculum or any combination of unit courses or subjects pursued at an educational institution which is generally accepted as necessary to fulfill requirements for the attainment of a predetermined and identified educational, professional, or vocational objective.

“(c) The term ‘educational institution’ means any public or private secondary school, vocational school, correspondence school, business school, junior college, teachers’ college, college, normal school, professional school, university, or scientific or technical institution, or any other institution if it furnishes education at the secondary school level or above.

“(d) The term ‘dependent’ means—

“(1) a child of an eligible veteran;

“(2) a dependent parent of an eligible veteran; and

“(3) the wife of an eligible veteran.

#### “Subchapter II—Eligibility and Entitlement

#### “§ 1661. Eligibility; entitlement; duration

##### “Entitlement

“(a) Except as provided in subsection (b), each eligible veteran shall be entitled to educational assistance under this chapter for a period of one month (or to the equivalent thereof in part-time educational assistance) for each month or fraction thereof of his service on active duty after January 31, 1955.

### “Entitlement Limitations

“(b) Except as provided in subsection (c), in no event shall an eligible veteran receive educational assistance under this chapter for a period which, when combined with education and training received under any or all of the laws listed below, will exceed thirty-six months—

“(1) parts VII or VIII, Veterans Regulation Numbered 1(a), as amended;

“(2) title II of the Veterans’ Readjustment Assistance Act of 1952;

“(3) the War Orphans’ Educational Assistance Act of 1956;

“(4) chapters 31, 33, and 35 of this title.

“(c) Whenever the period of entitlement under this section of an eligible veteran who is enrolled in an educational institution regularly operated on the quarter or semester system ends during a quarter or semester, such period shall be extended to the termination of such unexpired quarter or semester. In educational institutions not operated on the quarter or semester system, whenever the period of eligibility ends after a major portion of the course is completed such period shall be extended to the end of the course or for twelve weeks, whichever is the lesser period.

“(d) If an eligible veteran is entitled to educational assistance under this chapter and also to vocational rehabilitation under chapter 31 of this title, he must, if he wants either, elect whether he will receive educational assistance or vocational rehabilitation. If an eligible veteran is entitled to educational assistance under this chapter and is not entitled to such vocational rehabilitation, but after beginning his program of education becomes entitled (as determined by the Administrator) to such vocational rehabilitation, he must, if he wants either, elect whether to continue to receive educational assistance or whether to receive such vocational rehabilitation. If he elects to receive vocational rehabilitation, the program of education under this chapter shall be utilized to the fullest extent practicable in determining the character and duration of vocational rehabilitation to be furnished him.

### “§ 1662. Time limitations for completing a program of education

#### “Delimiting Period for Completion

“(a) No educational assistance shall be afforded an eligible veteran under this chapter beyond the date eight years after his last discharge or release from active duty after January 31, 1955.

#### “Correction of Discharge

“(b) In the case of any eligible veteran who has been prevented, as determined by the Administrator, from completing a program of education under this chapter within the period prescribed by subsection (a), because he had not met the nature of discharge requirements of this chapter before a change, correction, or modification of a discharge or dismissal made pursuant to section 1553 of title 10, the correction of the military records of the proper service department under section 1552 of title 10, or other corrective action by competent authority, then the 8-year delimiting period shall run from the date his discharge or dismissal was changed, corrected, or modified.

38 USC 1952  
Ed., ch. 12A.

38 USC 1601  
note.  
70 Stat. 411,  
38 USC 1701  
et seq.

76 Stat. 509.

70A Stat. 116.

### “Savings Clause

“(c) In the case of any eligible veteran who was discharged or released from active duty before the date for which an educational assistance allowance is first payable under this chapter, the 8-year delimiting period shall run from such date, if it is later than the date which otherwise would be applicable.

### “§ 1663. Educational and vocational counseling

“The Administrator may arrange for educational and vocational counseling for veterans eligible for educational assistance under this chapter. At such intervals as he deems necessary, he shall make available information respecting the need for general education and for trained personnel in the various crafts, trades, and professions. Facilities of other Federal agencies collecting such information shall be utilized to the extent he deems practicable.

## “Subchapter III—Enrollment

### “§ 1670. Selection of program

“Subject to the provisions of this chapter, each eligible veteran may select a program of education to assist him in attaining an educational, professional, or vocational objective at any educational institution (approved in accordance with chapter 36 of this title) selected by him, which will accept and retain him as a student or trainee in any field or branch of knowledge which such institution finds him qualified to undertake or pursue.

*Post, p. 20.*

### “§ 1671. Applications; approval

“Any eligible veteran who desires to initiate a program of education under this chapter shall submit an application to the Administrator which shall be in such form, and contain such information, as the Administrator shall prescribe. The Administrator shall approve such application unless he finds that such veteran is not eligible for or entitled to the educational assistance applied for, or that his program of education fails to meet any of the requirements of this chapter, or that he is already qualified. The Administrator shall notify the eligible veteran of the approval or disapproval of his application.

### “§ 1672. Change of program

“(a) Except as provided in subsection (b), each eligible veteran (except an eligible veteran whose program has been interrupted or discontinued due to his own misconduct, his own neglect, or his own lack of application) may make not more than one change of program of education.

“(b) The Administrator may approve one additional change (or an initial change in the case of a veteran not eligible to make a change under subsection (a)) in program if he finds that—

“(1) the program of education which the eligible veteran proposes to pursue is suitable to his aptitudes, interests, and abilities; and

“(2) in any instance where the eligible veteran has interrupted, or failed to progress in, his program due to his own misconduct, his own neglect, or his own lack of application, there exists a reasonable likelihood with respect to the program which the eligible veteran proposes to pursue that there will not be a recurrence of such an interruption or failure to progress.

“(c) As used in this section the term ‘change of program of education’ shall not be deemed to include a change from the pursuit of one program to pursuit of another where the first program is prerequisite to, or generally required for, entrance into pursuit of the second.

**“§ 1673. Disapproval of enrollment in certain courses**

“(a) The Administrator shall not approve the enrollment of an eligible veteran in any type of course which the Administrator finds to be avocational or recreational in character unless the eligible veteran submits justification showing that the course will be of bona fide use in the pursuit of his present or contemplated business or occupation.

“(b) The Administrator shall not approve the enrollment of an eligible veteran in any course of flight training other than one given by an educational institution of higher learning for credit toward a standard college degree the eligible veteran is seeking.

“(c) The Administrator shall not approve the enrollment of an eligible veteran in any course of apprentice or other training on the job, any course of institutional on-farm training, or any course to be pursued by open circuit television (except as herein provided) or radio. The Administrator may approve the enrollment of an eligible veteran in a course, to be pursued in residence, leading to a standard college degree which includes, as an integral part thereof, subjects offered through the medium of open circuit television, if the major portion of the course requires conventional classroom or laboratory attendance.

“(d) The Administrator shall not approve the enrollment of any eligible veteran, not already enrolled, in any nonaccredited course below the college level offered by a proprietary profit or proprietary nonprofit educational institution for any period during which the Administrator finds that more than 85 per centum of the students enrolled in the course are having all or part of their tuition, fees, or other charges paid to or for them by the educational institution or the Veterans' Administration under this chapter or chapter 31 or 35 of this title.

**“§ 1674. Discontinuance for unsatisfactory conduct or progress**

“The Administrator shall discontinue the educational assistance allowance of an eligible veteran if, at any time, the Administrator finds that according to the regularly prescribed standards and practices of the educational institution, his conduct or progress is unsatisfactory. The Administrator may renew the payment of the educational assistance allowance only if he finds that—

“(1) the cause of the unsatisfactory conduct or progress of the eligible veteran has been removed; and

“(2) the program which the eligible veteran now proposes to pursue (whether the same or revised) is suitable to his aptitudes, interests, and abilities.

**“§ 1675. Period of operation for approval**

“(a) The Administrator shall not approve the enrollment of an eligible veteran in any course offered by an educational institution when such course has been in operation for less than two years.

“(b) Subsection (a) shall not apply to—

“(1) any course to be pursued in a public or other tax-supported educational institution;

“(2) any course which is offered by an educational institution which has been in operation for more than two years, if such course is similar in character to the instruction previously given by such institution;

“(3) any course which has been offered by an institution for a period of more than two years, notwithstanding the institution has moved to another location within the same general locality; or

“(4) any course which is offered by a nonprofit educational institution of college level and which is recognized for credit toward a standard college degree.

#### “§ 1676. Education outside the United States

“An eligible veteran may not pursue a program of education at an educational institution which is not located in a State, unless such program is pursued at an approved educational institution of higher learning. The Administrator in his discretion may deny or discontinue the educational assistance under this chapter of any veteran in a foreign educational institution if he finds that such enrollment is not for the best interest of the veteran or the Government.

### “Subchapter IV—Payments to Eligible Veterans

#### “§ 1681. Educational assistance allowance

“(a) The Administrator shall pay to each eligible veteran who is pursuing a program of education under this chapter an educational assistance allowance to meet, in part, the expenses of his subsistence, tuition, fees, supplies, books, equipment, and other educational costs.

“(b) The educational assistance allowance of an eligible veteran shall be paid, as provided in section 1682 of this title, only for the period of his enrollment as approved by the Administrator, but no allowance shall be paid—

“(1) to any veteran enrolled in a course which leads to a standard college degree for any period when such veteran is not pursuing his course in accordance with the regularly established policies and regulations of the educational institution and the requirements of this chapter, or of chapter 36;

“(2) to any veteran enrolled in a course which does not lead to a standard college degree for any day of absence in excess of thirty days in a twelve-month period, not counting as absences weekends or legal holidays established by Federal or State law during which the institution is not regularly in session; or

“(3) to any veteran pursuing his program exclusively by correspondence for any period during which no lessons were serviced by the institution.

“(c) The Administrator may, pursuant to such regulations as he may prescribe, determine enrollment in, pursuit of, and attendance at, any program of education or course by an eligible veteran for any period for which he receives an educational assistance allowance under this chapter for pursuing such program or course.

“(d) No educational assistance allowance shall be paid to an eligible veteran enrolled in a course in an educational institution which does not lead to a standard college degree for any period until the Administrator shall have received—

“(1) from the eligible veteran a certification as to his actual attendance during such period or where the program is pursued by correspondence a certificate as to the number of lessons actually completed by the veteran and serviced by the institution; and

“(2) from the educational institution, a certification, or an endorsement on the veteran's certificate, that such veteran was enrolled in and pursuing a course of education during such period

and, in the case of an institution furnishing education to a veteran exclusively by correspondence, a certificate, or an endorsement on the veteran's certificate, as to the number of lessons completed by the veteran and serviced by the institution.

“(e) Educational assistance allowances shall be paid as soon as practicable after the Administrator is assured of the veteran's enrollment in and pursuit of the program of education for the period for which such allowance is to be paid.

**“§ 1682. Computation of educational assistance allowances**

“(a) (1) Except as provided in subsection (b) or (c) (1), while pursuing a program of education under this chapter of half-time or more, each eligible veteran shall be paid the monthly educational assistance allowance set forth in column II, III, or IV (whichever is applicable as determined by the veteran's dependency status) opposite the applicable type of program as shown in column I:

“Column I	Column II	Column III	Column IV
Type of program	No dependents	One dependent	Two or more dependents
Institutional:			
Full time.....	\$100	\$125	\$150
Three quarter time.....	75	95	115
Half time.....	50	65	75
Cooperative.....	80	100	120

“(2) A ‘cooperative’ program means a full-time program of education which consists of institutional courses and alternate phases of training in a business or industrial establishment with the training in the business or industrial establishment being strictly supplemental to the institutional portion.

“(b) The educational assistance allowance of an individual pursuing a program of education—

“(1) while on active duty, or

“(2) on less than a half-time basis,

shall be computed at the rate of (A) the established charges for tuition and fees which the institution requires similarly circumstanced non-veterans enrolled in the same program to pay, or (B) \$100 per month for a full-time course, whichever is the lesser.

“(c) (1) The educational assistance allowance of an eligible veteran pursuing a program of education exclusively by correspondence shall be computed on the basis of the established charge which the institution requires nonveterans to pay for the course or courses pursued by the eligible veteran. Such allowance shall be paid quarterly on a pro rata basis for the lessons completed by the veteran and serviced by the institution, as certified by the institution.

“(2) In the case of any eligible veteran who is pursuing any program of education exclusively by correspondence, one-fourth of the elapsed time in following such program of education shall be charged against the veteran's period of entitlement.

**“§ 1683. Measurement of courses**

“(a) For the purposes of this chapter—

“(1) an institutional trade or technical course offered on a clock-hour basis below the college level involving shop practice as an integral part thereof, shall be considered a full-time course

when a minimum of thirty hours per week of attendance is required with no more than two and one-half hours of rest periods per week allowed;

“(2) an institutional course offered on a clock-hour basis below the college level in which theoretical or classroom instruction predominates shall be considered a full-time course when a minimum of twenty-five hours per week net of instruction (which may include customary intervals not to exceed ten minutes between hours of instruction) is required; and

“(3) an institutional undergraduate course offered by a college or university on a quarter- or semester-hour basis for which credit is granted toward a standard college degree shall be considered a full-time course when a minimum of fourteen semester hours or its equivalent is required.

“(b) The Administrator shall define part-time training in the case of the types of courses referred to in subsection (a), and shall define full-time and part-time training in the case of all other types of courses pursued under this chapter.

#### “§ 1684. Overcharges by educational institutions

“(a) If the Administrator finds that an educational institution has charged or received from any eligible veteran pursuing a program of education under this chapter any amount for any course in excess of the charges for tuition and fees which such institution requires similarly circumstanced nonveteran students, who are enrolled in the same course to pay, he may disapprove such educational institution for the enrollment of any eligible veteran not already enrolled therein under this chapter and any eligible veteran or person not already enrolled therein under chapter 31 or 35 of this title.

“(b) Any educational institution which has been disapproved under section 1734 of this title shall be deemed to be disapproved for the enrollment under this chapter of any eligible veteran not already enrolled therein.

#### “§ 1685. Approval of courses

“An eligible veteran shall receive the benefits of this chapter while enrolled in a course of education offered by an educational institution only if such course is approved in accordance with the provisions of subchapter I of chapter 36 of this title.

*Post*, p. 20.

#### “§ 1686. Discontinuance of allowances

“The Administrator may discontinue the educational assistance allowance of any eligible veteran if he finds that the program of education or any course in which the eligible veteran is enrolled fails to meet any of the requirements of this chapter or chapter 36, or if he finds that the educational institution offering such program or course has violated any provision of this chapter or chapter 36, or fails to meet any of their requirements.”

SEC. 3. (a) Chapter 35 of title 38 of the United States Code is amended by—

72 Stat. 1192.

(1) amending section 1761 thereof to read as follows:

#### “§ 1761. Authority and duties of Administrator

“(a) The Administrator may provide the educational and vocational counseling required under section 1720 of this title, and may provide or require additional counseling if he deems it to be necessary to accomplish the purposes of this chapter.

“(b) Where any provision of this chapter authorizes or requires any function, power, or duty to be exercised by a State, or by any officer or agency thereof, such function, power, or duty shall, with respect to the Republic of the Philippines, be exercised by the Administrator.”;

(2) deleting in section 1762, “(a)” and subsection (b) in its entirety;

(3) deleting sections 1726, 1763, 1764, 1765, 1766, 1767, and 1768;

(4) deleting the following heading, immediately preceding section 1771, “**Subchapter VII—State Approving Agencies**”, and substituting therefor:

## “CHAPTER 36.—ADMINISTRATION OF EDUCATIONAL BENEFITS

### “SUBCHAPTER I—STATE APPROVING AGENCIES

“Sec.

“1770. Scope of approval.

“1771. Designation.

“1772. Approval of courses.

“1773. Cooperation.

“1774. Reimbursement of expenses.

“1775. Approval of accredited courses.

“1776. Approval of nonaccredited courses.

“1777. Notice of approval of courses.

“1778. Disapproval of courses.

### “SUBCHAPTER II—MISCELLANEOUS PROVISIONS

“1781. Nonduplication of benefits.

“1782. Control by agencies of the United States.

“1783. Conflicting interests.

“1784. Reports by institutions.

“1785. Overpayments to eligible persons or veterans.

“1786. Examination of records.

“1787. False or misleading statements.

“1788. Advisory committee.

“1789. Institutions listed by Attorney General.

“1790. Use of other Federal agencies.

### “Subchapter I—State Approving Agencies”;

(5) inserting a new section 1770 to read as follows:

#### “§ 1770. Scope of approval

“(a) A course approved under and for the purposes of this chapter shall be deemed approved for the purposes of chapters 34 and 35 of this title.

“(b) Any course approved under chapter 33 of this title, prior to February 1, 1965, under subchapter VII of chapter 35 of this title, prior to the date of enactment of this chapter, and not disapproved under section 1686, section 1656 (as in effect prior to February 1, 1965), or section 1778 of this title, shall be deemed approved for the purposes of this chapter.”;

(6) striking out in section 1771(a), “this chapter after the date for the expiration of all education and training provided in chapter 33 of this title. Such agency may be the agency designated or created in accordance with section 1641 of this title”, and substituting therefor “chapters 34 and 35 of this title”;

(7) striking out in the first sentence of section 1772(a) the phrase “under subchapter V of this chapter” and inserting in lieu thereof “under subchapter V of chapter 35 of this title”; and

striking out the phrase "this chapter" the first two times it appears in the first sentence of such section 1772(a), and each time such phrase appears in the second, third and fourth sentences of such section 1772(a), and each time such phrase appears in section 1772(b) and in sections 1773 and 1774, and inserting in lieu thereof "chapters 34 and 35";

(8) striking out in sections 1772, 1774, and 1775, each time it appears, the phrase "eligible person" and substituting therefor "eligible person or veteran";

(9) striking out in section 1776 "1653 or";

(10) deleting from the analysis appearing at the head of chapter 35 of such title:

"1726. Institutions listed by the Attorney General."

and

"1763. Control by agencies of the United States.

"1764. Conflicting interests.

"1765. Reports by institutions.

"1766. Overpayments to eligible persons.

"1767. Examination of records.

"1768. False or misleading statements.

"SUBCHAPTER VII—STATE APPROVING AGENCIES

"1771. Designation.

"1772. Approval of courses.

"1773. Cooperation.

"1774. Reimbursement of expenses.

"1775. Approval of accredited courses.

"1776. Approval of nonaccredited courses.

"1777. Notice of approval of courses.

"1778. Disapproval of courses."

(11) striking out the term "eligible persons" in sections 1773 (a) and 1774 and inserting in lieu thereof "eligible persons or veterans".

(b) Title 38 of the United States Code is further amended by adding immediately following section 1778, the following new subchapter:

**"Subchapter II—Miscellaneous Provisions**

**"§ 1781. Nonduplication of benefits**

"No educational assistance allowance or special training allowance shall be paid on behalf of any eligible person or veteran under chapter 34 or 35 of this title for any period during which such person or veteran is enrolled in and pursuing a program of education or course paid for by the United States under any provision of law other than such chapters, where the payment of an allowance would constitute a duplication of benefits paid from the Federal Treasury to the eligible person or veteran or to his parent or guardian in his behalf.

*Ante*, p. 12.

**"§ 1782. Control by agencies of the United States**

"No department, agency, or officer of the United States, in carrying out this chapter, shall exercise any supervision or control, whatsoever, over any State approving agency, or State educational agency, or any educational institution. Nothing in this section shall be deemed to prevent any department, agency, or officer of the United States from exercising any supervision or control which such department,

*Arts*, p. 12.

agency, or officer is authorized by law to exercise over any Federal educational institution or to prevent the furnishing of education under chapter 34 or 35 of this title in any institution over which supervision or control is exercised by such other department, agency, or officer under authority of law.

#### **“§ 1783. Conflicting interests**

“(a) Every officer or employee of the Veterans’ Administration who has, while such an officer or employee, owned any interest in, or received any wages, salary, dividends, profits, gratuities, or services from, any educational institution operated for profit in which an eligible person or veteran was pursuing a program of education or course under chapter 34 or 35 shall be immediately dismissed from his office or employment.

“(b) If the Administrator finds that any person who is an officer or employee of a State approving agency has, while he was such an officer or employee, owned any interest in, or received any wages, salary, dividends, profits, gratuities, or services from, an educational institution operated for profit in which an eligible person or veteran was pursuing a program of education or course under chapter 34 or 35 of this title, he shall discontinue making payments under section 1774 of this title to such State approving agency unless such agency shall, without delay, take such steps as may be necessary to terminate the employment of such person and such payments shall not be resumed while such person is an officer or employee of the State approving agency, or State department of veterans’ affairs or State department of education.

“(c) A State approving agency shall not approve any course offered by an educational institution operated for profit, and, if any such course has been approved, shall disapprove each such course, if it finds that any officer or employee of the Veterans’ Administration or the State approving agency owns an interest in, or receives any wages, salary, dividends, profits, gratuities, or services from, such institution.

“(d) The Administrator may, after reasonable notice and public hearings, waive in writing the application of this section in the case of any officer or employee of the Veterans’ Administration or of a State approving agency, if he finds that no detriment will result to the United States or to eligible persons or veterans by reasons of such interest or connection of such officer or employee.

#### **“§ 1784. Reports by institutions**

“Educational institutions shall, without delay, report to the Administrator in the form prescribed by him, the enrollment, interruption, and termination of the education of each eligible person or veteran enrolled therein under chapter 34 or 35.

#### **“§ 1785. Overpayments to eligible persons or veterans**

“Whenever the Administrator finds that an overpayment has been made to an eligible person or veteran as the result of (1) the willful or negligent failure of an educational institution to report, as required by chapter 34 or 35 of this title and applicable regulations, to the Veterans’ Administration excessive absences from a course, or discontinuance or interruption of a course by the eligible person or veteran, or (2) false certification by an educational institution, the amount of such overpayment shall constitute a liability of such institution, and may be recovered in the same manner as any other debt due the United States. Any amount so collected shall be reimbursed if the overpayment is recovered from the eligible person or veteran. This section shall not preclude the imposition of any civil or criminal liability under this or any other law.

**“§ 1786. Examination of records**

“The records and accounts of educational institutions pertaining to eligible persons or veterans who received education under chapter 34 or 35 of this title shall be available for examination by duly authorized representatives of the Government.

*Ante*, p. 12.**“§ 1787. False or misleading statements**

“Whenever the Administrator finds that an educational institution has willfully submitted a false or misleading claim, or that a person or veteran, with the complicity of an educational institution, has submitted such a claim, he shall make a complete report of the facts of the case to the appropriate State approving agency and, where deemed advisable, to the Attorney General of the United States for appropriate action.

**“§ 1788. Advisory committee**

“There shall be an advisory committee formed by the Administrator which shall be composed of persons who are eminent in their respective fields of education, labor, and management, and of representatives of the various types of institutions and establishments furnishing vocational rehabilitation under chapter 31 of this title or education to eligible persons or veterans enrolled under chapter 34 or 35 of this title. The Commissioner of Education and the Administrator, Manpower Administration, Department of Labor, shall be *ex officio* members of the advisory committee. The Administrator shall advise and consult with the committee from time to time with respect to the administration of this chapter and chapters 31, 34, and 35 of this title, and the committee may make such reports and recommendations as it deems desirable to the Administrator and to the Congress.

38 USC 1501 *et seq.***“§ 1789. Institutions listed by Attorney General**

“The Administrator shall not approve the enrollment of, or payment of an additional assistance allowance to, any eligible veteran or eligible person under chapter 34 or 35 of this title in any course in an educational institution while it is listed by the Attorney General under section 12 of Executive Order 10450.

18 F.R. 2489.  
5 USC 631 note.**“§ 1790. Use of other Federal agencies**

“In carrying out his functions under this chapter or chapter 34 or 35 of this title, the Administrator may utilize the facilities and services of any other Federal department or agency. Any such utilization shall be pursuant to proper agreement with the Federal department or agency concerned; and payment to cover the cost thereof shall be made either in advance or by way of reimbursement, as may be provided in such agreement.”

SEC. 4. (a) Chapter 33 of title 38, United States Code, is hereby repealed.

Korean conflict.  
Repeal of certain provisions.  
38 USC 1601-1669.

(b) Nothing in this Act or any amendment or repeal made by it, shall affect any right or liability (civil or criminal) which matured under chapter 33 of title 38 before the date of enactment of this Act; and all offenses committed, and all penalties and forfeitures incurred, under any provision of law amended or repealed by this Act, may be punished or recovered, as the case may be, in the same manner and with the same effect as if such amendments or repeals had not been made.

(c) The analyses of title 38, United States Code, and of part III thereof, are both amended by (1) striking out

“33. Education of Korean Conflict Veterans..... 1601”;

(2) inserting in lieu thereof,

“34. Veterans' Educational Assistance..... 1650”;

and (3) inserting immediately after

“35. War Orphans' Educational Assistance..... 1701”

the following:

“36. Administration of Educational Benefits..... 1770”.

72 Stat. 1106.

(d) Section 101 of such title 38, United States Code, is amended by adding the following sentence to paragraph (20) thereof: “For the purpose of section 903 and chapters 34 and 35 of this title, such term also includes the Canal Zone.”

(e) Section 102(a)(2) of such title 38 is amended by striking out “Except for the purposes of chapter 33 of this title, dependency” and inserting in lieu thereof “Dependency”.

(f) Section 102(b) of such title 38 is amended by striking out “(except chapters 19 and 33)”, and inserting in lieu thereof, “(except chapter 19)”.

(g) Section 111(a) of such title 38 is amended by striking out “33” and inserting in lieu thereof “34”.

(h) Section 211(a) of such title 38 is amended by striking out “775, 784, 1661, 1761” and inserting in lieu thereof “775, 784”.

(i) Section 903(b) of such title 38 is amended by deleting the last sentence thereof.

(j) Section 1701 of such title 38 is amended (1) by striking out “1013(c)(1) of title 50” in subsection (a)(3)(C) and inserting in lieu thereof “511(d) of title 10” (2) by striking out paragraphs (8) and (9) in subsection (a) thereof and redesignating paragraph (10) of such subsection as paragraph (8) and (3) by striking out “and prior to the end of the induction period” in subsections (a)(1) and (d) thereof.

(k) Section 1711(b) of such title 38 is amended by striking out “33” and inserting in lieu thereof “34”, and by inserting immediately before the period at the end thereof the following: “or under chapter 33 of this title as in effect before February 1, 1965”.

(l) Section 1731 of title 38, United States Code, is amended by striking out subsection (c) thereof and inserting immediately after subsection (b) the following new subsections:

“(c) The Administrator may, pursuant to such regulations as he may prescribe, determine enrollment in, pursuit of, and attendance at, any program of education or course by an eligible person for any period for which an educational assistance allowance is paid on behalf of such eligible person under this chapter for pursuing such program or course.

“(d) No educational assistance allowance shall be paid on behalf of an eligible person enrolled in a course in an educational institution which does not lead to a standard college degree for any period until the Administrator shall have received—

“(1) from the eligible person a certification as to his actual attendance during such period; and

“(2) from the educational institution, a certification, or an endorsement on the eligible person's certificate, that he was enrolled in and pursuing a course of education during such period.

“(e) Educational assistance allowances shall be paid as soon as practicable after the Administrator is assured of the eligible person's enrollment in and pursuit of the program of education for the period for which such allowance is to be paid.”

(m) Section 1734 of such title 38 is amended by (1) striking out "33" in subsection (a) and inserting in lieu thereof "34", and (2) striking out "1634" in subsection (b) and inserting in lieu thereof "1684".

72 Stat. 1199.

(n) Section 1735 of such title 38 is amended to read as follows: "An eligible person shall receive the benefits of this chapter while enrolled in a course of education offered by an educational institution only if such course (1) is approved in accordance with the provisions of subchapter I of chapter 36 of this title, or (2) is approved for the enrollment of the particular individual under the provisions of section 1737 of this title."

Ante, p. 20.

(o) Section 1736 of such title 38 is amended by (1) striking out "(a)", (2) striking out all of subsection (b) thereof, and (3) inserting after the phrase "this chapter", both times it appears, the following: "or of chapter 36 of this title."

(p) Section 3013 of this title 38 is amended by striking out "33" and inserting in lieu thereof "34".

#### GUARANTEED HOME AND FARM LOANS

SEC. 5. (a) Chapter 37 of title 38 of the United States Code is amended by inserting immediately after section 1817 the following new section:

38 USC 1801 et seq.

#### "§ 1818. Veterans who serve after January 31, 1955

"(a) Each eligible veteran, as defined in paragraphs (1) and (2) of subsection (a) of section 1652 of this title, shall be eligible for the benefits of this chapter (except sections 1813 and 1815, and business loans under section 1814, of this title), subject to the provisions of this section.

Ante, p. 13.

"(b) Entitlement under subsection (a), (1) shall cancel any unused entitlement under other provisions of this chapter derived from service during World War II or the Korean conflict, and (2) shall be reduced by the amount by which entitlement from service during World War II or the Korean conflict has been used to obtain a direct, guaranteed, or insured loan—

"(A) on real property which the veteran owns at the time of application; or

"(B) as to which the Administrator has incurred actual liability or loss, unless in the event of loss or the incurrence and payment of such liability by the Administrator the resulting indebtedness has been paid in full.

"(c) (1) Entitlement to the benefits of this section will expire as follows:

"(A) Ten years from the date of discharge or release from the last period of active duty of the veteran, any part of which occurred after January 31, 1955, plus an additional period equal to one year for each three months of active duty performed by the veteran after such date, except that entitlement shall not continue in any case after twenty years from the date of the veteran's discharge or release from his last period of active duty, nor shall entitlement expire in any case prior to the date ten years after the date of enactment of this Act; or

"(B) Twenty years from the date of the veteran's discharge or release for a service-connected disability from a period of active duty, any part of which occurred after January 31, 1955.

"(C) Direct loans authorized by this section shall not be made after January 31, 1975, except pursuant to commitments issued by the Administrator on or before that date.

"(2) If a loan report or application for loan guaranty is received by the Administrator before the date of expiration of the veteran's entitlement, the loan may be guaranteed under this chapter after such date.

"(d) A fee shall be collected from each veteran obtaining a loan guaranteed or made under this section, and no loan shall be guaranteed or made under this section until the fee payable with respect to such loan has been collected and remitted to the Administrator. The amount of the fee shall be established from time to time by the Administrator, but shall in no event exceed one-half of 1 per centum of the total loan amount. The amount of the fee may be included in the loan to the veteran and paid from the proceeds thereof. The Administrator shall deposit all fees collected hereunder in the revolving fund established under the provisions of section 1824 of this title.

"(e) Notwithstanding any of the provisions of this section, a veteran deriving entitlement under this section shall not be required to pay the fee prescribed by subsection (d) and such entitlement shall include eligibility for any of the purposes specified in sections 1813 and 1815, and business loans under section 1814 of this title, if (1) the period of his entitlement to the benefits of this chapter based on service during World War II or the Korean conflict has not expired under section 1803(a)(3), and (2) he has not used any of his entitlement derived from such service."

(b) The table of sections at the beginning of chapter 37 of such title is amended by inserting immediately below

"1817. Release from liability under guaranty."

the following:

"1818. Veterans who serve after January 31, 1955."

(c) Section 1822(a) of such title is amended by striking out "or 1813", and inserting in lieu thereof "1813, or 1818".

(d) Section 1803(c)(1) of title 38, United States Code, is amended by striking out ", with the approval of the Secretary" and all that follows through the end thereof and inserting in lieu thereof the following: "may from time to time find the loan market demands; except that such rate shall in no event exceed that in effect under the provisions of section 203(b)(5) of the National Housing Act."

(e) Section 1811(d) of such title is amended by striking out "\$15,000" each place where it appears therein and inserting in lieu thereof in each such place "\$17,500".

(f)(1) Subchapter III of chapter 37 of such title is amended by adding at the end thereof the following new section:

**"§ 1826. Withholding of payments, benefits, etc.**

"(a) The Administrator shall not, unless he first obtains the consent in writing of an individual, set off against, or otherwise withhold from, such individual any benefits payable to such individual under any law administered by the Veterans' Administration because of liability allegedly arising out of any loan made to, assumed by, or guaranteed or insured on account of, such individual under this chapter.

"(b) No officer, employee, department, or agency of the United States shall set off against, or otherwise withhold from, any veteran or the widow of any veteran any payments (other than benefit payments under any law administered by the Veterans' Administration) which such veteran or widow would otherwise be entitled to receive because of any liability to the Administrator allegedly arising out of any loan made to, assumed by, or guaranteed or insured on account

74 Stat. 532.

72 Stat. 1211.

75 Stat. 201.

68 Stat. 591.  
12 USC 1709.  
75 Stat. 201.

of, such veteran or widow under this chapter, unless (1) there is first received the consent in writing of such veteran or widow, as the case may be, or (2) such liability and the amount thereof was determined by a court of competent jurisdiction in a proceeding to which such veteran or widow was a party.”

(2) The analysis of subchapter III of such chapter 37 is amended by adding at the end thereof the following:

“1826. Withholding of payments, benefits, etc.”

#### JOB COUNSELING

SEC. 6. (a) The heading of chapter 41 of title 38, United States Code, is amended by deleting:

38 USC 2001-2005.

#### “CHAPTER 41—UNEMPLOYMENT BENEFITS FOR VETERANS”

and inserting therefor:

#### “CHAPTER 41—JOB COUNSELING AND EMPLOYMENT PLACEMENT SERVICE FOR VETERANS”

(b) The analyses of title 38, United States Code, and of part III thereof, are amended by deleting:

“41. Unemployment Benefits for Veterans..... 2001”

and inserting therefor:

“41. Job Counseling and Employment Placement Service for Veterans..... 2001”.

(c) (1) Section 2001 of title 38, United States Code, clauses (3) and (5) of section 2002 of such title, and sections 2003 and 2004 of such title are amended by inserting the phrase “or of service after January 31, 1955” immediately after the phrase “veterans of any war” each time such phrase appears therein.

76 Stat. 558.

(2) The first sentence of section 2002 of such title 38 is amended by inserting the phrase “or of service after January 31, 1955” immediately after the phrase “veteran of any war”.

(3) Clauses (1) and (4) of section 2002 of such title 38 are amended by inserting the phrase “or of service after January 31, 1955,” immediately after the phrase “veterans of any war” each time such phrase appears in such clauses.

#### WARTIME PRESUMPTIONS FOR VETERANS SERVING AFTER JANUARY 31, 1955

SEC. 7. (a) Subchapter IV of chapter 11 of title 38, United States Code, is amended by adding at the end thereof the following new section:

72 Stat. 1122.

#### “§ 337. Wartime presumptions for certain veterans

“For the purposes of this subchapter and subchapter V of this chapter and notwithstanding the provisions of sections 332 and 333 of this subchapter, the provisions of sections 311, 312, and 313 of this chapter shall be applicable in the case of any veteran who served in the active military, naval, or air service after January 31, 1955.”

(b) The analysis of such subchapter which appears in such chapter is amended by adding at the end thereof the following:

“337. Wartime presumptions for certain veterans.”

#### MEDICAL CARE

SEC. 8. Section 610(a)(1)(B) and section 610(b)(2) of title 38, United States Code, are each amended by inserting “or of service after January 31, 1955,” immediately after “veteran of any war”.

76 Stat. 381;  
72 Stat. 1141.

## DECEASED VETERANS—FLAGS

72 Stat. 1169;  
75 Stat. 512.

SEC. 9. Section 901 (a) (1) of title 38, United States Code, is amended by striking out "or of Mexican border service" and inserting in lieu thereof ", of Mexican border service, or of service after January 31, 1955".

## SOLDIERS' AND SAILORS' CIVIL RELIEF ACT

54 Stat. 1181.

SEC. 10. Subsection (1) of section 300 of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended (50 App. U.S.C. 530), is amended by striking out "\$80" and inserting in lieu thereof "\$150".

## VETERANS' PREFERENCE

64 Stat. 1117.

SEC. 11. Section 2 of the Veterans' Preference Act of 1944, as amended (5 U.S.C. 851), is amended by striking out "and" at the end of clause (5) and by striking out the period at the end of such section and inserting in lieu thereof a semicolon and the following: "and (7) those ex-service men and women who have served on active duty (as defined in section 101 (21) of title 38, United States Code) at any time in any branch of the Armed Forces of the United States for a period of more than one hundred and eighty consecutive days after January 31, 1955, not including service under the provisions of section 511 (d) of title 10, United States Code, pursuant to an enlistment in the Army National Guard or the Air National Guard or as a Reserve for service in the Army Reserve, Naval Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard Reserve, and who have been separated from such Armed Forces under honorable conditions."

72 Stat. 1106.

77 Stat. 135.

## EFFECTIVE DATES

SEC. 12. (a) Except as otherwise specifically provided, the provisions of this Act shall take effect on the date of its enactment, but no educational assistance allowance shall be payable under chapter 34 of title 38, United States Code, as added by section 2 of this Act, for any period before June 1, 1966, nor for the month of June 1966, unless (1) the eligible veteran commenced the pursuit of the course of education on or after June 1, 1966, or (2) the pursuit of such course continued through June 30, 1966.

Ante, p. 20.

(b) The provisions of section 1765(b) of title 38, United States Code, as in effect immediately before the enactment of this Act, shall remain in effect through May 31, 1966.

Approved March 3, 1966.

## Public Law 89-359

## AN ACT

March 7, 1966  
[H. R. 10185]

Amending certain estate tax provisions of the Internal Revenue Code of 1939.

IRC 1939,  
amendment.  
53 Stat. 136.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) the last sentence of section 894(a) of the Internal Revenue Code of 1939 (relating to the penalty in the case of a false or fraudulent estate tax return) is amended to read as follows: "If any part of any deficiency is due to fraud with intent to evade tax, then 50 per centum of the total amount of the deficiency (in addition to such deficiency) shall be assessed, collected, and paid, in lieu of the 50 per centum addition to the tax provided in section 3612(d) (2)."

53 Stat. 437.  
53 Stat. 132.

(b) Section 871(i) of such code (relating to method of assessment) is amended by striking out "section 3612(d) (2)" and inserting in lieu thereof "section 894(a)".

(c) The amendments made by this Act shall be applicable with respect to estates of decedents subject to the provisions of chapter 3 of the Internal Revenue Code of 1939. No interest shall be paid or allowed on any refund or credit of any overpayment attributable to such amendments.

Approved March 7, 1966.

53 Stat. 119.

Public Law 89-360

AN ACT

To extend the statutory burial allowance to certain veterans whose deaths occur as a result of a service-connected disability.

March 7, 1966  
[H. R. 11006]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 902(a) of title 38, United States Code, is amended to read as follows:

Veterans.  
Burial allow-  
ance.  
72 Stat. 1169.

“(a) Where a veteran dies—

“(1) of a service-connected disability; or

“(2) who was (A) a veteran of any war; (B) discharged from the active military, naval, or air service for a disability incurred or aggravated in line of duty; or (C) in receipt of (or but for the receipt of retirement pay would have been entitled to) disability compensation;

the Administrator, in his discretion, having due regard to the circumstances in each case, may pay a sum not exceeding \$250 to such person as he prescribes to cover the burial and funeral expenses of the deceased veteran and the expense of preparing the body and transporting it to the place of burial. For the purpose of this subsection, the term ‘veteran’ includes a person who died during a period deemed to be active military, naval, or air service under section 106(c) of this title.”

75 Stat. 219.

Approved March 7, 1966.

Public Law 89-361

AN ACT

To provide statutory authority for the Deputy Administrator of Veterans' Affairs to assume the duties of Administrator during the absence or disability of the Administrator, or during a vacancy in that office, and for other purposes.

March 7, 1966  
[H. R. 11007]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) section 210 of title 38, United States Code, is amended by adding a new subsection (d) to read as follows:

Deputy Admin-  
istrator of Vet-  
erans' Affairs.  
72 Stat. 1114.

“(d) There shall be in the Veterans' Administration a Deputy Administrator of Veterans' Affairs who shall be appointed by the Administrator. The Deputy Administrator shall perform such functions as the Administrator shall designate and, unless the President shall designate another officer of the Government, shall be Acting Administrator of Veterans' Affairs during the absence or disability of the Administrator or in the event of a vacancy in the office of Administrator.”

(b) The catchline of such section 210 is amended by adding “; **Deputy Administrator**” at the end thereof.

(c) The analysis at the head of chapter 3 of such title 38, regarding section 210, is amended by deleting the period at the end thereof and inserting the following: “; Deputy Administrator.”

SEC. 2. (a) Section 212(a) of such title 38 is amended by inserting immediately after the word "delegate", in the first sentence thereof, the following: ", or authorize successive redelegation of,".

(b) Such section 212(a) is further amended by inserting ", redelegations," immediately after the word "delegations" in the second sentence thereof.

Approved March 7, 1966.

### Public Law 89-362

March 7, 1966  
[H. R. 11747]

#### AN ACT

To amend section 3203, title 38, United States Code, to restrict the conditions under which benefits are immediately reduced upon readmission of veterans for hospitalization or other institutional care.

Veterans.  
Hospitalization  
benefits.  
72 Stat. 1234.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the last sentence of section 3203(a) (1) of title 38, United States Code, is amended by deleting the comma immediately after the words "upon a succeeding readmission for treatment or care" and inserting "within six months from the date of such departure,".

78 Stat. 504.

SEC. 2. Section 3203(f) of title 38, United States Code, is amended by deleting the comma immediately after "admitted to hospitalization" in the third sentence and inserting "within six months from the date of such departure,".

Applicability.

SEC. 3. The amendments made by this Act shall also apply to cases in which pension eligibility is subject to the provisions of section 9(b) of the Veterans' Pension Act of 1959.

73 Stat. 436.  
38 USC 521 note.

Approved March 7, 1966.

### Public Law 89-363

March 7, 1966  
[S. 1904]

#### AN ACT

To authorize the Secretary of the Interior to give to the Indians of the Pueblos of Acoma, Sandia, Santa Ana, and Zia the beneficial interest in certain federally owned lands heretofore set aside for school or administrative purposes.

Indians of cer-  
tain Pueblos.  
Lands.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That when the following identified lands (other than the mineral interests specifically excluded in the identification), which were set aside for school or administrative purposes, are no longer needed by the United States for the administration of Indian Affairs, the Secretary of the Interior is authorized to declare, by publication of a notice in the Federal Register, that the title of the United States to such lands and improvements shall thereafter be held in trust for the Indians of the Pueblos of Acoma, Sandia, Santa Ana, and Zia as follows:

Publication in  
Federal Register.

(1) Acoma day school site comprising three and five-tenths acres, more or less, to the Indians of the Pueblo of Acoma;

(2) Sandia school site comprising sixty-three one-hundredths of an acre, more or less, to the Indians of the Pueblo of Sandia;

(3) Santa Ana school site comprising two and eighty-one one-hundredths acres, more or less, excluding mineral interests therein, located within the El Ranchito grant, to the Indians of the Pueblo of Santa Ana; and

(4) Administrative site in the Borrego grant, comprising four hundred and twenty-eight acres, more or less, excluding minerals therein, to the Indians of the Pueblo of Zia.

SEC. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of lands and improvements placed in a trust status under the authority of this Act should or should not be set off against any claim against the United States determined by the Commission.

Approved March 7, 1966.

25 USC 70a.

Public Law 89-364

JOINT RESOLUTION

March 8, 1966  
[S. J. Res. 9]

To cancel any unpaid reimbursable construction costs of the Wind River Indian irrigation project, Wyoming, chargeable against certain non-Indian lands.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) all reimbursable construction costs heretofore incurred at the Wind River Indian irrigation project, Wyoming, shall be allocated against the total irrigable acreage in the project according to the present land classifications.

Wind River Indian irrigation project, Wyo. Construction costs.

(b) The costs so allocated to land that passed out of Indian ownership prior to March 7, 1928, shall be canceled by the Secretary of the Interior if the patent from the United States contained no recital to the effect that the land is subject to irrigation construction charges, and the purchaser did not sign a contract to pay construction charges. Such cancellation, however, shall take effect with respect to any individual landowner when and only when the said owner obligates himself, his heirs, and assigns by contract satisfactory in form and substance to the Secretary that he will pay all reasonable construction charges incurred after the date of this Act in connection with the Wind River Indian irrigation project which are allocated to his land as provided in this Act and that such charges, if not paid, shall be a lien against the land.

Land subject to lien.

(c) Land that passed out of Indian ownership prior to March 7, 1928, shall, if the patent from the United States contains a recital to the effect that the land is subject to irrigation construction charges, either past or future, be subject to a lien in favor of the United States for such charges.

Reimbursable construction charges.

(d) Reimbursable construction charges hereafter incurred at the Wind River Indian irrigation project, Wyoming, shall be allocated against all irrigable acreage in the project according to land classifications then in effect, shall be a lien against the land, and shall not be subject to cancellation on the ground that the land was conveyed with a paid-up construction charge. Any such paid-up construction charge shall be deemed to mean a construction charge incurred prior to the date of this Act.

Approved March 8, 1966.

## Public Law 89-365

## AN ACT

March 8, 1966  
[H. R. 10625]

Relating to the tax treatment of certain amounts paid to certain members and former members of the uniformed services and to their survivors.

Uniformed serv-  
ices.  
Family protec-  
tion plan, tax  
treatment.  
78 Stat. 38.  
26 USC 101-122.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) (1) part III of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to items specifically excluded from gross income) is amended by redesignating section 122 as section 123, and by inserting after section 121 the following new section:

**"SEC. 122. CERTAIN REDUCED UNIFORMED SERVICES RETIREMENT PAY.**

"(a) **GENERAL RULE.**—In the case of a member or former member of the uniformed services of the United States who has made an election under chapter 73 of title 10 of the United States Code to receive a reduced amount of retired or retainer pay, gross income does not include the amount of any reduction after December 31, 1965, in his retired or retainer pay by reason of such election.

"(b) **SPECIAL RULE.**—

"(1) **AMOUNT EXCLUDED FROM GROSS INCOME.**—In the case of any individual referred to in subsection (a), all amounts received after December 31, 1965, as retired or retainer pay shall be excluded from gross income until there has been so excluded an amount equal to the consideration for the contract. The preceding sentence shall apply only to the extent that the amounts received would, but for such sentence, be includible in gross income.

"(2) **CONSIDERATION FOR THE CONTRACT.**—For purposes of paragraph (1) and section 72(o), the term 'consideration for the contract' means, in respect of any individual, the sum of—

"(A) the total amount of the reductions before January 1, 1966, in his retired or retainer pay by reason of an election under chapter 73 of title 10 of the United States Code, and

"(B) any amounts deposited at any time by him pursuant to section 1438 of such title 10."

(2) The table of sections for such part III is amended by striking out the item relating to section 122 and inserting in lieu thereof the following:

"Sec. 122. Certain reduced uniformed services retirement pay.

"Sec. 123. Cross references to other Acts."

(b) Section 72 of such Code (relating to tax treatment of annuities) is amended by redesignating subsection (o) as subsection (p), and by inserting after subsection (n) the following new subsection:

"(o) **ANNUITIES UNDER RETIRED SERVICEMAN'S FAMILY PROTECTION PLAN.**—Subsections (b) and (d) shall not apply in the case of amounts received after December 31, 1965, as an annuity under chapter 73 of title 10 of the United States Code, but all such amounts shall be excluded from gross income until there has been so excluded (under section 122(b)(1) or this section, including amounts excluded before January 1, 1966) an amount equal to the consideration for the contract (as defined by section 122(b)(2)), plus any amount treated pursuant to section 101(b)(2)(D) as additional consideration paid by the employee. Thereafter all amounts so received shall be included in gross income."

(c) Section 101(b)(2)(D) of such Code (relating to special rules for employees' death benefits) is amended by adding at the end thereof the following new sentence: "Paragraph (1) shall not apply in the case of an annuity under chapter 73 of title 10 of the United States Code if

70A Stat. 109.  
10 USC 1431-  
1446.

68A Stat. 20;  
76 Stat. 821.

70A Stat. 110.

*Supra.*

68A Stat. 27.

the individual who made the election under such chapter died after attaining retirement age.”

(d) The amendments made by subsections (a) and (b) shall apply with respect to taxable years ending after December 31, 1965. The amendment made by subsection (c) shall apply with respect to individuals making an election under chapter 73 of title 10 of the United States Code who die after December 31, 1965.

SEC. 2. (a) Section 2039(c) of the Internal Revenue Code of 1954 (relating to exclusion from gross estate of annuities under certain trusts and plans) is amended—

(1) by striking out “or” at the end of paragraph (2), by striking out the period at the end of paragraph (3) and inserting in lieu thereof “; or”, and by adding at the end thereof the following new paragraph:

“(4) chapter 73 of title 10 of the United States Code.”;

10 USC 1431-1446.

(2) by striking out “or under a contract described in paragraph (3)” in the second sentence and inserting in lieu thereof “, under a contract described in paragraph (3), or under chapter 73 of title 10 of the United States Code”; and

(3) by inserting at the end thereof the following new sentence: “For purposes of this subsection, amounts payable under chapter 73 of title 10 of the United States Code are attributable to payments or contributions made by the decedent only to the extent of amounts deposited by him pursuant to section 1438 of such title 10.”

70A Stat. 110.

(b) (1) Section 2517(a) of such Code (relating to gift tax treatment of certain annuities under qualified plans) is amended by striking out “or” at the end of paragraph (2), by striking out the period at the end of paragraph (3) and inserting in lieu thereof “; or”, and by adding at the end thereof the following new paragraph:

“(4) chapter 73 of title 10 of the United States Code.”

(2) The first sentence of section 2517(b) of such Code (relating to transfers attributable to employee contributions) is amended by inserting “(other than paragraph (4))” after “referred to in subsection (a)”.

(c) The amendments made by subsection (a) shall apply with respect to decedents dying after December 31, 1965. The amendments made by subsection (b) shall apply with respect to calendar years after 1965.

Approved March 8, 1966.

Public Law 89-366

AN ACT

March 10, 1966  
[S. 251]

To provide for the establishment of the Cape Lookout National Seashore in the State of North Carolina, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to preserve for public use and enjoyment an area in the State of North Carolina possessing outstanding natural and recreational values, there is hereby authorized to be established the Cape Lookout National Seashore (hereinafter referred to as “seashore”), which shall comprise the lands and adjoining marshlands and waters on the outer banks of Carteret County, North Carolina, between Ocracoke Inlet and Beaufort Inlet, as generally depicted on the map entitled “Proposed Boundaries—Proposed Cape Lookout National Seashore”, dated

Cape Lookout  
National Seashore,  
N.C.  
Establishment.

April 1964, and numbered NS-CL-7101-B, which is on file in the Office of the National Park Service, Department of the Interior: *Provided, however,* That such seashore shall not include those lands and interests in lands which are bounded on the north by the southerly boundary of the Cape Lookout lighthouse property, on the east by a line located seven hundred and fifty feet inland from the mean high water line of the Atlantic Ocean, on the south by the northerly boundary of property now owned or leased by the United States Coast Guard and other Federal agencies, and on the west by the easterly boundary of property of the Thomas Gold heirs (as shown on a map prepared by J. G. Hassell in October 1961 and recorded at page 4 of Map Book Numbered 6 in the office of the Register of Deeds, Carteret County, North Carolina) and the waters of Lookout Bight.

Federal and  
non-Federal lands,  
transfer.

SEC. 2. (a) Notwithstanding any other provision of law, Federal property located within the boundaries of the Cape Lookout National Seashore may, with the concurrence of the agency having custody thereof, be transferred to the administrative jurisdiction of the Secretary of the Interior for the purposes of the seashore. Such transfer shall be made without transfer of funds. Non-Federal lands, marshlands, waters, or interests therein located within the authorized seashore may be acquired by the Secretary of the Interior only through donation, except that he may purchase with donated or appropriated funds, or may acquire by exchange, the lands, marshlands, and waters or interests therein comprising the Shackleford Banks. Land donated by the State of North Carolina pursuant to this subsection shall constitute consideration for the transfer by the United States of 1.5 acres of land that is to be used as a site for a public health facility in the village of Hatteras, Dare County, North Carolina.

Land acquisition  
by exchange.

(b) When acquiring lands by exchange, the Secretary may accept title to any non-Federal property within the boundaries of the seashore and convey to the grantor of such property any federally owned property in the State of North Carolina under his jurisdiction which he classifies as proper for exchange or other disposition. Failing to effectuate an exchange of properties of approximately equal fair market value, the Secretary may accept cash from or pay cash to the grantor in such an exchange in order to equalize the values of the properties exchanged.

Owners' use of  
property.

(c) Any person who on January 1, 1966, owned property which on July 1, 1963, was developed and used for noncommercial residential purposes may reserve for himself and his assigns, as a condition to the purchase or acquisition by exchange of such property by the Secretary, a right of use and occupancy of the residence and not in excess of three acres of land on which the residence is situated, for noncommercial residential purposes for a term ending at the death of the owner, or the death of his spouse, or the death of either of them, or, in lieu thereof, for a definite term not to exceed twenty-five years: *Provided,* That the Secretary may exclude from such reserved property any marsh, beach, or waters, together with so much of the land adjoining such marsh, beach, or waters as he deems necessary for public access thereto. The owner shall elect the term of the right to be reserved. The Secretary is authorized to accept donations of property for purposes of the seashore in which a right of use and occupancy for noncommercial residential purposes is reserved for the period stated in this subsection if the land on which the residence is situated and to which the right attaches is not in excess of three acres and there is excluded from the reserved property such marsh, beach, or waters and adjoining land as the Secretary deems necessary for public use and access thereto.

Exclusion  
rights.

(d) A right of use and occupancy reserved in lands that are donated or otherwise acquired pursuant to this section shall be subject to termination by the Secretary upon his determination that such use and occupancy is being exercised in a manner not consistent with the purposes of this Act and upon tender to the holder of the right of an amount equal to the fair market value of that portion of the right which remains unexpired on the date of termination.

Use and occupancy rights.

(e) The Secretary of the Interior is authorized to purchase with donated or appropriated funds, or acquire by exchange, not to exceed one hundred acres of lands or interests in lands at or near Beaufort, North Carolina, as an administrative site, and for a landing dock and related facilities that may be used to provide a suitable approach or access to the seashore.

Beaufort, N.C., administrative site.

SEC. 3. When title to the lands and interests in lands which under section 2(a) of this Act may be acquired for the purposes of the seashore by donation only is vested in the United States, the Secretary shall declare the establishment of the Cape Lookout National Seashore by publication of notice thereof in the Federal Register. Such notice shall contain a refined description or map of the boundaries of the seashore as the Secretary may find desirable and such exterior boundaries shall encompass, as nearly as possible, the area generally described in section 1 of this Act. Copies of said description or map shall be furnished to the Speaker of the House and the President of the Senate not less than thirty days prior to publication in the Federal Register. Following such establishment, and subject to the limitations and conditions prescribed in this Act, the Secretary may, subject to the provisions of section 2 hereof, acquire the remainder of the lands and interests in lands within the boundaries of the seashore.

Notice, publication in Federal Register.

Copies sent to Congress.

SEC. 4. The Secretary shall permit hunting and fishing, including shellfishing, on lands, marshlands, and waters under his jurisdiction within the Cape Lookout National Seashore in accordance with the laws of the State of North Carolina and the United States, to the extent applicable, except that the Secretary may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any rules and regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the North Carolina Wildlife Resources Commission and the North Carolina Department of Conservation and Development.

Hunting and fishing.

SEC. 5. The Secretary shall administer the Cape Lookout National Seashore for the general purposes of public outdoor recreation, including conservation of natural features contributing to public enjoyment. In the administration of the seashore and the administrative site, the Secretary may utilize such statutory authorities relating to areas administered and supervised by the Secretary through the National Park Service and such statutory authorities otherwise available to him for the conservation and management of natural resources as he deems appropriate to carry out the purposes of this Act.

Administration.

SEC. 6. The authority of the Chief of Engineers, Department of the Army, to undertake or contribute to shore erosion control or beach protection measures within the Cape Lookout National Seashore shall be exercised in accordance with a plan that is mutually acceptable to the Secretary of the Interior and the Secretary of the Army, and that is consistent with the purposes of this Act.

Shore erosion control.

SEC. 7. There are hereby authorized to be appropriated not to exceed \$3,200,000 for the acquisition and development of the seashore in accordance with the purposes of this Act.

Appropriation.

Approved March 10, 1966.

## Public Law 89-367

March 15, 1966  
[H. R. 12889]

## AN ACT

To authorize appropriations during the fiscal year 1966 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, research, development, test, evaluation, and military construction for the Armed Forces, and for other purposes.

Armed Forces.  
Supplemental  
appropriation au-  
thorization, 1966.

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

## TITLE I—PROCUREMENT

79 Stat. 127.

SEC. 101. In addition to the funds authorized to be appropriated under Public Law 89-37 there is hereby authorized to be appropriated during the fiscal year 1966 for the use of the Armed Forces of the United States for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles in amounts as follows:

## AIRCRAFT

For aircraft: for the Army, \$825,600,000; for the Navy and the Marine Corps, \$738,300,000; for the Air Force, \$1,585,700,000.

## MISSILES

For missiles: for the Army, \$64,000,000; for the Navy, \$26,200,000; for the Marine Corps, \$27,500,000; for the Air Force, \$63,700,000.

## TRACKED COMBAT VEHICLES

For tracked combat vehicles: for the Army, \$75,800,000; for the Marine Corps, \$10,900,000.

## TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 201. In addition to the funds authorized to be appropriated under Public Law 89-37 there is hereby authorized to be appropriated during fiscal year 1966 for the use of the Armed Forces of the United States for research, development, test, and evaluation, as authorized by law, in amounts as follows:

For the Army, \$27,995,000;

For the Navy (including the Marine Corps), \$52,570,000;

For the Air Force, \$71,085,000.

## TITLE III—MILITARY CONSTRUCTION

Development of  
facilities for  
southeast Asia.

SEC. 301. The Secretary of each military department may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, which are necessary in connection with military activities in southeast Asia, or in support of such activities, in the total amount as follows:

Department of the Army, \$509,700,000;

Department of the Navy, \$304,300,000; and

Department of the Air Force, \$274,100,000.

Vital security  
facilities.

SEC. 302. The Secretary of Defense may establish or develop installations and facilities which he determines to be vital to the security of the United States, and in connection therewith to acquire, construct,

convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of \$200,000,000.

SEC. 303. The Secretary of each military department may proceed to establish or develop installations and facilities under this Act without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), and sections 4774(d) and 9774(d) of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

SEC. 304. Whenever—

(1) the President determines that compliance with section 2313(b) of title 10, United States Code, for contracts made under this Act for the establishment or development of military installations and facilities in foreign countries would interfere with the carrying out of this Act; and

(2) the Secretary of Defense and the Comptroller General have agreed upon alternative methods of adequately auditing those contracts;

the President may exempt those contracts from the requirements of that section.

SEC. 305. There are authorized to be appropriated such sums as may be necessary for the purposes of this title, but the appropriations for public works authorized by sections 301 and 302 shall not exceed—

(1) for section 301: Department of the Army, \$509,700,000; Department of the Navy, \$304,300,000; Department of the Air Force, \$274,100,000, or a total of \$1,088,100,000.

(2) for section 302: a total of \$200,000,000.

#### TITLE IV—GENERAL PROVISIONS

SEC. 401. (a) Funds authorized for appropriation for the use of the Armed Forces of the United States under this or any other Act are authorized to be made available for their stated purposes in connection with support of Vietnamese and other free world forces in Vietnam, and related costs, during the fiscal years 1966 and 1967, on such terms and conditions as the Secretary of Defense may determine.

(b) Within 30 days after the end of each quarter, the Secretary of Defense shall render to the Committees on Armed Services and Appropriations of the Senate and the House of Representatives a report with respect to the estimated value by country of support furnished from appropriations authorized to be made under this subsection.

(c) The Secretary of Defense shall furnish to the Committees on Armed Services of the Senate and House of Representatives a description of all construction projects, including cost estimates and periodic reports, made available to the Secretary of Defense simultaneously with the receipt of such information from the persons responsible for the construction of such projects in support of Vietnamese and other free world forces in Vietnam. Whenever such construction projects, involving \$1,000,000 or more, are performed by private contractors, the Secretary of Defense or his representative in Vietnam shall report to the Committees on Armed Services of the Senate and House of

Land improve-  
ments, etc.

70A Stat. 269,  
590.

Contracts.

70A Stat. 132.

Appropriation,  
limitation.

Funds, availa-  
bility for Vietna-  
mese forces, etc.

Report to con-  
gressional com-  
mittees.

Construction,  
projects descrip-  
tion and estimates.

Report to con-  
gressional com-  
mittees.

Representatives the name or names of such private contractors, the amounts involved in each contract, a copy of the report in support of each progress payment, and a complete report prior to final payment.

Auditing of contracts.

(d) The Secretary of Defense shall also furnish to the Armed Services Committees of the Senate and House of Representatives complete information regarding the alternative methods of adequately auditing contracts which he and the Comptroller General have agreed upon prior to the execution of any contract which would waive the provisions of section 2313(b) of title 10, United States Code.

70A Stat. 132.

Approved March 15, 1966.

Public Law 89-368

AN ACT

March 15, 1966 [H. R. 12752]

To provide for graduated withholding of income tax from wages, to require declarations of estimated tax with respect to self-employment income, to accelerate current payments of estimated income tax by corporations, to postpone certain excise tax rate reductions, and for other purposes.

Tax Adjustment Act of 1966.

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

SECTION 1. SHORT TITLE, ETC.

(a) SHORT TITLE.—This Act may be cited as the "Tax Adjustment Act of 1966".

(b) AMENDMENT OF 1954 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1954.

68A Stat. 3. 26 USC 1 et seq.

TITLE I—ADJUSTMENT OF CERTAIN COLLECTION PROCEDURES

SECTION 101. INCOME TAX COLLECTED AT SOURCE.

68A Stat. 457; 78 Stat. 140. 26 USC 3402.

(a) PERCENTAGE METHOD OF WITHHOLDING.—Subsection (a) of section 3402 (relating to requirement of withholding) is amended to read as follows:

"(a) REQUIREMENT OF WITHHOLDING.—Every employer making payment of wages shall deduct and withhold upon such wages (except as otherwise provided in this section) a tax determined in accordance with the following tables. For purposes of applying such tables, the term 'the amount of wages' means the amount by which the wages exceed the number of withholding exemptions claimed, multiplied by the amount of one such exemption as shown in the table in subsection (b) (1):

Post, p. 41.

"Table 1—If the payroll period with respect to an employee is WEEKLY

"(a) Single Person—Including Head of Household:

If the amount of wages is:	The amount of income tax to be withheld shall be:
Not over \$4.....	0.
Over \$4 but not over \$13.....	14% of excess over \$4.
Over \$13 but not over \$23.....	\$1.26 plus 15% of excess over \$13.
Over \$23 but not over \$85.....	\$2.76 plus 17% of excess over \$23.
Over \$85 but not over \$169.....	\$13.30 plus 20% of excess over \$85.
Over \$169 but not over \$212.....	\$30.10 plus 25% of excess over \$169.
Over \$212.....	\$40.85 plus 30% of excess over \$212.

“(b) Married Person:

If the amount of wages is:	The amount of income tax to be withheld shall be:
Not over \$4.....	0.
Over \$4 but not over \$23.....	14% of excess over \$4.
Over \$23 but not over \$85.....	\$2.66 plus 15% of excess over \$23.
Over \$85 but not over \$169.....	\$11.96 plus 17% of excess over \$85.
Over \$169 but not over \$340.....	\$26.24 plus 20% of excess over \$169.
Over \$340 but not over \$423.....	\$60.44 plus 25% of excess over \$340.
Over \$423.....	\$81.19 plus 30% of excess over \$423.

“Table 2—If the payroll period with respect to an employee is BIWEEKLY

“(a) Single Person—Including Head of Household:

If the amount of wages is:	The amount of income tax to be withheld shall be:
Not over \$8.....	0.
Over \$8 but not over \$27.....	14% of excess over \$8.
Over \$27 but not over \$46.....	\$2.66 plus 15% of excess over \$27.
Over \$46 but not over \$169.....	\$5.51 plus 17% of excess over \$46.
Over \$169 but not over \$338.....	\$26.42 plus 20% of excess over \$169.
Over \$338 but not over \$423.....	\$60.22 plus 25% of excess over \$338.
Over \$423.....	\$81.47 plus 30% of excess over \$423.

“(b) Married Person:

If the amount of wages is:	The amount of income tax to be withheld shall be:
Not over \$8.....	0.
Over \$8 but not over \$46.....	14% of excess over \$8.
Over \$46 but not over \$169.....	\$5.32 plus 15% of excess over \$46.
Over \$169 but not over \$338.....	\$23.77 plus 17% of excess over \$169.
Over \$338 but not over \$681.....	\$52.50 plus 20% of excess over \$338.
Over \$681 but not over \$846.....	\$121.10 plus 25% of excess over \$681.
Over \$846.....	\$162.35 plus 30% of excess over \$846.

“Table 3—If the payroll period with respect to an employee is SEMIMONTHLY

“(a) Single Person—Including Head of Household:

If the amount of wages is:	The amount of income tax to be withheld shall be:
Not over \$8.....	0.
Over \$8 but not over \$29.....	14% of excess over \$8.
Over \$29 but not over \$50.....	\$2.94 plus 15% of excess over \$29.
Over \$50 but not over \$183.....	\$6.09 plus 17% of excess over \$50.
Over \$183 but not over \$367.....	\$28.70 plus 20% of excess over \$183.
Over \$367 but not over \$458.....	\$65.50 plus 25% of excess over \$367.
Over \$458.....	\$88.25 plus 30% of excess over \$458.

“(b) Married Person:

If the amount of wages is:	The amount of income tax to be withheld shall be:
Not over \$8.....	0.
Over \$8 but not over \$50.....	14% of excess over \$8.
Over \$50 but not over \$183.....	\$5.88 plus 15% of excess over \$50.
Over \$183 but not over \$367.....	\$25.83 plus 17% of excess over \$183.
Over \$367 but not over \$738.....	\$57.11 plus 20% of excess over \$367.
Over \$738 but not over \$917.....	\$131.31 plus 25% of excess over \$738.
Over \$917.....	\$176.06 plus 30% of excess over \$917.

“Table 4—If the payroll period with respect to an employee is MONTHLY

“(a) Single Person—Including Head of Household:

If the amount of wages is:	The amount of income tax to be withheld shall be:
Not over \$17.....	0.
Over \$17 but not over \$58.....	14% of excess over \$17.
Over \$58 but not over \$100.....	\$5.74 plus 15% of excess over \$58.
Over \$100 but not over \$367.....	\$12.04 plus 17% of excess over \$100.
Over \$367 but not over \$733.....	\$57.43 plus 20% of excess over \$367.
Over \$733 but not over \$917.....	\$130.63 plus 25% of excess over \$733.
Over \$917.....	\$176.63 plus 30% of excess over \$917.

“(b) Married Person:

If the amount of wages is:	The amount of income tax to be withheld shall be:
Not over \$17-----	0.
Over \$17 but not over \$100-----	14% of excess over \$17.
Over \$100 but not over \$367-----	\$11.62 plus 15% of excess over \$100.
Over \$367 but not over \$733-----	\$51.67 plus 17% of excess over \$367.
Over \$733 but not over \$1,475-----	\$113.89 plus 20% of excess over \$733.
Over \$1,475 but not over \$1,833-----	\$262.29 plus 25% of excess over \$1,475.
Over \$1,833-----	\$351.79 plus 30% of excess over \$1,833.

“Table 5—If the payroll period with respect to an employee is QUARTERLY

“(a) Single Person—Including Head of Household:

If the amount of wages is:	The amount of income tax to be withheld shall be:
Not over \$50-----	0.
Over \$50 but not over \$175-----	14% of excess over \$50.
Over \$175 but not over \$300-----	\$17.50 plus 15% of excess over \$175.
Over \$300 but not over \$1,100-----	\$36.25 plus 17% of excess over \$300.
Over \$1,100 but not over \$2,200-----	\$172.25 plus 20% of excess over \$1,100.
Over \$2,200 but not over \$2,750-----	\$392.25 plus 25% of excess over \$2,200.
Over \$2,750-----	\$529.75 plus 30% of excess over \$2,750.

“(b) Married Person:

If the amount of wages is:	The amount of income tax to be withheld shall be:
Not over \$50-----	0.
Over \$50 but not over \$300-----	14% of excess over \$50.
Over \$300 but not over \$1,100-----	\$35.00 plus 15% of excess over \$300.
Over \$1,100 but not over \$2,200-----	\$155 plus 17% of excess over \$1,100.
Over \$2,200 but not over \$4,425-----	\$342 plus 20% of excess over \$2,200.
Over \$4,425 but not over \$5,500-----	\$787 plus 25% of excess over \$4,425.
Over \$5,500-----	\$1,055.75 plus 30% of excess over \$5,500.

“Table 6—If the payroll period with respect to an employee is SEMIANNUAL

“(a) Single Person—Including Head of Household:

If the amount of wages is:	The amount of income tax to be withheld shall be:
Not over \$100-----	0.
Over \$100 but not over \$350-----	14% of excess over \$100.
Over \$350 but not over \$600-----	\$35.00 plus 15% of excess over \$350.
Over \$600 but not over \$2,200-----	\$72.50 plus 17% of excess over \$600.
Over \$2,200 but not over \$4,400-----	\$344.50 plus 20% of excess over \$2,200.
Over \$4,400 but not over \$5,500-----	\$784.50 plus 25% of excess over \$4,400.
Over \$5,500-----	\$1,059.50 plus 30% of excess over \$5,500.

“(b) Married Person:

If the amount of wages is:	The amount of income tax to be withheld shall be:
Not over \$100-----	0.
Over \$100 but not over \$600-----	14% of excess over \$100.
Over \$600 but not over \$2,200-----	\$70 plus 15% of excess over \$600.
Over \$2,200 but not over \$4,400-----	\$310 plus 17% of excess over \$2,200.
Over \$4,400 but not over \$8,850-----	\$684 plus 20% of excess over \$4,400.
Over \$8,850 but not over \$11,000-----	\$1,574 plus 25% of excess over \$8,850.
Over \$11,000-----	\$2,111.50 plus 30% of excess over \$11,000.

**"Table 7—If the payroll period with respect to an employee is ANNUAL****"(a) Single Person—Including Head of Household:**

If the amount of wages is:	The amount of income tax to be withheld shall be:
Not over \$200-----	0.
Over \$200 but not over \$700-----	14% of excess over \$200.
Over \$700 but not over \$1,200-----	\$70 plus 15% of excess over \$700.
Over \$1,200 but not over \$4,400-----	\$145 plus 17% of excess over \$1,200.
Over \$4,400 but not over \$8,800-----	\$689 plus 20% of excess over \$4,400.
Over \$8,800 but not over \$11,000-----	\$1,569 plus 25% of excess over \$8,800.
Over \$11,000-----	\$2,119 plus 30% of excess over \$11,000.

**"(b) Married Person:**

If the amount of wages is:	The amount of income tax to be withheld shall be:
Not over \$200-----	0.
Over \$200 but not over \$1,200-----	14% of excess over \$200.
Over \$1,200 but not over \$4,400-----	\$140 plus 15% of excess over \$1,200.
Over \$4,400 but not over \$8,800-----	\$620 plus 17% of excess over \$4,400.
Over \$8,800 but not over \$17,700-----	\$1,368 plus 20% of excess over \$8,800.
Over \$17,700 but not over \$22,000-----	\$3,148 plus 25% of excess over \$17,700.
Over \$22,000-----	\$4,223 plus 30% of excess over \$22,000.

**"Table 8—If the payroll period with respect to an employee is a DAILY payroll period or a miscellaneous payroll period****"(a) Single Person—Including Head of Household:**

If the amount of wages divided by the number of days in the payroll period is:	The amount of income tax to be withheld shall be the following amount multiplied by the number of days in such period:
Not over \$0.50-----	0.
Over \$0.50 but not over \$1.90-----	14% of excess over \$0.50.
Over \$1.90 but not over \$3.30-----	\$0.20 plus 15% of excess over \$1.90.
Over \$3.30 but not over \$12.10-----	\$0.41 plus 17% of excess over \$3.30.
Over \$12.10 but not over \$24.10-----	\$1.91 plus 20% of excess over \$12.10.
Over \$24.10 but not over \$30.10-----	\$4.31 plus 25% of excess over \$24.10.
Over \$30.10-----	\$5.81 plus 30% of excess over \$30.10.

**"(b) Married Person:**

If the amount of wages divided by the number of days in the payroll period is:	The amount of income tax to be withheld shall be the following amount multiplied by the number of days in such period:
Not over \$0.50-----	0.
Over \$0.50 but not over \$3.30-----	14% of excess over \$0.50.
Over \$3.30 but not over \$12.10-----	\$0.39 plus 15% of excess over \$3.30.
Over \$12.10 but not over \$24.10-----	\$1.71 plus 17% of excess over \$12.10.
Over \$24.10 but not over \$48.50-----	\$3.75 plus 20% of excess over \$24.10.
Over \$48.50 but not over \$60.30-----	\$8.63 plus 25% of excess over \$48.50.
Over \$60.30-----	\$11.58 plus 30% of excess over \$60.30."

(b) AMOUNT OF WITHHOLDING EXEMPTION.—Paragraph (1) of section 3402(b) (relating to percentage method withholding table) is amended by striking out the table set forth therein and inserting the following table in lieu thereof:

68A Stat. 457.  
26 USC 3402.

**"Percentage Method Withholding Table**

Payroll period	Amount of one withholding exemption:
Weekly-----	\$13.50.
Biweekly-----	26.90.
Semimonthly-----	29.20.
Monthly-----	58.30.
Quarterly-----	175.00.
Semiannual-----	350.00.
Annual-----	700.00.
Daily or miscellaneous (per day of such period).	1.90."

(c) WAGE BRACKET WITHHOLDING.—Paragraph (1) of section 3402(c) (relating to wage bracket withholding) is amended by strik-

78 Stat. 140.

ing out the tables set forth therein and inserting the following tables in lieu thereof:

"If the payroll period with respect to an employee is weekly and he is not married—

And the wages are—		And the number of withholding exemptions claimed is—										
At least—	But less than—	0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of income tax to be withheld shall be—										
\$0	\$4	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
\$4	\$5	.10	0	0	0	0	0	0	0	0	0	0
\$5	\$6	.20	0	0	0	0	0	0	0	0	0	0
\$6	\$7	.40	0	0	0	0	0	0	0	0	0	0
\$7	\$8	.50	0	0	0	0	0	0	0	0	0	0
\$8	\$9	.70	0	0	0	0	0	0	0	0	0	0
\$9	\$10	.80	0	0	0	0	0	0	0	0	0	0
\$10	\$11	.90	0	0	0	0	0	0	0	0	0	0
\$11	\$12	1.10	0	0	0	0	0	0	0	0	0	0
\$12	\$13	1.20	0	0	0	0	0	0	0	0	0	0
\$13	\$14	1.40	0	0	0	0	0	0	0	0	0	0
\$14	\$15	1.50	0	0	0	0	0	0	0	0	0	0
\$15	\$16	1.70	0	0	0	0	0	0	0	0	0	0
\$16	\$17	1.80	0	0	0	0	0	0	0	0	0	0
\$17	\$18	2.00	0	0	0	0	0	0	0	0	0	0
\$18	\$19	2.10	.20	0	0	0	0	0	0	0	0	0
\$19	\$20	2.30	.30	0	0	0	0	0	0	0	0	0
\$20	\$21	2.40	.40	0	0	0	0	0	0	0	0	0
\$21	\$22	2.60	.60	0	0	0	0	0	0	0	0	0
\$22	\$23	2.70	.70	0	0	0	0	0	0	0	0	0
\$23	\$24	2.90	.90	0	0	0	0	0	0	0	0	0
\$24	\$25	3.00	1.00	0	0	0	0	0	0	0	0	0
\$25	\$26	3.20	1.10	0	0	0	0	0	0	0	0	0
\$26	\$27	3.40	1.30	0	0	0	0	0	0	0	0	0
\$27	\$28	3.50	1.40	0	0	0	0	0	0	0	0	0
\$28	\$29	3.70	1.60	0	0	0	0	0	0	0	0	0
\$29	\$30	3.90	1.70	0	0	0	0	0	0	0	0	0
\$30	\$31	4.10	1.90	0	0	0	0	0	0	0	0	0
\$31	\$32	4.20	2.00	.10	0	0	0	0	0	0	0	0
\$32	\$33	4.40	2.20	.20	0	0	0	0	0	0	0	0
\$33	\$34	4.60	2.30	.40	0	0	0	0	0	0	0	0
\$34	\$35	4.70	2.50	.50	0	0	0	0	0	0	0	0
\$35	\$36	4.90	2.60	.70	0	0	0	0	0	0	0	0
\$36	\$37	5.10	2.80	.80	0	0	0	0	0	0	0	0
\$37	\$38	5.20	3.00	.90	0	0	0	0	0	0	0	0
\$38	\$39	5.40	3.10	1.10	0	0	0	0	0	0	0	0
\$39	\$40	5.60	3.30	1.20	0	0	0	0	0	0	0	0
\$40	\$41	5.80	3.50	1.40	0	0	0	0	0	0	0	0
\$41	\$42	5.90	3.60	1.50	0	0	0	0	0	0	0	0
\$42	\$43	6.10	3.80	1.70	0	0	0	0	0	0	0	0
\$43	\$44	6.30	4.00	1.80	0	0	0	0	0	0	0	0
\$44	\$45	6.40	4.10	2.00	0	0	0	0	0	0	0	0
\$45	\$46	6.60	4.30	2.10	.20	0	0	0	0	0	0	0
\$46	\$47	6.80	4.50	2.30	.30	0	0	0	0	0	0	0
\$47	\$48	6.90	4.70	2.40	.50	0	0	0	0	0	0	0
\$48	\$49	7.10	4.80	2.60	.60	0	0	0	0	0	0	0
\$49	\$50	7.30	5.00	2.70	.70	0	0	0	0	0	0	0
\$50	\$51	7.50	5.20	2.90	.90	0	0	0	0	0	0	0
\$51	\$52	7.60	5.30	3.00	1.00	0	0	0	0	0	0	0
\$52	\$53	7.80	5.50	3.20	1.20	0	0	0	0	0	0	0
\$53	\$54	8.00	5.70	3.40	1.30	0	0	0	0	0	0	0
\$54	\$55	8.10	5.80	3.60	1.40	0	0	0	0	0	0	0
\$55	\$56	8.30	6.00	3.70	1.60	0	0	0	0	0	0	0
\$56	\$57	8.50	6.20	3.90	1.70	0	0	0	0	0	0	0
\$57	\$58	8.60	6.40	4.10	1.90	0	0	0	0	0	0	0
\$58	\$59	8.80	6.50	4.20	2.00	.10	0	0	0	0	0	0
\$59	\$60	9.00	6.70	4.40	2.20	.30	0	0	0	0	0	0
\$60	\$62	9.20	6.90	4.70	2.40	.50	0	0	0	0	0	0
\$62	\$64	9.60	7.30	5.00	2.70	.70	0	0	0	0	0	0
\$64	\$66	9.90	7.60	5.30	3.10	1.00	0	0	0	0	0	0
\$66	\$68	10.30	8.00	5.70	3.40	1.30	0	0	0	0	0	0
\$68	\$70	10.60	8.30	6.00	3.70	1.60	0	0	0	0	0	0
\$70	\$72	10.90	8.60	6.40	4.10	1.90	0	0	0	0	0	0
\$72	\$74	11.30	9.00	6.70	4.40	2.20	.30	0	0	0	0	0
\$74	\$76	11.60	9.30	7.00	4.80	2.50	.50	0	0	0	0	0
\$76	\$78	12.00	9.70	7.40	5.10	2.80	.80	0	0	0	0	0
\$78	\$80	12.30	10.00	7.70	5.40	3.10	1.10	0	0	0	0	0
\$80	\$82	12.60	10.30	8.10	5.80	3.50	1.40	0	0	0	0	0
\$82	\$84	13.00	10.70	8.40	6.10	3.80	1.70	0	0	0	0	0
\$84	\$86	13.30	11.00	8.70	6.50	4.20	2.00	.10	0	0	0	0
\$86	\$88	13.70	11.40	9.10	6.80	4.50	2.30	.30	0	0	0	0
\$88	\$90	14.10	11.70	9.40	7.10	4.80	2.60	.60	0	0	0	0
\$90	\$92	14.50	12.00	9.80	7.50	5.20	2.90	.90	0	0	0	0
\$92	\$94	14.90	12.40	10.10	7.80	5.50	3.20	1.20	0	0	0	0
\$94	\$96	15.30	12.70	10.40	8.20	5.90	3.60	1.50	0	0	0	0
\$96	\$98	15.70	13.10	10.80	8.50	6.20	3.90	1.80	0	0	0	0
\$98	\$100	16.10	13.40	11.10	8.80	6.50	4.30	2.10	.10	0	0	0
\$100	\$105	16.80	14.10	11.70	9.40	7.10	4.80	2.60	.60	0	0	0
\$105	\$110	17.80	15.10	12.60	10.30	8.00	5.70	3.40	1.30	0	0	0
\$110	\$115	18.80	16.10	13.40	11.10	8.80	6.50	4.30	2.10	.10	0	0
\$115	\$120	19.80	17.10	14.40	12.00	9.70	7.40	5.10	2.80	.80	0	0



"If the payroll period with respect to an employee is weekly and he is married—

And the wages are—		And the number of withholding exemptions claimed is—										
At least—	But less than—	0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of income tax to be withheld shall be—										
\$37	\$38	\$4.90	\$2.80	\$ .90	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
\$38	\$39	5.00	3.00	1.10	0	0	0	0	0	0	0	0
\$39	\$40	5.20	3.10	1.20	0	0	0	0	0	0	0	0
\$40	\$41	5.30	3.30	1.40	0	0	0	0	0	0	0	0
\$41	\$42	5.50	3.40	1.50	0	0	0	0	0	0	0	0
\$42	\$43	5.60	3.60	1.60	0	0	0	0	0	0	0	0
\$43	\$44	5.80	3.70	1.80	0	0	0	0	0	0	0	0
\$44	\$45	5.90	3.90	1.90	0	0	0	0	0	0	0	0
\$45	\$46	6.10	4.00	2.10	.20	0	0	0	0	0	0	0
\$46	\$47	6.20	4.20	2.20	.30	0	0	0	0	0	0	0
\$47	\$48	6.40	4.30	2.30	.50	0	0	0	0	0	0	0
\$48	\$49	6.50	4.50	2.50	.60	0	0	0	0	0	0	0
\$49	\$50	6.70	4.60	2.60	.70	0	0	0	0	0	0	0
\$50	\$51	6.80	4.80	2.80	.90	0	0	0	0	0	0	0
\$51	\$52	7.00	4.90	2.90	1.00	0	0	0	0	0	0	0
\$52	\$53	7.10	5.10	3.10	1.20	0	0	0	0	0	0	0
\$53	\$54	7.30	5.20	3.20	1.30	0	0	0	0	0	0	0
\$54	\$55	7.40	5.40	3.40	1.40	0	0	0	0	0	0	0
\$55	\$56	7.60	5.50	3.50	1.60	0	0	0	0	0	0	0
\$56	\$57	7.70	5.70	3.70	1.70	0	0	0	0	0	0	0
\$57	\$58	7.90	5.80	3.80	1.90	0	0	0	0	0	0	0
\$58	\$59	8.00	6.00	4.00	2.00	.10	0	0	0	0	0	0
\$59	\$60	8.20	6.10	4.10	2.10	.30	0	0	0	0	0	0
\$60	\$62	8.40	6.40	4.30	2.30	.50	0	0	0	0	0	0
\$62	\$64	8.70	6.70	4.60	2.60	.70	0	0	0	0	0	0
\$64	\$66	9.00	7.00	4.90	2.90	1.00	0	0	0	0	0	0
\$66	\$68	9.30	7.30	5.20	3.20	1.30	0	0	0	0	0	0
\$68	\$70	9.60	7.60	5.50	3.50	1.60	0	0	0	0	0	0
\$70	\$72	9.90	7.90	5.80	3.80	1.90	0	0	0	0	0	0
\$72	\$74	10.20	8.20	6.10	4.10	2.10	.30	0	0	0	0	0
\$74	\$76	10.50	8.50	6.40	4.40	2.40	.50	0	0	0	0	0
\$76	\$78	10.80	8.80	6.70	4.70	2.70	.80	0	0	0	0	0
\$78	\$80	11.10	9.10	7.00	5.00	3.00	1.10	0	0	0	0	0
\$80	\$82	11.40	9.40	7.30	5.30	3.30	1.40	0	0	0	0	0
\$82	\$84	11.70	9.70	7.60	5.60	3.60	1.70	0	0	0	0	0
\$84	\$86	12.00	10.00	7.90	5.90	3.90	1.90	.10	0	0	0	0
\$86	\$88	12.30	10.30	8.20	6.20	4.20	2.20	.30	0	0	0	0
\$88	\$90	12.70	10.60	8.50	6.50	4.50	2.50	.60	0	0	0	0
\$90	\$92	13.00	10.90	8.80	6.80	4.80	2.80	.90	0	0	0	0
\$92	\$94	13.30	11.20	9.10	7.10	5.10	3.10	1.20	0	0	0	0
\$94	\$96	13.70	11.50	9.40	7.40	5.40	3.40	1.50	0	0	0	0
\$96	\$98	14.00	11.80	9.70	7.70	5.70	3.70	1.70	0	0	0	0
\$98	\$100	14.40	12.10	10.00	8.00	6.00	4.00	2.00	.10	0	0	0
\$100	\$105	15.00	12.70	10.60	8.50	6.50	4.50	2.50	.60	0	0	0
\$105	\$110	15.80	13.50	11.30	9.30	7.30	5.30	3.20	1.30	0	0	0
\$110	\$115	16.70	14.40	12.10	10.00	8.00	6.00	4.00	2.00	.10	0	0
\$115	\$120	17.50	15.20	12.90	10.80	8.80	6.80	4.70	2.70	.80	0	0
\$120	\$125	18.40	16.10	13.80	11.50	9.50	7.50	5.50	3.50	1.50	0	0
\$125	\$130	19.20	16.90	14.60	12.30	10.30	8.30	6.20	4.20	2.20	.40	0
\$130	\$135	20.10	17.80	15.50	13.20	11.00	9.00	7.00	5.00	3.00	1.10	0
\$135	\$140	20.90	18.60	16.30	14.00	11.80	9.80	7.70	5.70	3.70	1.80	0
\$140	\$145	21.80	19.50	17.20	14.90	12.60	10.50	8.50	6.50	4.50	2.50	.60
\$145	\$150	22.60	20.30	18.00	15.70	13.50	11.30	9.20	7.20	5.20	3.20	1.30
\$150	\$160	23.90	21.60	19.30	17.00	14.70	12.40	10.40	8.30	6.30	4.30	2.30
\$160	\$170	25.60	23.30	21.00	18.70	16.40	14.10	11.90	9.80	7.80	5.80	3.80
\$170	\$180	27.50	25.00	22.70	20.40	18.10	15.80	13.60	11.30	9.30	7.30	5.30
\$180	\$190	29.50	26.80	24.40	22.10	19.80	17.50	15.30	13.00	10.80	8.80	6.80
\$190	\$200	31.50	28.80	26.10	23.80	21.50	19.20	17.00	14.70	12.40	10.30	8.30
\$200	\$210	33.50	30.80	28.10	25.50	23.20	20.90	18.70	16.40	14.10	11.80	9.80
\$210	\$220	35.50	32.80	30.10	27.40	24.90	22.60	20.40	18.10	15.80	13.50	11.30
\$220	\$230	37.50	34.80	32.10	29.40	26.70	24.30	22.10	19.80	17.50	15.20	12.90
\$230	\$240	39.50	36.80	34.10	31.40	28.70	26.00	23.80	21.50	19.20	16.90	14.60
\$240	\$250	41.50	38.80	36.10	33.40	30.70	28.00	25.50	23.20	20.90	18.60	16.30
\$250	\$260	43.50	40.80	38.10	35.40	32.70	30.00	27.30	24.90	22.60	20.30	18.00
\$260	\$270	45.50	42.80	40.10	37.40	34.70	32.00	29.30	26.60	24.30	22.00	19.70
\$270	\$280	47.50	44.80	42.10	39.40	36.70	34.00	31.30	28.60	26.00	23.70	21.40
\$280	\$290	49.50	46.80	44.10	41.40	38.70	36.00	33.30	30.60	27.90	25.40	23.10
\$290	\$300	51.50	48.80	46.10	43.40	40.70	38.00	35.30	32.60	29.90	27.20	24.80
\$300	\$310	53.50	50.80	48.10	45.40	42.70	40.00	37.30	34.60	31.90	29.20	26.50
\$310	\$320	55.50	52.80	50.10	47.40	44.70	42.00	39.30	36.60	33.90	31.20	28.50
\$320	\$330	57.50	54.80	52.10	49.40	46.70	44.00	41.30	38.60	35.90	33.20	30.50
\$330	\$340	59.50	56.80	54.10	51.40	48.70	46.00	43.30	40.60	37.90	35.20	32.50
\$340	\$350	61.70	58.80	56.10	53.40	50.70	48.00	45.30	42.60	39.90	37.20	34.50
\$350	\$360	64.20	60.80	58.10	55.40	52.70	50.00	47.30	44.60	41.90	39.20	36.50
\$360	\$370	66.70	63.30	60.10	57.40	54.70	52.00	49.30	46.60	43.90	41.20	38.50
\$370	\$380	69.20	65.80	62.50	59.40	56.70	54.00	51.30	48.60	45.90	43.20	40.50
\$380	\$390	71.70	68.30	65.00	61.60	58.70	56.00	53.30	50.60	47.90	45.20	42.50
\$390	\$400	74.20	70.80	67.50	64.10	60.70	58.00	55.30	52.60	49.90	47.20	44.50
\$400	\$410	76.70	73.30	70.00	66.60	63.20	60.00	57.30	54.60	51.90	49.20	46.50
\$410	\$420	79.20	75.80	72.50	69.10	65.70	62.40	59.30	56.60	53.90	51.20	48.50
\$420	\$430	81.80	78.30	75.00	71.60	68.20	64.90	61.50	58.60	55.90	53.20	50.50
\$430	\$440	84.80	80.80	77.50	74.10	70.70	67.40	64.00	60.60	57.90	55.20	52.50
\$440	\$450	87.80	83.80	80.00	76.60	73.20	69.90	66.50	63.10	59.90	57.20	54.50

**"If the payroll period with respect to an employee is weekly and he is married—**

And the wages are—		And the number of withholding exemptions claimed is—										
At least—	But less than—	0	1	2	3	4	5	6	7	8	9	10 or more
The amount of income tax to be withheld shall be—												
\$450-----	\$460-----	\$90.80	\$86.80	\$82.70	\$79.10	\$75.70	\$72.40	\$69.00	\$65.60	\$62.30	\$59.20	\$56.50
\$460-----	\$470-----	93.80	89.80	85.70	81.70	78.20	74.90	71.50	68.10	64.80	61.40	58.50
\$470-----	\$480-----	96.80	92.80	88.70	84.70	80.70	77.40	74.00	70.60	67.30	63.90	60.50
\$480-----	\$490-----	99.80	95.80	91.70	87.70	83.60	79.90	76.50	73.10	69.80	66.40	63.00
\$490-----	\$500-----	\$500	102.80	98.80	94.70	90.70	86.60	82.60	79.00	75.60	72.30	68.90
\$500-----	\$510-----	\$510	105.80	101.80	97.70	93.70	89.60	85.60	81.60	78.10	74.80	71.40
\$510-----	\$520-----	\$520	108.80	104.80	100.70	96.70	92.60	88.60	84.60	80.60	77.30	73.90
\$520-----	\$530-----	\$530	111.80	107.80	103.70	99.70	95.60	91.60	87.60	83.50	79.80	76.40
\$530-----	\$540-----	\$540	114.80	110.80	106.70	102.70	98.60	94.60	90.60	86.50	82.50	78.90
\$540-----	\$550-----	\$550	117.80	113.80	109.70	105.70	101.60	97.60	93.60	89.50	85.50	81.40
\$550-----	\$560-----	\$560	120.80	116.80	112.70	108.70	104.60	100.60	96.60	92.50	88.50	84.40
\$560-----	\$570-----	\$570	123.80	119.80	115.70	111.70	107.60	103.60	99.60	95.50	91.50	87.40
30 percent of the excess over \$570 plus—												
\$570 and over-----		125.30	121.30	117.20	113.20	109.10	105.10	101.10	97.00	93.00	88.90	84.90

**"If the payroll period with respect to an employee is biweekly and he is not married—**

And the wages are—		And the number of withholding exemptions claimed is—										
At least—	But less than—	0	1	2	3	4	5	6	7	8	9	10 or more
The amount of income tax to be withheld shall be—												
\$0-----	\$8-----	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
\$8-----	\$10-----	.20	0	0	0	0	0	0	0	0	0	0
\$10-----	\$12-----	.50	0	0	0	0	0	0	0	0	0	0
\$12-----	\$14-----	.70	0	0	0	0	0	0	0	0	0	0
\$14-----	\$16-----	1.00	0	0	0	0	0	0	0	0	0	0
\$16-----	\$18-----	1.30	0	0	0	0	0	0	0	0	0	0
\$18-----	\$20-----	1.60	0	0	0	0	0	0	0	0	0	0
\$20-----	\$22-----	1.90	0	0	0	0	0	0	0	0	0	0
\$22-----	\$24-----	2.10	0	0	0	0	0	0	0	0	0	0
\$24-----	\$26-----	2.40	0	0	0	0	0	0	0	0	0	0
\$26-----	\$28-----	2.70	0	0	0	0	0	0	0	0	0	0
\$28-----	\$30-----	3.00	0	0	0	0	0	0	0	0	0	0
\$30-----	\$32-----	3.30	0	0	0	0	0	0	0	0	0	0
\$32-----	\$34-----	3.60	0	0	0	0	0	0	0	0	0	0
\$34-----	\$36-----	3.90	.10	0	0	0	0	0	0	0	0	0
\$36-----	\$38-----	4.20	.30	0	0	0	0	0	0	0	0	0
\$38-----	\$40-----	4.50	.60	0	0	0	0	0	0	0	0	0
\$40-----	\$42-----	4.80	.90	0	0	0	0	0	0	0	0	0
\$42-----	\$44-----	5.10	1.20	0	0	0	0	0	0	0	0	0
\$44-----	\$46-----	5.40	1.50	0	0	0	0	0	0	0	0	0
\$46-----	\$48-----	5.70	1.70	0	0	0	0	0	0	0	0	0
\$48-----	\$50-----	6.10	2.00	0	0	0	0	0	0	0	0	0
\$50-----	\$52-----	6.40	2.30	0	0	0	0	0	0	0	0	0
\$52-----	\$54-----	6.70	2.60	0	0	0	0	0	0	0	0	0
\$54-----	\$56-----	7.10	2.90	0	0	0	0	0	0	0	0	0
\$56-----	\$58-----	7.40	3.20	0	0	0	0	0	0	0	0	0
\$58-----	\$60-----	7.80	3.50	0	0	0	0	0	0	0	0	0
\$60-----	\$62-----	8.10	3.80	0	0	0	0	0	0	0	0	0
\$62-----	\$64-----	8.40	4.10	.20	0	0	0	0	0	0	0	0
\$64-----	\$66-----	8.80	4.40	.50	0	0	0	0	0	0	0	0
\$66-----	\$68-----	9.10	4.70	.80	0	0	0	0	0	0	0	0
\$68-----	\$70-----	9.50	5.00	1.00	0	0	0	0	0	0	0	0
\$70-----	\$72-----	9.80	5.30	1.30	0	0	0	0	0	0	0	0
\$72-----	\$74-----	10.10	5.60	1.60	0	0	0	0	0	0	0	0
\$74-----	\$76-----	10.50	5.90	1.90	0	0	0	0	0	0	0	0
\$76-----	\$78-----	10.80	6.20	2.20	0	0	0	0	0	0	0	0
\$78-----	\$80-----	11.20	6.60	2.40	0	0	0	0	0	0	0	0
\$80-----	\$82-----	11.50	6.90	2.70	0	0	0	0	0	0	0	0
\$82-----	\$84-----	11.80	7.30	3.00	0	0	0	0	0	0	0	0
\$84-----	\$86-----	12.20	7.60	3.30	0	0	0	0	0	0	0	0
\$86-----	\$88-----	12.50	7.90	3.60	0	0	0	0	0	0	0	0
\$88-----	\$90-----	12.90	8.30	3.90	.10	0	0	0	0	0	0	0
\$90-----	\$92-----	13.20	8.60	4.20	.40	0	0	0	0	0	0	0
\$92-----	\$94-----	13.50	9.00	4.50	.60	0	0	0	0	0	0	0
\$94-----	\$96-----	13.90	9.30	4.80	.90	0	0	0	0	0	0	0
\$96-----	\$98-----	14.20	9.60	5.10	1.20	0	0	0	0	0	0	0
\$98-----	\$100-----	14.60	10.00	5.40	1.50	0	0	0	0	0	0	0
\$100-----	\$102-----	14.90	10.30	5.70	1.80	0	0	0	0	0	0	0

"If the payroll period with respect to an employee is biweekly and he is not married—

And the wages are—		And the number of withholding exemptions claimed is—										
At least—	But less than—	0	1	2	3	4	5	6	7	8	9	10 or more
The amount of income tax to be withheld shall be—												
\$102	\$104	\$15.20	\$10.70	\$6.10	\$2.00	\$0	\$0	\$0	\$0	\$0	\$0	\$0
\$104	\$106	15.60	11.00	6.40	2.30	0	0	0	0	0	0	0
\$106	\$108	15.90	11.30	6.80	2.60	0	0	0	0	0	0	0
\$108	\$110	16.30	11.70	7.10	2.90	0	0	0	0	0	0	0
\$110	\$112	16.60	12.00	7.40	3.20	0	0	0	0	0	0	0
\$112	\$114	16.90	12.40	7.80	3.50	0	0	0	0	0	0	0
\$114	\$116	17.30	12.70	8.10	3.80	0	0	0	0	0	0	0
\$116	\$118	17.60	13.00	8.50	4.10	.20	0	0	0	0	0	0
\$118	\$120	18.00	13.40	8.80	4.40	.50	0	0	0	0	0	0
\$120	\$124	18.50	13.90	9.30	4.80	.90	0	0	0	0	0	0
\$124	\$128	19.20	14.60	10.00	5.40	1.50	0	0	0	0	0	0
\$128	\$132	19.80	15.30	10.70	6.10	2.00	0	0	0	0	0	0
\$132	\$136	20.50	15.90	11.40	6.80	2.60	0	0	0	0	0	0
\$136	\$140	21.20	16.60	12.00	7.50	3.20	0	0	0	0	0	0
\$140	\$144	21.90	17.30	12.70	8.10	3.80	0	0	0	0	0	0
\$144	\$148	22.60	18.00	13.40	8.80	4.40	.50	0	0	0	0	0
\$148	\$152	23.20	18.70	14.10	9.50	5.00	1.10	0	0	0	0	0
\$152	\$156	23.90	19.30	14.80	10.20	5.60	1.60	0	0	0	0	0
\$156	\$160	24.60	20.00	15.40	10.90	6.30	2.20	0	0	0	0	0
\$160	\$164	25.30	20.70	16.10	11.50	7.00	2.80	0	0	0	0	0
\$164	\$168	26.00	21.40	16.80	12.20	7.60	3.40	0	0	0	0	0
\$168	\$172	26.70	22.10	17.50	12.90	8.30	4.00	.10	0	0	0	0
\$172	\$176	27.50	22.70	18.20	13.60	9.00	4.60	.70	0	0	0	0
\$176	\$180	28.30	23.40	18.80	14.30	9.70	5.20	1.20	0	0	0	0
\$180	\$184	29.10	24.10	19.50	14.90	10.40	5.80	1.80	0	0	0	0
\$184	\$188	29.90	24.80	20.20	15.60	11.00	6.50	2.30	0	0	0	0
\$188	\$192	30.70	25.50	20.90	16.30	11.70	7.10	2.90	0	0	0	0
\$192	\$196	31.60	26.10	21.60	17.00	12.40	7.80	3.50	0	0	0	0
\$196	\$200	32.30	26.90	22.20	17.70	13.10	8.50	4.10	.30	0	0	0
\$200	\$210	33.70	28.30	23.40	18.90	14.30	9.70	5.20	1.20	0	0	0
\$210	\$220	35.70	30.30	25.10	20.60	16.00	11.40	6.80	2.60	0	0	0
\$220	\$230	37.70	32.30	26.90	22.30	17.70	13.10	8.50	4.10	.30	0	0
\$230	\$240	39.70	34.30	28.90	24.00	19.40	14.80	10.20	5.60	1.70	0	0
\$240	\$250	41.70	36.30	30.90	25.70	21.10	16.50	11.90	7.30	3.10	0	0
\$250	\$260	43.70	38.30	32.90	27.50	22.80	18.20	13.60	9.00	4.60	.70	0
\$260	\$270	45.70	40.30	34.90	29.50	24.50	19.90	15.30	10.70	6.20	2.10	0
\$270	\$280	47.70	42.30	36.90	31.50	26.20	21.60	17.00	12.40	7.90	3.60	0
\$280	\$290	49.70	44.30	38.90	33.50	28.10	23.30	18.70	14.10	9.60	5.10	1.10
\$290	\$300	51.70	46.30	40.90	35.50	30.10	25.00	20.40	15.80	11.30	6.70	2.50
\$300	\$320	54.70	49.30	43.90	38.50	33.10	27.70	23.00	18.40	13.80	9.20	4.80
\$320	\$340	58.70	53.30	47.90	42.50	37.10	31.70	26.40	21.80	17.20	12.60	8.10
\$340	\$360	63.20	57.30	51.90	46.50	41.10	35.70	30.30	25.20	20.60	16.00	11.50
\$360	\$380	68.20	61.50	55.90	50.50	45.10	39.70	34.30	29.00	24.00	19.40	14.90
\$380	\$400	73.20	66.50	59.90	54.50	49.10	43.70	38.30	33.00	27.60	22.80	18.30
\$400	\$420	78.20	71.50	64.80	58.50	53.10	47.70	42.30	37.00	31.60	26.20	21.70
\$420	\$440	83.60	76.50	69.80	63.00	57.10	51.70	46.30	41.00	35.60	30.20	25.10
\$440	\$460	89.60	81.50	74.80	68.00	61.30	55.70	50.30	45.00	39.60	34.20	28.80
\$460	\$480	95.60	87.50	79.80	73.00	66.30	60.70	54.30	49.00	43.60	38.20	32.80
\$480	\$500	101.60	93.50	85.40	78.00	71.30	64.60	58.30	53.00	47.60	42.20	36.80
\$500	\$520	107.60	99.50	91.40	83.30	76.30	69.60	62.80	57.00	51.60	46.20	40.80
\$520	\$540	113.60	105.50	97.40	89.30	81.30	74.60	67.80	61.10	55.60	50.20	44.80
\$540	\$560	119.60	111.50	103.40	95.30	87.30	79.60	72.80	66.10	59.60	54.20	48.80
\$560	\$580	125.60	117.50	109.40	101.30	93.30	85.20	77.80	71.10	64.40	58.20	52.80
\$580	\$600	131.60	123.50	115.40	107.30	99.30	91.20	83.10	76.10	69.40	62.70	56.80
\$600	\$620	137.60	129.50	121.40	113.30	105.30	97.20	89.10	81.10	74.40	67.70	60.90
\$620	\$640	143.60	135.50	127.40	119.30	111.30	103.20	95.10	87.00	79.40	72.70	65.90
\$640	\$660	149.60	141.50	133.40	125.30	117.30	109.20	101.10	93.00	85.00	77.70	70.90
\$660	\$680	155.60	147.50	139.40	131.30	123.30	115.20	107.10	99.00	91.00	82.90	75.90
\$680	\$700	161.60	153.50	145.40	137.30	129.30	121.20	113.10	105.00	97.00	88.90	80.90
\$700	\$720	167.60	159.50	151.40	143.30	135.30	127.20	119.10	111.00	103.00	94.90	86.80
30 percent of the excess over \$720 plus—												
\$720 and over		170.60	162.50	154.40	146.30	138.30	130.20	122.10	114.00	106.00	97.90	89.80

“If the payroll period with respect to an employee is biweekly and he is married—

And the wages are—		And the number of withholding exemptions claimed is—										
At least—	But less than—	0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of income tax to be withheld shall be—										
\$0.	\$8.	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
\$8.	\$10.	.20	0	0	0	0	0	0	0	0	0	0
\$10.	\$12.	.50	0	0	0	0	0	0	0	0	0	0
\$12.	\$14.	.70	0	0	0	0	0	0	0	0	0	0
\$14.	\$16.	1.00	0	0	0	0	0	0	0	0	0	0
\$16.	\$18.	1.30	0	0	0	0	0	0	0	0	0	0
\$18.	\$20.	1.60	0	0	0	0	0	0	0	0	0	0
\$20.	\$22.	1.90	0	0	0	0	0	0	0	0	0	0
\$22.	\$24.	2.10	0	0	0	0	0	0	0	0	0	0
\$24.	\$26.	2.40	0	0	0	0	0	0	0	0	0	0
\$26.	\$28.	2.70	0	0	0	0	0	0	0	0	0	0
\$28.	\$30.	3.00	0	0	0	0	0	0	0	0	0	0
\$30.	\$32.	3.30	0	0	0	0	0	0	0	0	0	0
\$32.	\$34.	3.50	0	0	0	0	0	0	0	0	0	0
\$34.	\$36.	3.80	.10	0	0	0	0	0	0	0	0	0
\$36.	\$38.	4.10	.30	0	0	0	0	0	0	0	0	0
\$38.	\$40.	4.40	.60	0	0	0	0	0	0	0	0	0
\$40.	\$42.	4.70	.90	0	0	0	0	0	0	0	0	0
\$42.	\$44.	4.90	1.20	0	0	0	0	0	0	0	0	0
\$44.	\$46.	5.20	1.50	0	0	0	0	0	0	0	0	0
\$46.	\$48.	5.50	1.70	0	0	0	0	0	0	0	0	0
\$48.	\$50.	5.80	2.00	0	0	0	0	0	0	0	0	0
\$50.	\$52.	6.10	2.30	0	0	0	0	0	0	0	0	0
\$52.	\$54.	6.40	2.60	0	0	0	0	0	0	0	0	0
\$54.	\$56.	6.70	2.90	0	0	0	0	0	0	0	0	0
\$56.	\$58.	7.00	3.10	0	0	0	0	0	0	0	0	0
\$58.	\$60.	7.30	3.40	0	0	0	0	0	0	0	0	0
\$60.	\$62.	7.60	3.70	0	0	0	0	0	0	0	0	0
\$62.	\$64.	7.90	4.00	.20	0	0	0	0	0	0	0	0
\$64.	\$66.	8.20	4.30	.50	0	0	0	0	0	0	0	0
\$66.	\$68.	8.50	4.50	.80	0	0	0	0	0	0	0	0
\$68.	\$70.	8.80	4.80	1.00	0	0	0	0	0	0	0	0
\$70.	\$72.	9.10	5.10	1.30	0	0	0	0	0	0	0	0
\$72.	\$74.	9.40	5.40	1.60	0	0	0	0	0	0	0	0
\$74.	\$76.	9.70	5.70	1.90	0	0	0	0	0	0	0	0
\$76.	\$78.	10.00	6.00	2.20	0	0	0	0	0	0	0	0
\$78.	\$80.	10.30	6.30	2.40	0	0	0	0	0	0	0	0
\$80.	\$82.	10.60	6.60	2.70	0	0	0	0	0	0	0	0
\$82.	\$84.	10.90	6.90	3.00	0	0	0	0	0	0	0	0
\$84.	\$86.	11.20	7.20	3.30	0	0	0	0	0	0	0	0
\$86.	\$88.	11.50	7.50	3.60	0	0	0	0	0	0	0	0
\$88.	\$90.	11.80	7.80	3.80	.10	0	0	0	0	0	0	0
\$90.	\$92.	12.10	8.10	4.10	.40	0	0	0	0	0	0	0
\$92.	\$94.	12.40	8.40	4.40	.60	0	0	0	0	0	0	0
\$94.	\$96.	12.70	8.70	4.70	.90	0	0	0	0	0	0	0
\$96.	\$98.	13.00	9.00	5.00	1.20	0	0	0	0	0	0	0
\$98.	\$100.	13.30	9.30	5.20	1.50	0	0	0	0	0	0	0
\$100.	\$102.	13.60	9.60	5.50	1.80	0	0	0	0	0	0	0
\$102.	\$104.	13.90	9.90	5.80	2.00	0	0	0	0	0	0	0
\$104.	\$106.	14.20	10.20	6.10	2.30	0	0	0	0	0	0	0
\$106.	\$108.	14.50	10.50	6.40	2.60	0	0	0	0	0	0	0
\$108.	\$110.	14.80	10.80	6.70	2.90	0	0	0	0	0	0	0
\$110.	\$112.	15.10	11.10	7.00	3.20	0	0	0	0	0	0	0
\$112.	\$114.	15.40	11.40	7.30	3.40	0	0	0	0	0	0	0
\$114.	\$116.	15.70	11.70	7.60	3.70	0	0	0	0	0	0	0
\$116.	\$118.	16.00	12.00	7.90	4.00	.20	0	0	0	0	0	0
\$118.	\$120.	16.30	12.30	8.20	4.30	.50	0	0	0	0	0	0
\$120.	\$124.	16.80	12.70	8.70	4.70	.90	0	0	0	0	0	0
\$124.	\$128.	17.40	13.30	9.30	5.30	1.50	0	0	0	0	0	0
\$128.	\$132.	18.00	13.90	9.90	5.80	2.00	0	0	0	0	0	0
\$132.	\$136.	18.60	14.50	10.50	6.40	2.60	0	0	0	0	0	0
\$136.	\$140.	19.20	15.10	11.10	7.00	3.20	0	0	0	0	0	0
\$140.	\$144.	19.80	15.70	11.70	7.60	3.70	0	0	0	0	0	0
\$144.	\$148.	20.40	16.30	12.30	8.20	4.30	.50	0	0	0	0	0
\$148.	\$152.	21.00	16.90	12.90	8.80	4.80	1.10	0	0	0	0	0
\$152.	\$156.	21.50	17.50	13.50	9.40	5.40	1.60	0	0	0	0	0
\$156.	\$160.	22.20	18.10	14.10	10.00	6.00	2.20	0	0	0	0	0
\$160.	\$164.	22.80	18.70	14.70	10.60	6.60	2.80	0	0	0	0	0
\$164.	\$168.	23.40	19.30	15.30	11.20	7.20	3.30	0	0	0	0	0
\$168.	\$172.	24.00	19.90	15.90	11.80	7.80	3.90	.10	0	0	0	0
\$172.	\$176.	24.70	20.50	16.50	12.40	8.40	4.40	.70	0	0	0	0
\$176.	\$180.	25.30	21.10	17.10	13.00	9.00	5.00	1.20	0	0	0	0
\$180.	\$184.	26.00	21.70	17.70	13.60	9.60	5.60	1.80	0	0	0	0
\$184.	\$188.	26.70	22.30	18.30	14.20	10.20	6.20	2.30	0	0	0	0
\$188.	\$192.	27.40	22.90	18.90	14.80	10.80	6.80	2.90	0	0	0	0
\$192.	\$196.	28.10	23.50	19.50	15.40	11.40	7.40	3.50	0	0	0	0
\$196.	\$200.	28.70	24.20	20.10	16.00	12.00	8.00	4.00	.30	0	0	0
\$200.	\$210.	29.90	25.40	21.10	17.10	13.10	9.00	5.00	1.20	0	0	0
\$210.	\$220.	31.60	27.10	22.60	18.60	14.60	10.50	6.50	2.60	0	0	0
\$220.	\$230.	33.30	28.80	24.20	20.10	16.10	12.00	8.00	4.00	.30	0	0
\$230.	\$240.	35.00	30.50	25.90	21.60	17.60	13.50	9.50	5.40	1.70	0	0
\$240.	\$250.	36.70	32.20	27.60	23.10	19.10	15.00	11.00	6.90	3.10	0	0
\$250.	\$260.	38.40	33.90	29.30	24.70	20.60	16.50	12.50	8.40	4.50	.70	0

"If the payroll period with respect to an employee is biweekly and he is married—

And the wages are—		And the number of withholding exemptions claimed is—										
At least—	But less than—	0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of income tax to be withheld shall be—										
\$260	\$270	\$40.10	\$35.60	\$31.00	\$26.40	\$22.10	\$18.00	\$14.00	\$9.90	\$5.90	\$2.10	\$0
\$270	\$280	41.80	37.30	32.70	28.10	23.60	19.50	15.50	11.40	7.40	3.50	0
\$280	\$290	43.50	39.00	34.40	29.80	25.20	21.00	17.00	12.90	8.90	4.90	1.10
\$290	\$300	45.20	40.70	36.10	31.50	26.90	22.50	18.50	14.40	10.40	6.40	2.50
\$300	\$320	47.80	43.20	38.60	34.00	29.50	24.90	20.70	16.70	12.70	8.60	4.60
\$320	\$340	51.20	46.60	42.00	37.40	32.90	28.30	23.70	19.70	15.70	11.60	7.60
\$340	\$360	54.90	50.00	45.40	40.80	36.30	31.70	27.10	22.70	18.70	14.60	10.60
\$360	\$380	58.90	53.50	48.80	44.20	39.70	35.10	30.50	25.90	21.70	17.60	13.60
\$380	\$400	62.90	57.50	52.20	47.60	43.10	38.50	33.90	29.30	24.80	20.60	16.60
\$400	\$420	66.90	61.50	56.20	51.00	46.50	41.90	37.30	32.70	28.20	23.60	19.60
\$420	\$440	70.90	65.50	60.20	54.80	49.90	45.30	40.70	36.10	31.60	27.00	22.60
\$440	\$460	74.90	69.50	64.20	58.80	53.40	48.70	44.10	39.50	35.00	30.40	25.80
\$460	\$480	78.90	73.50	68.20	62.80	57.40	52.10	47.50	42.90	38.40	33.80	29.20
\$480	\$500	82.90	77.50	72.20	66.80	61.40	56.00	50.90	46.30	41.80	37.20	32.60
\$500	\$520	86.90	81.50	76.20	70.80	65.40	60.00	54.60	49.70	45.20	40.60	36.00
\$520	\$540	90.90	85.50	80.20	74.80	69.40	64.00	58.60	53.20	48.60	44.00	39.40
\$540	\$560	94.90	89.50	84.20	78.80	73.40	68.00	62.60	57.20	52.00	47.40	42.80
\$560	\$580	98.90	93.50	88.20	82.80	77.40	72.00	66.60	61.20	55.80	50.80	46.20
\$580	\$600	102.90	97.50	92.20	86.80	81.40	76.00	70.60	65.20	59.80	54.50	49.60
\$600	\$620	106.90	101.50	96.20	90.80	85.40	80.00	74.60	69.20	63.80	58.50	53.10
\$620	\$640	110.90	105.50	100.20	94.80	89.40	84.00	78.60	73.20	67.80	62.50	57.10
\$640	\$660	114.90	109.50	104.20	98.80	93.40	88.00	82.60	77.20	71.80	66.50	61.10
\$660	\$680	118.90	113.50	108.20	102.80	97.40	92.00	86.60	81.20	75.80	70.50	65.10
\$680	\$700	123.40	117.50	112.20	106.80	101.40	96.00	90.60	85.20	79.80	74.50	69.10
\$700	\$720	128.40	121.70	116.20	110.80	105.40	100.00	94.60	89.20	83.80	78.50	73.10
\$720	\$740	133.40	126.70	120.20	114.80	109.40	104.00	98.60	93.20	87.80	82.50	77.10
\$740	\$760	138.40	131.70	124.90	118.80	113.40	108.00	102.60	97.20	91.80	86.50	81.10
\$760	\$780	143.40	136.70	129.90	123.20	117.40	112.00	106.60	101.20	95.80	90.50	85.10
\$780	\$800	148.40	141.70	134.90	128.20	121.50	116.00	110.60	105.20	99.80	94.50	89.10
\$800	\$820	153.40	146.70	139.90	133.20	126.50	120.00	114.60	109.20	103.80	98.50	93.10
\$820	\$840	158.40	151.70	144.90	138.20	131.50	124.70	118.60	113.20	107.80	102.50	97.10
\$840	\$860	163.40	156.70	149.90	143.20	136.50	129.70	123.00	117.20	111.80	106.50	101.10
\$860	\$880	169.60	161.70	154.90	148.20	141.50	134.70	128.00	121.30	115.80	110.50	105.10
\$880	\$900	175.60	167.50	159.90	153.20	146.50	139.70	133.00	126.30	119.80	114.50	109.10
\$900	\$920	181.60	173.50	165.40	158.20	151.50	144.70	138.00	131.30	124.50	118.50	113.10
\$920	\$940	187.60	179.50	171.40	163.30	156.50	149.70	143.00	136.30	129.50	122.80	117.10
\$940	\$960	193.60	185.50	177.40	169.30	161.50	154.70	148.00	141.30	134.50	127.80	121.10
\$960	\$980	199.60	191.50	183.40	175.30	167.30	159.70	153.00	146.30	139.50	132.80	126.10
\$980	\$1,000	205.60	197.50	189.40	181.30	173.30	165.20	158.00	151.30	144.50	137.80	131.10
\$1,000	\$1,020	211.60	203.50	195.40	187.30	179.30	171.20	163.10	156.30	149.50	142.80	136.10
\$1,020	\$1,040	217.60	209.50	201.40	193.30	185.30	177.20	169.10	161.30	154.50	147.80	141.10
\$1,040	\$1,060	223.60	215.50	207.40	199.30	191.30	183.20	175.10	167.00	159.50	152.80	146.10
\$1,060	\$1,080	229.60	221.50	213.40	205.30	197.30	189.20	181.10	173.00	165.00	157.80	151.10
\$1,080	\$1,100	235.60	227.50	219.40	211.30	203.30	195.20	187.10	179.00	171.00	162.90	156.10
\$1,100	\$1,120	241.60	233.50	225.40	217.30	209.30	201.20	193.10	185.00	177.00	168.90	161.10
\$1,120	\$1,140	247.60	239.50	231.40	223.30	215.30	207.20	199.10	191.00	183.00	174.90	166.80
30 percent of the excess over \$1,140 plus—												
\$1,140 and over		250.60	242.50	234.40	226.30	218.30	210.20	202.10	194.00	186.00	177.90	169.80

"If the payroll period with respect to an employee is semimonthly and he is not married—

And the wages are—		And the number of withholding exemptions claimed is—										
At least—	But less than—	0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of income tax to be withheld shall be—										
\$0.....	\$8.....	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
\$8.....	\$10.....	.10	0	0	0	0	0	0	0	0	0	0
\$10.....	\$12.....	.40	0	0	0	0	0	0	0	0	0	0
\$12.....	\$14.....	.70	0	0	0	0	0	0	0	0	0	0
\$14.....	\$16.....	.90	0	0	0	0	0	0	0	0	0	0
\$16.....	\$18.....	1.20	0	0	0	0	0	0	0	0	0	0
\$18.....	\$20.....	1.50	0	0	0	0	0	0	0	0	0	0
\$20.....	\$22.....	1.80	0	0	0	0	0	0	0	0	0	0
\$22.....	\$24.....	2.10	0	0	0	0	0	0	0	0	0	0
\$24.....	\$26.....	2.30	0	0	0	0	0	0	0	0	0	0
\$26.....	\$28.....	2.60	0	0	0	0	0	0	0	0	0	0
\$28.....	\$30.....	2.90	0	0	0	0	0	0	0	0	0	0
\$30.....	\$32.....	3.20	0	0	0	0	0	0	0	0	0	0
\$32.....	\$34.....	3.50	0	0	0	0	0	0	0	0	0	0
\$34.....	\$36.....	3.80	0	0	0	0	0	0	0	0	0	0
\$36.....	\$38.....	4.10	0	0	0	0	0	0	0	0	0	0
\$38.....	\$40.....	4.40	.20	0	0	0	0	0	0	0	0	0
\$40.....	\$42.....	4.70	.50	0	0	0	0	0	0	0	0	0
\$42.....	\$44.....	5.00	.80	0	0	0	0	0	0	0	0	0
\$44.....	\$46.....	5.30	1.10	0	0	0	0	0	0	0	0	0
\$46.....	\$48.....	5.60	1.30	0	0	0	0	0	0	0	0	0
\$48.....	\$50.....	5.90	1.60	0	0	0	0	0	0	0	0	0
\$50.....	\$52.....	6.20	1.90	0	0	0	0	0	0	0	0	0
\$52.....	\$54.....	6.60	2.20	0	0	0	0	0	0	0	0	0
\$54.....	\$56.....	6.90	2.50	0	0	0	0	0	0	0	0	0
\$56.....	\$58.....	7.20	2.70	0	0	0	0	0	0	0	0	0
\$58.....	\$60.....	7.60	3.00	0	0	0	0	0	0	0	0	0
\$60.....	\$62.....	7.90	3.30	0	0	0	0	0	0	0	0	0
\$62.....	\$64.....	8.30	3.60	0	0	0	0	0	0	0	0	0
\$64.....	\$66.....	8.60	3.90	0	0	0	0	0	0	0	0	0
\$66.....	\$68.....	8.90	4.20	0	0	0	0	0	0	0	0	0
\$68.....	\$70.....	9.30	4.50	.30	0	0	0	0	0	0	0	0
\$70.....	\$72.....	9.60	4.80	.60	0	0	0	0	0	0	0	0
\$72.....	\$74.....	10.00	5.10	.90	0	0	0	0	0	0	0	0
\$74.....	\$76.....	10.30	5.40	1.20	0	0	0	0	0	0	0	0
\$76.....	\$78.....	10.60	5.70	1.40	0	0	0	0	0	0	0	0
\$78.....	\$80.....	11.00	6.00	1.70	0	0	0	0	0	0	0	0
\$80.....	\$82.....	11.30	6.40	2.00	0	0	0	0	0	0	0	0
\$82.....	\$84.....	11.70	6.70	2.30	0	0	0	0	0	0	0	0
\$84.....	\$86.....	12.00	7.00	2.60	0	0	0	0	0	0	0	0
\$86.....	\$88.....	12.30	7.40	2.80	0	0	0	0	0	0	0	0
\$88.....	\$90.....	12.70	7.70	3.10	0	0	0	0	0	0	0	0
\$90.....	\$92.....	13.00	8.10	3.40	0	0	0	0	0	0	0	0
\$92.....	\$94.....	13.40	8.40	3.70	0	0	0	0	0	0	0	0
\$94.....	\$96.....	13.70	8.70	4.00	0	0	0	0	0	0	0	0
\$96.....	\$98.....	14.00	9.10	4.30	.20	0	0	0	0	0	0	0
\$98.....	\$100.....	14.40	9.40	4.60	.40	0	0	0	0	0	0	0
\$100.....	\$102.....	14.70	9.80	4.90	.70	0	0	0	0	0	0	0
\$102.....	\$104.....	15.10	10.10	5.20	1.00	0	0	0	0	0	0	0
\$104.....	\$106.....	15.40	10.40	5.50	1.30	0	0	0	0	0	0	0
\$106.....	\$108.....	15.70	10.80	5.80	1.60	0	0	0	0	0	0	0
\$108.....	\$110.....	16.10	11.10	6.20	1.80	0	0	0	0	0	0	0
\$110.....	\$112.....	16.40	11.50	6.50	2.10	0	0	0	0	0	0	0
\$112.....	\$114.....	16.80	11.80	6.80	2.40	0	0	0	0	0	0	0
\$114.....	\$116.....	17.10	12.10	7.20	2.70	0	0	0	0	0	0	0
\$116.....	\$118.....	17.40	12.50	7.50	3.00	0	0	0	0	0	0	0
\$118.....	\$120.....	17.80	12.80	7.90	3.30	0	0	0	0	0	0	0
\$120.....	\$122.....	18.30	13.30	8.40	3.70	0	0	0	0	0	0	0
\$122.....	\$124.....	19.00	14.00	9.00	4.30	.10	0	0	0	0	0	0
\$124.....	\$126.....	19.60	14.70	9.70	4.90	.70	0	0	0	0	0	0
\$126.....	\$128.....	20.30	15.40	10.40	5.50	1.30	0	0	0	0	0	0
\$128.....	\$130.....	21.00	16.00	11.10	6.10	1.80	0	0	0	0	0	0
\$130.....	\$132.....	21.70	16.70	11.80	6.80	2.40	0	0	0	0	0	0
\$132.....	\$134.....	22.40	17.40	12.40	7.50	2.90	0	0	0	0	0	0
\$134.....	\$136.....	23.00	18.10	13.10	8.20	3.50	0	0	0	0	0	0
\$136.....	\$138.....	23.70	18.80	13.80	8.80	4.10	0	0	0	0	0	0
\$138.....	\$140.....	24.40	19.40	14.50	9.50	4.70	.50	0	0	0	0	0
\$140.....	\$142.....	25.10	20.10	15.20	10.20	5.30	1.10	0	0	0	0	0
\$142.....	\$144.....	25.80	20.80	15.80	10.90	5.90	1.70	0	0	0	0	0
\$144.....	\$146.....	26.40	21.50	16.50	11.60	6.60	2.20	0	0	0	0	0
\$146.....	\$148.....	27.10	22.20	17.20	12.20	7.30	2.80	0	0	0	0	0
\$148.....	\$150.....	27.80	22.80	17.90	12.90	8.00	3.40	0	0	0	0	0
\$150.....	\$152.....	28.50	23.50	18.60	13.60	8.60	4.00	0	0	0	0	0
\$152.....	\$154.....	29.20	24.20	19.20	14.30	9.30	4.60	.40	0	0	0	0
\$154.....	\$156.....	29.90	24.90	19.90	15.00	10.00	5.20	.90	0	0	0	0
\$156.....	\$158.....	30.60	25.60	20.60	15.60	10.70	5.80	1.50	0	0	0	0
\$158.....	\$160.....	31.60	26.20	21.30	16.30	11.40	6.40	2.10	0	0	0	0
\$160.....	\$162.....	33.00	27.40	22.50	17.50	12.60	7.60	3.00	0	0	0	0
\$162.....	\$164.....	35.00	29.20	24.20	19.20	14.30	9.30	4.50	.40	0	0	0
\$164.....	\$166.....	37.00	31.20	25.90	20.90	16.00	11.00	6.00	1.80	0	0	0
\$166.....	\$168.....	39.00	33.20	27.60	22.60	17.70	12.70	7.70	3.20	0	0	0
\$168.....	\$170.....	41.00	35.20	29.40	24.30	19.40	14.40	9.40	4.70	.50	0	0
\$170.....	\$172.....	43.00	37.20	31.40	26.00	21.10	16.10	11.10	6.20	1.90	0	0



"If the payroll period with respect to an employee is semimonthly and he is married—

And the wages are—		And the number of withholding exemptions claimed is—										
At least—	But less than—	0	1	2	3	4	5	6	7	8	9	10 or more
The amount of income tax to be withheld shall be—												
\$72	\$74	\$9.30	\$5.00	\$0.90	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
\$74	\$76	9.60	5.30	1.20	0	0	0	0	0	0	0	0
\$76	\$78	9.90	5.60	1.40	0	0	0	0	0	0	0	0
\$78	\$80	10.20	5.80	1.70	0	0	0	0	0	0	0	0
\$80	\$82	10.50	6.10	2.00	0	0	0	0	0	0	0	0
\$82	\$84	10.80	6.40	2.30	0	0	0	0	0	0	0	0
\$84	\$86	11.10	6.70	2.60	0	0	0	0	0	0	0	0
\$86	\$88	11.40	7.00	2.80	0	0	0	0	0	0	0	0
\$88	\$90	11.70	7.30	3.10	0	0	0	0	0	0	0	0
\$90	\$92	12.00	7.60	3.40	0	0	0	0	0	0	0	0
\$92	\$94	12.30	7.90	3.70	0	0	0	0	0	0	0	0
\$94	\$96	12.60	8.20	4.00	0	0	0	0	0	0	0	0
\$96	\$98	12.90	8.50	4.20	.20	0	0	0	0	0	0	0
\$98	\$100	13.20	8.80	4.50	.40	0	0	0	0	0	0	0
\$100	\$102	13.50	9.10	4.80	.70	0	0	0	0	0	0	0
\$102	\$104	13.80	9.40	5.10	1.00	0	0	0	0	0	0	0
\$104	\$106	14.10	9.70	5.40	1.30	0	0	0	0	0	0	0
\$106	\$108	14.40	10.00	5.60	1.60	0	0	0	0	0	0	0
\$108	\$110	14.70	10.30	5.90	1.80	0	0	0	0	0	0	0
\$110	\$112	15.00	10.60	6.20	2.10	0	0	0	0	0	0	0
\$112	\$114	15.30	10.90	6.50	2.40	0	0	0	0	0	0	0
\$114	\$116	15.60	11.20	6.80	2.70	0	0	0	0	0	0	0
\$116	\$118	15.90	11.50	7.10	3.00	0	0	0	0	0	0	0
\$118	\$120	16.20	11.80	7.40	3.20	0	0	0	0	0	0	0
\$120	\$124	16.60	12.30	7.90	3.70	0	0	0	0	0	0	0
\$124	\$128	17.20	12.90	8.50	4.20	.10	0	0	0	0	0	0
\$128	\$132	17.80	13.50	9.10	4.80	.70	0	0	0	0	0	0
\$132	\$136	18.40	14.10	9.70	5.30	1.30	0	0	0	0	0	0
\$136	\$140	19.00	14.70	10.30	5.90	1.80	0	0	0	0	0	0
\$140	\$144	19.60	15.30	10.90	6.50	2.40	0	0	0	0	0	0
\$144	\$148	20.20	15.90	11.50	7.10	2.90	0	0	0	0	0	0
\$148	\$152	20.80	16.50	12.10	7.70	3.50	0	0	0	0	0	0
\$152	\$156	21.40	17.10	12.70	8.30	4.10	0	0	0	0	0	0
\$156	\$160	22.00	17.70	13.30	8.90	4.60	.50	0	0	0	0	0
\$160	\$164	22.60	18.30	13.90	9.50	5.20	1.10	0	0	0	0	0
\$164	\$168	23.20	18.90	14.50	10.10	5.70	1.70	0	0	0	0	0
\$168	\$172	23.80	19.50	15.10	10.70	6.30	2.20	0	0	0	0	0
\$172	\$176	24.40	20.10	15.70	11.30	6.90	2.80	0	0	0	0	0
\$176	\$180	25.00	20.70	16.30	11.90	7.50	3.30	0	0	0	0	0
\$180	\$184	25.60	21.30	16.90	12.50	8.10	3.90	0	0	0	0	0
\$184	\$188	26.30	21.90	17.50	13.10	8.70	4.50	.40	0	0	0	0
\$188	\$192	27.00	22.50	18.10	13.70	9.30	5.00	.90	0	0	0	0
\$192	\$196	27.60	23.10	18.70	14.30	9.90	5.60	1.50	0	0	0	0
\$196	\$200	28.30	23.70	19.30	14.90	10.50	6.20	2.10	0	0	0	0
\$200	\$210	29.50	24.70	20.30	16.00	11.60	7.20	3.00	0	0	0	0
\$210	\$220	31.20	26.30	21.80	17.50	13.10	8.70	4.40	.40	0	0	0
\$220	\$230	32.90	28.00	23.30	19.00	14.60	10.20	5.80	1.80	0	0	0
\$230	\$240	34.60	29.70	24.80	20.50	16.10	11.70	7.30	3.20	0	0	0
\$240	\$250	36.30	31.40	26.40	22.00	17.60	13.20	8.80	4.60	.50	0	0
\$250	\$260	38.00	33.10	28.10	23.50	19.10	14.70	10.30	6.00	1.90	0	0
\$260	\$270	39.70	34.80	29.80	25.00	20.60	16.20	11.80	7.50	3.30	0	0
\$270	\$280	41.40	36.50	31.50	26.50	22.10	17.70	13.30	9.00	4.70	.60	0
\$280	\$290	43.10	38.20	33.20	28.20	23.60	19.20	14.80	10.50	6.10	2.00	0
\$290	\$300	44.80	39.90	34.90	29.90	25.10	20.70	16.30	12.00	7.60	3.40	0
\$300	\$320	47.40	42.40	37.50	32.50	27.50	23.00	18.60	14.20	9.80	5.50	1.40
\$320	\$340	50.80	45.80	40.90	35.90	30.90	26.00	21.60	17.20	12.80	8.50	4.20
\$340	\$360	54.20	49.20	44.30	39.30	34.30	29.40	24.60	20.20	15.80	11.50	7.10
\$360	\$380	57.70	52.60	47.70	42.70	37.70	32.80	27.80	23.20	18.80	14.50	10.10
\$380	\$400	61.70	56.00	51.10	46.10	41.10	36.20	31.20	26.30	21.80	17.50	13.10
\$400	\$420	65.70	59.80	54.50	49.50	44.50	39.60	34.60	29.70	24.80	20.50	16.10
\$420	\$440	69.70	63.80	58.00	52.90	47.90	43.00	38.00	33.10	28.10	23.50	19.10
\$440	\$460	73.70	67.80	62.00	56.30	51.30	46.40	41.40	36.50	31.50	26.50	22.10
\$460	\$480	77.70	71.80	66.00	60.20	54.70	49.80	44.80	39.90	34.90	29.90	25.10
\$480	\$500	81.70	75.80	70.00	64.20	58.30	53.20	48.20	43.30	38.30	33.30	28.40
\$500	\$520	85.70	79.80	74.00	68.20	62.30	56.60	51.60	46.70	41.70	36.70	31.80
\$520	\$540	89.70	83.80	78.00	72.20	66.30	60.50	55.00	50.10	45.10	40.10	35.20
\$540	\$560	93.70	87.80	82.00	76.20	70.30	64.50	58.70	53.50	48.50	43.50	38.60
\$560	\$580	97.70	91.80	86.00	80.20	74.30	68.50	62.70	56.90	51.90	46.90	42.00
\$580	\$600	101.70	95.80	90.00	84.20	78.30	72.50	66.70	60.80	55.30	50.30	45.40
\$600	\$620	105.70	99.80	94.00	88.20	82.30	76.50	70.70	64.80	59.00	53.70	48.80
\$620	\$640	109.70	103.80	98.00	92.20	86.30	80.50	74.70	68.80	63.00	57.20	52.20
\$640	\$660	113.70	107.80	102.00	96.20	90.30	84.50	78.70	72.80	67.00	61.20	55.60
\$660	\$680	117.70	111.80	106.00	100.20	94.30	88.50	82.70	76.80	71.00	65.20	59.30
\$680	\$700	121.70	115.80	110.00	104.20	98.30	92.50	86.70	80.80	75.00	69.20	63.30
\$700	\$720	125.70	119.80	114.00	108.20	102.30	96.50	90.70	84.80	79.00	73.20	67.30
\$720	\$740	129.70	123.80	118.00	112.20	106.30	100.50	94.70	88.80	83.00	77.20	71.30
\$740	\$760	134.30	127.80	122.00	116.20	110.30	104.50	98.70	92.80	87.00	81.20	75.30
\$760	\$780	139.30	132.00	126.00	120.20	114.30	108.50	102.70	96.80	91.00	85.20	79.30
\$780	\$800	144.30	137.00	130.00	124.20	118.30	112.50	106.70	100.80	95.00	89.20	83.30
\$800	\$820	149.30	142.00	134.70	128.20	122.30	116.50	110.70	104.80	99.00	93.20	87.30
\$820	\$840	154.30	147.00	139.70	132.40	126.30	120.50	114.70	108.80	103.00	97.20	91.30
\$840	\$860	159.30	152.00	144.70	137.40	130.30	124.50	118.70	112.80	107.00	101.20	95.30



"If the payroll period with respect to an employee is monthly and he is not married—

And the wages are—		And the number of withholding exemptions claimed is—										
At least—	But less than—	0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of income tax to be withheld shall be—										
\$184	\$188	\$26.70	\$16.80	\$7.50	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
\$188	\$192	27.40	17.50	8.10	0	0	0	0	0	0	0	0
\$192	\$196	28.10	18.10	8.70	.30	0	0	0	0	0	0	0
\$196	\$200	28.70	18.80	9.30	.90	0	0	0	0	0	0	0
\$200	\$204	29.40	19.50	9.90	1.40	0	0	0	0	0	0	0
\$204	\$208	30.10	20.20	10.50	2.00	0	0	0	0	0	0	0
\$208	\$212	30.80	20.90	11.10	2.60	0	0	0	0	0	0	0
\$212	\$216	31.50	21.50	11.70	3.10	0	0	0	0	0	0	0
\$216	\$220	32.10	22.20	12.30	3.70	0	0	0	0	0	0	0
\$220	\$224	32.80	22.90	13.00	4.20	0	0	0	0	0	0	0
\$224	\$228	33.50	23.60	13.70	4.80	0	0	0	0	0	0	0
\$228	\$232	34.20	24.30	14.40	5.40	0	0	0	0	0	0	0
\$232	\$236	34.90	24.90	15.00	5.90	0	0	0	0	0	0	0
\$236	\$240	35.50	25.60	15.70	6.50	0	0	0	0	0	0	0
\$240	\$248	36.60	26.60	16.70	7.40	0	0	0	0	0	0	0
\$248	\$256	37.90	28.00	18.10	8.60	.30	0	0	0	0	0	0
\$256	\$264	39.30	29.40	19.50	9.80	1.40	0	0	0	0	0	0
\$264	\$272	40.60	30.70	20.80	11.00	2.50	0	0	0	0	0	0
\$272	\$280	42.00	32.10	22.20	12.30	3.60	0	0	0	0	0	0
\$280	\$288	43.40	33.40	23.50	13.60	4.80	0	0	0	0	0	0
\$288	\$296	44.70	34.80	24.90	15.00	5.90	0	0	0	0	0	0
\$296	\$304	46.10	36.20	26.30	16.30	7.10	0	0	0	0	0	0
\$304	\$312	47.40	37.50	27.60	17.70	8.30	0	0	0	0	0	0
\$312	\$320	48.80	38.90	29.00	19.10	9.50	1.10	0	0	0	0	0
\$320	\$328	50.20	40.20	30.30	20.40	10.70	2.20	0	0	0	0	0
\$328	\$336	51.50	41.60	31.70	21.80	11.90	3.30	0	0	0	0	0
\$336	\$344	52.90	43.00	33.10	23.10	13.20	4.40	0	0	0	0	0
\$344	\$352	54.20	44.30	34.40	24.50	14.60	5.60	0	0	0	0	0
\$352	\$360	55.60	45.70	35.80	25.90	15.90	6.70	0	0	0	0	0
\$360	\$368	57.00	47.00	37.10	27.20	17.30	7.90	0	0	0	0	0
\$368	\$376	58.50	48.40	38.50	28.60	18.70	9.10	.70	0	0	0	0
\$376	\$384	60.10	49.80	39.90	29.90	20.00	10.30	1.90	0	0	0	0
\$384	\$392	61.70	51.10	41.20	31.30	21.40	11.50	3.00	0	0	0	0
\$392	\$400	63.30	52.50	42.60	32.70	22.70	12.80	4.10	0	0	0	0
\$400	\$420	66.10	54.90	45.00	35.00	25.10	15.20	6.10	0	0	0	0
\$420	\$440	70.10	58.40	48.40	38.40	28.50	18.60	9.10	.70	0	0	0
\$440	\$460	74.10	62.40	51.80	41.80	31.90	22.00	12.10	3.50	0	0	0
\$460	\$480	78.10	66.40	55.20	45.20	35.30	25.40	15.50	6.30	0	0	0
\$480	\$500	82.10	70.40	58.60	48.60	38.70	28.80	18.90	9.30	.90	0	0
\$500	\$520	86.10	74.40	62.00	52.00	42.10	32.20	22.30	12.40	3.70	0	0
\$520	\$540	90.10	78.40	66.80	55.40	45.50	35.60	25.70	15.80	6.60	0	0
\$540	\$560	94.10	82.40	70.80	59.10	48.90	39.00	29.10	19.20	9.60	1.20	0
\$560	\$580	98.10	86.40	74.80	63.10	52.30	42.40	32.50	22.60	12.70	4.00	0
\$580	\$600	102.10	90.40	78.80	67.10	55.70	45.80	35.90	26.00	16.10	6.80	0
\$600	\$640	108.10	96.40	84.80	73.10	61.40	50.90	41.00	31.10	21.20	11.30	2.80
\$640	\$680	116.10	104.40	92.80	81.10	69.40	57.80	47.80	37.90	28.00	18.00	8.60
\$680	\$720	124.10	112.40	100.80	89.10	77.40	65.80	54.60	44.70	34.80	24.80	14.90
\$720	\$760	132.10	120.40	108.80	97.10	85.40	73.80	62.10	51.50	41.60	31.60	21.70
\$760	\$800	142.40	128.40	116.80	105.10	93.40	81.80	70.10	58.40	48.40	38.40	28.50
\$800	\$840	152.40	137.80	124.80	113.10	101.40	89.80	78.10	66.40	55.20	45.20	35.30
\$840	\$880	162.40	147.80	133.30	121.10	109.40	97.80	86.10	74.40	62.80	52.00	42.10
\$880	\$920	172.40	157.80	143.30	129.10	117.40	105.80	94.10	82.40	70.80	59.10	48.90
\$920	\$960	183.60	167.80	153.30	138.70	125.40	113.80	102.10	90.40	78.80	67.10	55.70
\$960	\$1,000	195.60	178.10	163.30	148.70	134.10	121.80	110.10	98.40	86.80	75.10	63.40
\$1,000	\$1,040	207.60	190.10	173.30	158.70	144.10	129.80	118.10	106.40	94.80	83.10	71.40
\$1,040	\$1,080	219.60	202.10	184.60	168.70	154.10	139.50	126.10	114.40	102.80	91.10	79.40
\$1,080	\$1,120	231.60	214.10	196.60	179.10	164.10	149.50	134.90	122.40	110.80	99.10	87.40
\$1,120	\$1,160	243.60	226.10	208.60	191.10	174.10	159.50	144.90	130.40	118.80	107.10	95.40
\$1,160	\$1,200	255.60	238.10	220.60	203.10	185.60	169.50	154.90	140.30	126.80	115.10	103.40
\$1,200	\$1,240	267.60	250.10	232.60	215.10	197.60	180.10	164.90	150.30	135.80	123.10	111.40
\$1,240	\$1,280	279.60	262.10	244.60	227.10	209.60	192.10	174.90	160.30	145.80	131.20	119.40
\$1,280	\$1,320	291.60	274.10	256.60	239.10	221.60	204.10	186.60	170.30	155.80	141.20	127.40
\$1,320	\$1,360	303.60	286.10	268.60	251.10	233.60	216.10	198.60	181.10	165.80	151.20	136.60
\$1,360	\$1,400	315.60	298.10	280.60	263.10	245.60	228.10	210.60	193.10	175.80	161.20	146.60
\$1,400	\$1,440	327.60	310.10	292.60	275.10	257.60	240.10	222.60	205.10	187.60	171.20	156.60
\$1,440	\$1,480	339.60	322.10	304.60	287.10	269.60	252.10	234.60	217.10	199.60	182.10	166.60
\$1,480	\$1,520	351.60	334.10	316.60	299.10	281.60	264.10	246.60	229.10	211.60	194.10	176.60
30 percent of the excess over \$1,520 plus—												
\$1,520 and over		357.60	340.10	322.60	305.10	287.60	270.10	252.60	235.10	217.60	200.10	182.60

"If the payroll period with respect to an employee is monthly and he is married—

And the wages are—		And the number of withholding exemptions claimed is—										
At least—	But less than—	0	1	2	3	4	5	6	7	8	9	10 or more
The amount of income tax to be withheld shall be—												
\$0	\$16	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
\$16	\$20	.20	0	0	0	0	0	0	0	0	0	0
\$20	\$24	.70	0	0	0	0	0	0	0	0	0	0
\$24	\$28	1.30	0	0	0	0	0	0	0	0	0	0
\$28	\$32	1.90	0	0	0	0	0	0	0	0	0	0
\$32	\$36	2.40	0	0	0	0	0	0	0	0	0	0
\$36	\$40	3.00	0	0	0	0	0	0	0	0	0	0
\$40	\$44	3.50	0	0	0	0	0	0	0	0	0	0
\$44	\$48	4.10	0	0	0	0	0	0	0	0	0	0
\$48	\$52	4.70	0	0	0	0	0	0	0	0	0	0
\$52	\$56	5.20	0	0	0	0	0	0	0	0	0	0
\$56	\$60	5.80	0	0	0	0	0	0	0	0	0	0
\$60	\$64	6.30	0	0	0	0	0	0	0	0	0	0
\$64	\$68	6.90	0	0	0	0	0	0	0	0	0	0
\$68	\$72	7.50	0	0	0	0	0	0	0	0	0	0
\$72	\$76	8.00	0	0	0	0	0	0	0	0	0	0
\$76	\$80	8.60	.40	0	0	0	0	0	0	0	0	0
\$80	\$84	9.10	1.00	0	0	0	0	0	0	0	0	0
\$84	\$88	9.70	1.50	0	0	0	0	0	0	0	0	0
\$88	\$92	10.30	2.10	0	0	0	0	0	0	0	0	0
\$92	\$96	10.80	2.70	0	0	0	0	0	0	0	0	0
\$96	\$100	11.40	3.20	0	0	0	0	0	0	0	0	0
\$100	\$104	12.00	3.80	0	0	0	0	0	0	0	0	0
\$104	\$108	12.60	4.30	0	0	0	0	0	0	0	0	0
\$108	\$112	13.20	4.90	0	0	0	0	0	0	0	0	0
\$112	\$116	13.80	5.50	0	0	0	0	0	0	0	0	0
\$116	\$120	14.40	6.00	0	0	0	0	0	0	0	0	0
\$120	\$124	15.00	6.60	0	0	0	0	0	0	0	0	0
\$124	\$128	15.60	7.10	0	0	0	0	0	0	0	0	0
\$128	\$132	16.20	7.70	0	0	0	0	0	0	0	0	0
\$132	\$136	16.80	8.30	.10	0	0	0	0	0	0	0	0
\$136	\$140	17.40	8.80	.70	0	0	0	0	0	0	0	0
\$140	\$144	18.00	9.40	1.20	0	0	0	0	0	0	0	0
\$144	\$148	18.60	9.90	1.80	0	0	0	0	0	0	0	0
\$148	\$152	19.20	10.50	2.30	0	0	0	0	0	0	0	0
\$152	\$156	19.80	11.10	2.90	0	0	0	0	0	0	0	0
\$156	\$160	20.40	11.60	3.50	0	0	0	0	0	0	0	0
\$160	\$164	21.00	12.20	4.00	0	0	0	0	0	0	0	0
\$164	\$168	21.60	12.80	4.60	0	0	0	0	0	0	0	0
\$168	\$172	22.20	13.40	5.10	0	0	0	0	0	0	0	0
\$172	\$176	22.80	14.00	5.70	0	0	0	0	0	0	0	0
\$176	\$180	23.40	14.60	6.30	0	0	0	0	0	0	0	0
\$180	\$184	24.00	15.20	6.80	0	0	0	0	0	0	0	0
\$184	\$188	24.60	15.80	7.40	0	0	0	0	0	0	0	0
\$188	\$192	25.20	16.40	7.90	0	0	0	0	0	0	0	0
\$192	\$196	25.80	17.00	8.50	.30	0	0	0	0	0	0	0
\$196	\$200	26.40	17.60	9.10	.90	0	0	0	0	0	0	0
\$200	\$204	27.00	18.20	9.60	1.40	0	0	0	0	0	0	0
\$204	\$208	27.60	18.80	10.20	2.00	0	0	0	0	0	0	0
\$208	\$212	28.20	19.40	10.70	2.60	0	0	0	0	0	0	0
\$212	\$216	28.80	20.00	11.30	3.10	0	0	0	0	0	0	0
\$216	\$220	29.40	20.60	11.90	3.70	0	0	0	0	0	0	0
\$220	\$224	30.00	21.20	12.50	4.20	0	0	0	0	0	0	0
\$224	\$228	30.60	21.80	13.10	4.80	0	0	0	0	0	0	0
\$228	\$232	31.20	22.40	13.70	5.40	0	0	0	0	0	0	0
\$232	\$236	31.80	23.00	14.30	5.90	0	0	0	0	0	0	0
\$236	\$240	32.40	23.60	14.90	6.50	0	0	0	0	0	0	0
\$240	\$248	33.30	24.50	15.80	7.30	0	0	0	0	0	0	0
\$248	\$256	34.50	25.70	17.00	8.40	.30	0	0	0	0	0	0
\$256	\$264	35.70	26.90	18.20	9.60	1.40	0	0	0	0	0	0
\$264	\$272	36.90	28.10	19.40	10.70	2.50	0	0	0	0	0	0
\$272	\$280	38.10	29.30	20.60	11.80	3.60	0	0	0	0	0	0
\$280	\$288	39.30	30.50	21.80	13.00	4.80	0	0	0	0	0	0
\$288	\$296	40.50	31.70	23.00	14.20	5.90	0	0	0	0	0	0
\$296	\$304	41.70	32.90	24.20	15.40	7.00	0	0	0	0	0	0
\$304	\$312	42.90	34.10	25.40	16.60	8.10	0	0	0	0	0	0
\$312	\$320	44.10	35.30	26.60	17.80	9.20	1.10	0	0	0	0	0
\$320	\$328	45.30	36.50	27.80	19.00	10.40	2.20	0	0	0	0	0
\$328	\$336	46.50	37.70	29.00	20.20	11.50	3.30	0	0	0	0	0
\$336	\$344	47.70	38.90	30.20	21.40	12.70	4.40	0	0	0	0	0
\$344	\$352	48.90	40.10	31.40	22.60	13.90	5.50	0	0	0	0	0
\$352	\$360	50.10	41.30	32.60	23.80	15.10	6.70	0	0	0	0	0
\$360	\$368	51.30	42.50	33.80	25.00	16.30	7.80	0	0	0	0	0
\$368	\$376	52.60	43.70	35.00	26.20	17.50	8.90	.70	0	0	0	0

"If the payroll period with respect to an employee is monthly and he is married—

And the wages are—		And the number of withholding exemptions claimed is—										
At least—	But less than—	0	1	2	3	4	5	6	7	8	9	10 or more
The amount of income tax to be withheld shall be—												
\$376	\$384	\$53.90	\$44.90	\$36.20	\$27.40	\$18.70	\$10.00	\$1.90	\$0	\$0	\$0	\$0
\$384	\$392	55.30	46.10	37.40	28.60	19.90	11.20	3.00	0	0	0	0
\$392	\$400	56.70	47.30	38.60	29.80	21.10	12.30	4.10	0	0	0	0
\$400	\$420	59.00	49.40	40.70	31.90	23.20	14.40	6.10	0	0	0	0
\$420	\$440	62.40	52.50	43.70	34.90	26.20	17.40	8.90	.70	0	0	0
\$440	\$460	65.80	55.90	46.70	37.90	29.20	20.40	11.70	3.50	0	0	0
\$460	\$480	69.20	59.30	49.70	40.90	32.20	23.40	14.70	6.30	0	0	0
\$480	\$500	72.60	62.70	52.80	43.90	35.20	26.40	17.70	9.10	.90	0	0
\$500	\$520	76.00	66.10	56.20	46.90	38.20	29.40	20.70	11.90	3.70	0	0
\$520	\$540	79.40	69.50	59.60	49.90	41.20	32.40	23.70	14.90	6.50	0	0
\$540	\$560	82.80	72.90	63.00	53.10	44.20	35.40	26.70	17.90	9.30	1.20	0
\$560	\$580	86.20	76.30	66.40	56.50	47.20	38.40	29.70	20.90	12.20	4.00	0
\$580	\$600	89.60	79.70	69.80	59.90	50.20	41.40	32.70	23.90	15.20	6.80	0
\$600	\$640	94.70	84.80	74.90	65.00	55.10	45.90	37.20	28.40	19.70	11.00	2.80
\$640	\$680	101.60	91.60	81.70	71.80	61.90	52.00	43.20	34.40	25.70	16.90	8.40
\$680	\$720	108.30	98.40	88.50	78.60	68.70	58.80	49.20	40.40	31.70	22.90	14.20
\$720	\$760	115.30	105.20	95.30	85.40	75.50	65.60	55.60	46.40	37.70	28.90	20.20
\$760	\$800	122.30	112.00	102.10	92.20	82.30	72.40	62.40	52.50	43.70	34.90	26.20
\$800	\$840	131.30	119.70	108.90	99.00	89.10	79.20	69.20	59.30	49.70	40.90	32.20
\$840	\$880	139.30	127.70	116.00	105.80	95.90	86.00	76.00	66.10	56.20	46.90	38.20
\$880	\$920	147.30	135.70	124.00	112.60	102.70	92.80	82.80	72.90	63.00	53.10	44.20
\$920	\$960	155.30	143.70	132.00	120.30	109.50	99.60	89.60	79.70	69.80	59.90	50.20
\$960	\$1,000	163.30	151.70	140.00	128.30	116.70	106.40	96.40	86.50	76.60	66.70	56.80
\$1,000	\$1,040	171.30	159.70	148.00	136.30	124.70	113.20	103.20	93.30	83.40	73.50	63.60
\$1,040	\$1,080	179.30	167.70	156.00	144.30	132.70	121.00	110.00	100.10	90.20	80.30	70.40
\$1,080	\$1,120	187.30	175.70	164.00	152.30	140.70	129.00	117.30	106.90	97.00	87.10	77.20
\$1,120	\$1,160	195.30	183.70	172.00	160.30	148.70	137.00	125.30	113.70	103.80	93.90	84.00
\$1,160	\$1,200	203.30	191.70	180.00	168.30	156.70	145.00	133.30	121.70	110.60	100.70	90.80
\$1,200	\$1,240	211.30	199.70	188.00	176.30	164.70	153.00	141.30	129.70	118.00	107.50	97.60
\$1,240	\$1,280	219.30	207.70	196.00	184.30	172.70	161.00	149.30	137.70	126.00	114.30	104.40
\$1,280	\$1,320	227.30	215.70	204.00	192.30	180.70	169.00	157.30	145.70	134.00	122.30	111.20
\$1,320	\$1,360	235.30	223.70	212.00	200.30	188.70	177.00	165.30	153.70	142.00	130.30	118.70
\$1,360	\$1,400	243.30	231.70	220.00	208.30	196.70	185.00	173.30	161.70	150.00	138.30	126.70
\$1,400	\$1,440	251.30	239.70	228.00	216.30	204.70	193.00	181.30	169.70	158.00	146.30	134.70
\$1,440	\$1,480	259.30	247.70	236.00	224.30	212.70	201.00	189.30	177.70	166.00	154.30	142.70
\$1,480	\$1,520	268.30	255.70	244.00	232.30	220.70	209.00	197.30	185.70	174.00	162.30	150.70
\$1,520	\$1,560	278.30	264.00	252.00	240.30	228.70	217.00	205.30	193.70	182.00	170.30	158.70
\$1,560	\$1,600	288.30	274.00	260.00	248.30	236.70	225.00	213.30	201.70	190.00	178.30	166.70
\$1,600	\$1,640	298.30	284.00	269.40	256.30	244.70	233.00	221.30	209.70	198.00	186.30	174.70
\$1,640	\$1,680	308.30	294.00	279.40	264.80	252.70	241.00	229.30	217.70	206.00	194.30	182.70
\$1,680	\$1,720	318.30	304.00	289.40	274.80	260.70	249.00	237.30	225.70	214.00	202.30	190.70
\$1,720	\$1,760	328.30	314.00	299.40	284.80	270.70	257.00	245.30	233.70	222.00	210.30	198.70
\$1,760	\$1,800	338.30	324.00	309.40	294.80	280.70	265.00	253.30	241.70	230.00	218.30	206.70
\$1,800	\$1,840	348.30	334.00	319.40	304.80	290.70	275.00	261.30	249.70	238.00	226.30	214.70
\$1,840	\$1,880	359.30	344.00	329.40	314.80	300.70	285.00	271.10	257.70	246.00	234.30	222.70
\$1,880	\$1,920	371.30	354.00	339.40	324.80	310.70	295.00	281.10	266.50	254.00	242.30	230.70
\$1,920	\$1,960	383.30	364.00	349.40	334.80	320.70	305.00	291.10	276.50	262.00	250.30	238.70
\$1,960	\$2,000	395.30	374.00	360.90	344.80	330.70	315.00	301.10	286.50	271.90	258.30	246.70
\$2,000	\$2,040	407.30	390.40	372.90	355.40	340.30	325.70	311.10	296.50	281.90	267.30	254.70
\$2,040	\$2,080	419.30	402.40	384.90	367.40	350.30	335.70	321.10	306.50	291.90	277.30	262.80
\$2,080	\$2,120	431.30	414.40	396.90	379.40	361.90	345.70	331.10	316.50	301.90	287.30	272.80
\$2,120	\$2,160	443.30	426.40	408.90	391.40	373.90	356.40	341.10	326.50	311.90	297.30	282.80
\$2,160	\$2,200	455.30	438.40	422.90	403.40	385.90	368.40	351.10	336.50	321.90	307.30	292.80
\$2,200	\$2,240	467.30	450.40	432.90	415.40	397.90	380.40	362.90	346.50	331.90	317.30	302.80
\$2,240	\$2,280	479.30	462.40	444.90	427.40	409.90	392.40	374.90	357.40	341.90	327.30	312.80
\$2,280	\$2,320	491.30	474.40	456.90	439.40	421.90	404.40	386.90	369.40	351.90	337.30	322.80
\$2,320	\$2,360	503.30	486.40	468.90	451.40	433.90	416.40	398.90	381.40	363.90	347.30	332.80
\$2,360	\$2,400	515.30	498.40	480.90	463.40	445.90	428.40	410.90	393.40	375.90	358.40	342.80
\$2,400	\$2,440	527.30	510.40	492.90	475.40	457.90	440.40	422.90	405.40	387.90	370.40	352.90
30 percent of the excess over \$2,440 plus—												
\$2,440 and over		533.90	516.40	498.90	481.40	463.90	446.40	428.90	411.40	393.90	376.40	358.90



**"If the payroll period with respect to an employee is a daily payroll period or a miscellaneous payroll period and he is not married—**

And the wages divided by the number of days in such period are—		And the number of withholding exemptions claimed is—										
		0	1	2	3	4	5	6	7	8	9	10 or more
At least—	But less than—	The amount of income tax to be withheld shall be the following amount multiplied by the number of days in such periods—										
\$38.00	\$39.00	\$8.30	\$7.75	\$7.15	\$6.60	\$6.00	\$5.50	\$5.00	\$4.55	\$4.10	\$3.70	\$3.35
\$39.00	\$40.00	8.60	8.05	7.45	6.90	6.30	5.75	5.25	4.80	4.30	3.90	3.55
\$40.00	\$41.00	8.90	8.35	7.75	7.20	6.60	6.05	5.50	5.05	4.55	4.10	3.75
\$41.00	\$42.00	9.20	8.65	8.05	7.50	6.90	6.35	5.75	5.30	4.80	4.35	3.95
\$42.00	\$43.00	9.50	8.95	8.35	7.80	7.20	6.65	6.05	5.55	5.05	4.60	4.15
\$43.00	\$44.00	9.80	9.25	8.65	8.10	7.50	6.95	6.35	5.80	5.30	4.85	4.35
\$44.00	\$45.00	10.10	9.55	8.95	8.40	7.80	7.25	6.65	6.10	5.55	5.10	4.60
\$45.00	\$46.00	10.40	9.85	9.25	8.70	8.10	7.55	6.95	6.40	5.80	5.35	4.85
\$46.00	\$47.00	10.70	10.15	9.55	9.00	8.40	7.85	7.25	6.70	6.10	5.60	5.10
\$47.00	\$48.00	11.00	10.45	9.85	9.30	8.70	8.15	7.55	7.00	6.40	5.85	5.35
\$48.00	\$49.00	11.30	10.75	10.15	9.60	9.00	8.45	7.85	7.30	6.70	6.15	5.60
\$49.00	\$50.00	11.60	11.05	10.45	9.90	9.30	8.75	8.15	7.60	7.00	6.45	5.85
30 percent of the excess over \$50 plus—												
\$50 and over		11.75	11.20	10.60	10.05	9.45	8.90	8.30	7.75	7.15	6.60	6.00

**"If the payroll period with respect to an employee is a daily payroll period or a miscellaneous payroll period and he is married—**

And the wages divided by the number of days in such period are—		And the number of withholding exemptions claimed is—										
		0	1	2	3	4	5	6	7	8	9	10 or more
At least—	But less than—	The amount of income tax to be withheld shall be the following amount multiplied by the number of days in such periods—										
\$0	\$0.75	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
\$0.75	\$1.00	.05	0	0	0	0	0	0	0	0	0	0
\$1.00	\$1.25	.10	0	0	0	0	0	0	0	0	0	0
\$1.25	\$1.50	.10	0	0	0	0	0	0	0	0	0	0
\$1.50	\$1.75	.15	0	0	0	0	0	0	0	0	0	0
\$1.75	\$2.00	.20	0	0	0	0	0	0	0	0	0	0
\$2.00	\$2.25	.20	0	0	0	0	0	0	0	0	0	0
\$2.25	\$2.50	.25	0	0	0	0	0	0	0	0	0	0
\$2.50	\$2.75	.30	0	0	0	0	0	0	0	0	0	0
\$2.75	\$3.00	.35	.05	0	0	0	0	0	0	0	0	0
\$3.00	\$3.25	.35	.10	0	0	0	0	0	0	0	0	0
\$3.25	\$3.50	.40	.15	0	0	0	0	0	0	0	0	0
\$3.50	\$3.75	.45	.15	0	0	0	0	0	0	0	0	0
\$3.75	\$4.00	.45	.20	0	0	0	0	0	0	0	0	0
\$4.00	\$4.25	.50	.25	0	0	0	0	0	0	0	0	0
\$4.25	\$4.50	.55	.25	0	0	0	0	0	0	0	0	0
\$4.50	\$4.75	.60	.30	.05	0	0	0	0	0	0	0	0
\$4.75	\$5.00	.60	.35	.05	0	0	0	0	0	0	0	0
\$5.00	\$5.25	.65	.35	.10	0	0	0	0	0	0	0	0
\$5.25	\$5.50	.70	.40	.15	0	0	0	0	0	0	0	0
\$5.50	\$5.75	.75	.45	.15	0	0	0	0	0	0	0	0
\$5.75	\$6.00	.75	.50	.20	0	0	0	0	0	0	0	0
\$6.00	\$6.25	.80	.50	.25	0	0	0	0	0	0	0	0
\$6.25	\$6.50	.85	.55	.30	0	0	0	0	0	0	0	0
\$6.50	\$6.75	.90	.60	.30	.05	0	0	0	0	0	0	0
\$6.75	\$7.00	.90	.65	.35	.10	0	0	0	0	0	0	0
\$7.00	\$7.25	.95	.65	.40	.10	0	0	0	0	0	0	0
\$7.25	\$7.50	1.00	.70	.40	.15	0	0	0	0	0	0	0
\$7.50	\$7.75	1.05	.75	.45	.20	0	0	0	0	0	0	0
\$7.75	\$8.00	1.05	.80	.50	.20	0	0	0	0	0	0	0
\$8.00	\$8.25	1.10	.80	.55	.25	0	0	0	0	0	0	0
\$8.25	\$8.50	1.15	.85	.55	.30	0	0	0	0	0	0	0
\$8.50	\$8.75	1.20	.90	.60	.35	.05	0	0	0	0	0	0
\$8.75	\$9.00	1.20	.95	.65	.35	.10	0	0	0	0	0	0
\$9.00	\$9.25	1.25	.95	.70	.40	.15	0	0	0	0	0	0
\$9.25	\$9.50	1.30	1.00	.70	.45	.15	0	0	0	0	0	0
\$9.50	\$9.75	1.35	1.05	.75	.45	.20	0	0	0	0	0	0
\$9.75	\$10.00	1.35	1.10	.80	.50	.25	0	0	0	0	0	0
\$10.00	\$10.50	1.45	1.15	.85	.55	.30	0	0	0	0	0	0
\$10.50	\$11.00	1.50	1.20	.95	.65	.35	.10	0	0	0	0	0
\$11.00	\$11.50	1.60	1.30	1.00	.70	.45	.15	0	0	0	0	0
\$11.50	\$12.00	1.65	1.35	1.10	.80	.50	.25	0	0	0	0	0
\$12.00	\$12.50	1.75	1.45	1.15	.85	.60	.30	.05	0	0	0	0
\$12.50	\$13.00	1.80	1.50	1.25	.95	.65	.35	.10	0	0	0	0
\$13.00	\$13.50	1.90	1.60	1.30	1.00	.75	.45	.15	0	0	0	0
\$13.50	\$14.00	2.00	1.65	1.40	1.10	.80	.50	.25	0	0	0	0



(d) DISCLOSURE OF MARITAL STATUS; DETERMINATION OF MARITAL STATUS; TREATMENT OF SURVIVING SPOUSE.—Section 3402 (relating to income tax collected at source) is amended by adding at the end thereof the following new subsection:

68A Stat. 457.  
26 USC 3402.

“(1) DETERMINATION AND DISCLOSURE OF MARITAL STATUS.—

“(1) DETERMINATION OF STATUS BY EMPLOYER.—For purposes of applying the tables in subsections (a) and (c) to a payment of wages, the employer shall treat the employee as a single person unless there is in effect with respect to such payment of wages a withholding exemption certificate furnished to the employer by the employee after the date of the enactment of this subsection indicating that the employee is married.

Ante, pp. 38, 41.

“(2) DISCLOSURE OF STATUS BY EMPLOYEE.—An employee shall be entitled to furnish the employer with a withholding exemption certificate indicating he is married only if, on the day of such furnishing, he is married (determined with the application of the rules in paragraph (3)). An employee whose marital status changes from married to single shall, at such time as the Secretary or his delegate may by regulations prescribe, furnish the employer with a new withholding exemption certificate.

“(3) DETERMINATION OF MARITAL STATUS.—For purposes of paragraph (2), an employee shall on any day be considered—

“(A) as not married, if (i) he is legally separated from his spouse under a decree of divorce or separate maintenance, or (ii) either he or his spouse is, or on any preceding day within the calendar year was, a nonresident alien; or

“(B) as married, if (i) his spouse (other than a spouse referred to in subparagraph (A)) died within the portion of his taxable year which precedes such day, or (ii) his spouse died during one of the two taxable years immediately preceding the current taxable year and, on the basis of facts existing at the beginning of such day, the employee reasonably expects, at the close of his taxable year, to be a surviving spouse (as defined in section 2(b)).”

68A Stat. 8.  
26 USC 2.

(e) WITHHOLDING ALLOWANCES FOR ITEMIZED DEDUCTIONS.—

(1) ALLOWANCE.—Section 3402(f)(1) (relating to withholding exemptions) is amended—

(A) by striking out “and” at the end of subparagraph (D),

(B) by striking out the period at the end of subparagraph (E) and inserting in lieu thereof “; and”, and

(C) by adding at the end thereof the following new subparagraph:

“(F) any allowance to which he is entitled under subsection (m), but only if his spouse does not have in effect a withholding exemption certificate claiming such allowance.”

(2) WITHHOLDING ALLOWANCES BASED ON ITEMIZED DEDUCTIONS.—Section 3402 (relating to income tax collected at source) is amended by adding at the end thereof the following new subsection:

“(m) WITHHOLDING ALLOWANCES BASED ON ITEMIZED DEDUCTIONS.—

“(1) GENERAL RULE.—An employee shall be entitled to withholding allowances under this subsection with respect to a payment of wages in a number equal to the number determined by dividing by \$700 the excess of—

“(A) his estimated itemized deductions, over

“(B) an amount equal to the sum of 10 percent of the first \$7,500 of his estimated wages and 17 percent of the remainder of his estimated wages.

For purposes of this subsection, fractional numbers shall not be taken into account.

“(2) DEFINITIONS.—For purposes of this subsection—

“(A) ESTIMATED ITEMIZED DEDUCTIONS.—The term ‘estimated itemized deductions’ means the aggregate amount which he reasonably expects will be allowable as deductions under chapter 1 (other than the deductions referred to in sections 141 and 151 and other than the deductions required to be taken into account in determining adjusted gross income under section 62) for the estimation year. In no case shall such aggregate amount be greater than (i) the amount of such deductions shown on his return of tax under subtitle A for the taxable year preceding the estimation year, or (ii) in the case of an employee who did not show such deductions on his return for such preceding taxable year, an amount equal to the lesser of \$1,000 or 10 percent of the wages shown on his return for such preceding taxable year.

“(B) ESTIMATED WAGES.—The term ‘estimated wages’ means the aggregate amount which he reasonably expects will constitute wages for the estimation year. In no case shall such aggregate amount be less than the amount of wages shown on his return for the taxable year preceding the estimation year.

“(C) ESTIMATION YEAR.—In the case of an employee who files his return on the basis of a calendar year, the term ‘estimation year’ means—

“(i) with respect to payments of wages after April 30 and on or before December 31 of any calendar year, such calendar year, and

“(ii) with respect to payments of wages on or after January 1 and before May 1 of any calendar year, the preceding calendar year (except that with respect to an exemption certificate furnished by an employee after he has filed his return for the preceding calendar year, such term means the current calendar year).

In the case of an employee who files his return on a basis other than the calendar year, his estimation year, and the amounts deducted and withheld to be governed by such estimation year, shall be determined under regulations prescribed by the Secretary or his delegate.

“(3) SPECIAL RULES.—

“(A) MARRIED INDIVIDUALS.—The number of withholding allowances to which a husband and wife are entitled under this subsection shall be determined on the basis of their combined wages and deductions. This subparagraph shall not apply to a husband and wife who filed separate returns for the taxable year preceding the estimation year and who reasonably expect to file separate returns for the estimation year.

“(B) ONLY ONE CERTIFICATE TO BE IN EFFECT.—In the case of any employee, withholding allowances under this subsection may not be claimed with more than one employer at any one time.

“(C) TERMINATION OF EFFECTIVENESS.—In the case of an employee who files his return on the basis of a calendar year, that portion of a withholding exemption certificate which relates to allowances under this subsection shall not be effective with respect to payments of wages after the first April 30 following the close of the estimation year on which it is based.

68A Stat. 3.  
26 USC 1-1388.  
78 Stat. 23.

26 USC 1-1563.

“(D) **LIMITATION.**—In the case of employees whose estimated wages are at levels at which the amounts deducted and withheld under this chapter generally are insufficient (taking into account a reasonable allowance for deductions and exemptions) to offset the liability for tax under chapter 1 with respect to the wages from which such amounts are deducted and withheld, the Secretary or his delegate may by regulation reduce the withholding allowances to which such employees would, but for this subparagraph, be entitled under this subsection.

26 USC 1-1388.

“(E) **TREATMENT OF ALLOWANCES.**—For purposes of this title, any withholding allowance under this subsection shall be treated as if it were denominated a withholding exemption.

“(4) **AUTHORITY TO PRESCRIBE TABLES.**—The Secretary or his delegate may prescribe tables pursuant to which employees shall determine the number of withholding allowances to which they are entitled under this subsection (in lieu of making such determination under paragraphs (1) and (3)). Such tables shall be consistent with the provisions of paragraphs (1) and (3), except that such tables—

“(A) shall provide for entitlement to withholding allowances based on reasonable wage and itemized deduction brackets, and

“(B) may increase or decrease the number of withholding allowances to which employees in the various wage and itemized deduction brackets would, but for this subparagraph, be entitled to the end that, to the extent practicable, amounts deducted and withheld under this chapter (i) generally do not exceed the liability for tax under chapter 1 with respect to the wages from which such amounts are deducted and withheld, and (ii) generally are sufficient to offset such liability for tax.”

(3) **STATUS DETERMINATION DATE.**—The last sentence of section 3402(f) (3) (B) is amended to read as follows: “For purposes of this subparagraph, the term ‘status determination date’ means January 1, May 1, July 1, and October 1 of each year.”

(4) **CIVIL PENALTY.**—

(A) Subchapter B of chapter 68 (relating to assessable penalties) is amended by adding at the end thereof the following new section:

26 USC 6671-6681.

**“SEC. 6682. FALSE INFORMATION WITH RESPECT TO WITHHOLDING ALLOWANCES BASED ON ITEMIZED DEDUCTIONS.**

“(a) **CIVIL PENALTY.**—In addition to any criminal penalty provided by law, if any individual in claiming a withholding allowance under section 3402(f) (1) (F) states (1) as the amount of the wages (within the meaning of chapter 24) shown on his return for any taxable year an amount less than such wages actually shown, or (2) as the amount of the itemized deductions referred to in section 3402(m) shown on the return for any taxable year an amount greater than such deductions actually shown, he shall pay a penalty of \$50 for such statement, unless (1) such statement did not result in a decrease in the amounts deducted and withheld under chapter 24, or (2) the taxes imposed with respect to the individual under subtitle A for the succeeding taxable year do not exceed the sum of (A) the credits against such taxes allowed by part IV of subchapter A of chapter 1, and (B) the payments of estimated tax which are considered payments on account of such taxes.

Ante, p. 59.

26 USC 1-1563.

26 USC 31-48.

“(b) **DEFICIENCY PROCEDURES NOT TO APPLY.**—Subchapter B of chapter 63 (relating to deficiency procedures for income, estate, and

26 USC 6211-6216.

gift taxes) shall not apply in respect of the assessment or collection of any penalty imposed by subsection (a).”

(B) The table of sections of such subchapter B is amended by adding at the end thereof the following:

“Sec. 6682. False information with respect to withholding allowances based on itemized deductions.”

68A Stat. 852.  
26 USC 7205.

(5) CRIMINAL PENALTY.—Section 7205 (relating to fraudulent withholding exemption certificate or failure to supply information) is amended—

(A) by striking out “section 3402(f)” and inserting in lieu thereof “section 3402”, and

(B) by striking out “any penalty otherwise provided” and inserting in lieu thereof “any other penalty provided by law (except the penalty provided by section 6682)”.

Ante, p. 61.

(6) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) of this subsection shall apply only with respect to remuneration paid after December 31, 1966, but only with respect to withholding exemptions based on estimation years beginning after such date.

Ante, p. 61.

(f) TRANSITIONAL DETERMINATION STATUS DATE.—Notwithstanding section 3402(f) (3) (B) of the Internal Revenue Code of 1954, a withholding exemption certificate furnished the employer after the date of the enactment of this Act and before May 1, 1966, shall take effect with respect to the first payment of wages made on or after May 1, 1966, or the 10th day after the date on which such certificate is furnished to the employer, whichever is later, and at the election of the employer such certificate may be made effective with respect to any payment of wages made on or after the date on which such certificate is furnished.

(g) EFFECTIVE DATE.—The amendments made by this section (other than subsection (e)) shall apply only with respect to remuneration paid after April 30, 1966.

**SEC. 102. ESTIMATED TAX IN CASE OF INDIVIDUALS.**

26 USC 6015.

(a) INCLUSION OF SELF-EMPLOYMENT TAX IN ESTIMATED TAX.—Section 6015(c) (relating to definition of estimated tax in the case of an individual) is amended to read as follows:

“(c) ESTIMATED TAX.—For purposes of this title, in the case of an individual, the term ‘estimated tax’ means—

26 USC 1-1388.

“(1) the amount which the individual estimates as the amount of the income tax imposed by chapter 1 for the taxable year, plus

26 USC 1401-1403.

“(2) the amount which the individual estimates as the amount of the self-employment tax imposed by chapter 2 for the taxable year, minus

26 USC 31-48.

“(3) the amount which the individual estimates as the sum of any credits against tax provided by part IV of subchapter A of chapter 1.”

26 USC 6654.

(b) ADDITION TO TAX FOR UNDERPAYMENT OF ESTIMATED TAX.—

(1) Section 6654(a) (relating to addition to the tax for underpayment of estimated tax by an individual) is amended by inserting after “chapter 1” the following: “and the tax under chapter 2”.

(2) Section 6654(d) is amended to read as follows:

“(d) EXCEPTION.—Notwithstanding the provisions of the preceding subsections, the addition to the tax with respect to any underpayment of any installment shall not be imposed if the total amount of all pay-

ments of estimated tax made on or before the last date prescribed for the payment of such installment equals or exceeds the amount which would have been required to be paid on or before such date if the estimated tax were whichever of the following is the least—

“(1) The tax shown on the return of the individual for the preceding taxable year, if a return showing a liability for tax was filed by the individual for the preceding taxable year and such preceding year was a taxable year of 12 months.

“(2) An amount equal to 70 percent (66 $\frac{2}{3}$  percent in the case of individuals referred to in section 6073(b), relating to income from farming or fishing) of the tax for the taxable year computed by placing on an annualized basis the taxable income for the months in the taxable year ending before the month in which the installment is required to be paid and by taking into account the adjusted self-employment income (if the net earnings from self-employment (as defined in section 1402(a)) for the taxable year equal or exceed \$400). For purposes of this paragraph—

“(A) The taxable income shall be placed on an annualized basis by—

“(i) multiplying by 12 (or, in the case of a taxable year of less than 12 months, the number of months in the taxable year) the taxable income (computed without deduction of personal exemptions) for the months in the taxable year ending before the month in which the installment is required to be paid,

“(ii) dividing the resulting amount by the number of months in the taxable year ending before the month in which such installment date falls, and

“(iii) deducting from such amount the deductions for personal exemptions allowable for the taxable year (such personal exemptions being determined as of the last date prescribed for payment of the installment).

“(B) The term ‘adjusted self-employment income’ means—

“(i) the net earnings from self-employment (as defined in section 1402(a)) for the months in the taxable year ending before the month in which the installment is required to be paid, but not more than

“(ii) the excess of \$6,600 over the amount determined by placing the wages (within the meaning of section 1402(b)) for the months in the taxable year ending before the month in which the installment is required to be paid on an annualized basis in a manner consistent with clauses (i) and (ii) of subparagraph (A).

“(3) An amount equal to 90 percent of the tax computed, at the rates applicable to the taxable year, on the basis of the actual taxable income and the actual self-employment income for the months in the taxable year ending before the month in which the installment is required to be paid as if such months constituted the taxable year.

“(4) An amount equal to the tax computed, at the rates applicable to the taxable year, on the basis of the taxpayer's status with respect to personal exemptions under section 151 for the taxable year, but otherwise on the basis of the facts shown on his return for, and the law applicable to, the preceding taxable year.”

68A Stat. 750;  
76 Stat. 575.  
26 USC 6073.

26 USC 1402.

26 USC 151.

68A Stat. 823.  
26 USC 6654.  
Ante, p. 62.

(3) Section 6654(f) (relating to definition of tax for purposes of subsections (b) and (d) of section 6654) is amended to read as follows:

“(f) **TAX COMPUTED AFTER APPLICATION OF CREDITS AGAINST TAX.**—For purposes of subsections (b) and (d), the term ‘tax’ means—

“(1) the tax imposed by this chapter 1, plus

“(2) the tax imposed by chapter 2, minus

“(3) the credits against tax allowed by part IV of subchapter A of chapter 1, other than the credit against tax provided by section 31 (relating to tax withheld on wages).”

(4) Section 6211(b) (1) (relating to definition of a deficiency) is amended by striking out “chapter 1” and inserting in lieu thereof “subtitle A”.

(5) Section 7701(a) (relating to definitions) is amended by adding at the end thereof the following new paragraph:

“(34) **ESTIMATED INCOME TAX.**—The term ‘estimated income tax’ means—

“(A) in the case of an individual, the estimated tax as defined in section 6015(c), or

“(B) in the case of a corporation, the estimated tax as defined in section 6016(b).”

(6) Section 1403(b) (cross references) is amended by adding at the end thereof the following new paragraph:

“(3) For provisions relating to declarations of estimated tax on self-employment income, see section 6015.”

(c) **MINISTERS, MEMBERS OF RELIGIOUS ORDERS, AND CHRISTIAN SCIENCE PRACTITIONERS.**—Section 1402(e) (3) (relating to effective date of waiver certificates) is amended by adding at the end thereof the following new subparagraph:

“(E) For purposes of sections 6015 and 6654, a waiver certificate described in paragraph (1) shall be treated as taking effect on the first day of the first taxable year beginning after the date on which such certificate is filed.”

(d) **EFFECTIVE DATE.**—The amendments made by subsections (a), (b), and (c) shall apply with respect to taxable years beginning after December 31, 1966.

#### SEC. 103. UNDERPAYMENT OF INSTALLMENTS OF ESTIMATED INCOME TAX IN CASE OF INDIVIDUALS.

(a) **IN GENERAL.**—Section 6654(b) (relating to amount of underpayment), and section 6654(d) (relating to exception) as amended by section 102(b) (2) of this Act, are amended by striking out “70 percent” each place it appears and inserting in lieu thereof “80 percent”.

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall apply with respect to taxable years beginning after December 31, 1966.

#### SEC. 104. INSTALLMENT PAYMENTS OF ESTIMATED INCOME TAX BY CORPORATIONS.

(a) **IN GENERAL.**—Subsection (a) of section 6154 (relating to installment payments of estimated income tax by corporations) is amended to read as follows:

“(a) **AMOUNT AND TIME FOR PAYMENT OF EACH INSTALLMENT.**—The amount of estimated tax (as defined in section 6016(b)) with respect to which a declaration is required under section 6016 shall be paid as follows:

“(1) **TAXABLE YEARS BEGINNING IN 1966.**—With respect to taxable years beginning after December 31, 1965, and before Jan-

26 USC 1-1388.  
26 USC 1401-1403.

26 USC 31-48.

26 USC 6211.

26 USC 7701.

Ante, p. 62.

26 USC 6016.

74 Stat. 926.  
26 USC 1402.

78 Stat. 25.  
26 USC 6154.

uary 1, 1967, such estimated tax shall be paid in installments in accordance with the following table:

"If the declaration is timely filed on or before the 15th day of the—"	The following percentages of the estimated tax shall be paid on the 15th day of the—			
	4th month	6th month	9th month	12th month
4th month of the taxable year.....	12	12	25	25
6th month of the taxable year (but after the 15th day of the 4th month).....		16	29	29
9th month of the taxable year (but after the 15th day of the 6th month).....			37	37
12th month of the taxable year (but after the 15th day of the 9th month).....				74

"(2) TAXABLE YEARS BEGINNING AFTER 1966.—With respect to taxable years beginning after December 31, 1966, such estimated tax shall be paid in installments in accordance with the following table:

"If the declaration is timely filed on or before the 15th day of the—"	The following percentages of the estimated tax shall be paid on the 15th day of the—			
	4th month	6th month	9th month	12th month
4th month of the taxable year.....	25	25	25	25
6th month of the taxable year (but after the 15th day of the 4th month).....		33½	33½	33½
9th month of the taxable year (but after the 15th day of the 6th month).....			50	50
12th month of the taxable year (but after the 15th day of the 9th month).....				100

"(3) TIMELY FILING.—A declaration is timely filed for the purposes of paragraphs (1) and (2) if it is not required by section 6074(a) to be filed on a date (determined without regard to any extension of time for filing the declaration under section 6081) before the date it is actually filed.

26 USC 6074.  
26 USC 6081.

"(4) LATE FILING.—If the declaration is filed after the time prescribed in section 6074(a) (determined without regard to any extension of time for filing the declaration under section 6081), there shall be paid at the time of such filing all installments of estimated tax which would have been payable on or before such time if the declaration had been filed within the time prescribed in section 6074(a), and the remaining installments shall be paid at the times at which, and in the amounts in which, they would have been payable if the declaration had been so filed."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to taxable years beginning after December 31, 1965.

## TITLE II—POSTPONEMENT OF CERTAIN EXCISE TAX RATE REDUCTIONS

### SEC. 201. PASSENGER AUTOMOBILES.

(a) POSTPONEMENT OF RATE REDUCTIONS.—Subparagraph (A) of section 4061(a) (2) (relating to imposition of tax) is amended to read as follows:

79 Stat. 136.  
26 USC 4061.

"(A) Articles enumerated in subparagraph (B) are taxable at whichever of the following rates is applicable:

"7 percent for the period beginning with the day after the date of the enactment of the Tax Adjustment Act of 1966 through March 31, 1968.

"2 percent for the period April 1, 1968, through December 31, 1968.

"1 percent for the period after December 31, 1968."

79 Stat. 141.  
26 USC 6412.

(b) **CONFORMING AMENDMENT.**—Section 6412(a)(1) (relating to floor stocks refunds on passenger automobiles, etc.) is amended by striking out “January 1, 1966, 1967, 1968, or 1969,” and inserting in lieu thereof “January 1, 1966, April 1, 1968, or January 1, 1969.”

(c) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall apply with respect to articles sold after the date of the enactment of this Act.

#### SEC. 202. COMMUNICATION SERVICES.

26 USC 4251.

(a) **POSTPONEMENT OF RATE REDUCTIONS.**—Section 4251 (relating to tax on communications) is amended—

(1) By striking out subsection (a)(2) and inserting in lieu thereof:

“(2) The rate of tax referred to in paragraph (1) is as follows:

“Amounts paid pursuant to bills first rendered—	Percent—
“Before April 1, 1968-----	10
“After March 31, 1968, and before January 1, 1969-----	1”

(2) By striking out subsection (c) and inserting in lieu thereof:

“(c) **SPECIAL RULE.**—For purposes of subsection (a), in the case of communications services rendered before February 1, 1968, for which a bill has not been rendered before April 1, 1968, a bill shall be treated as having been first rendered on March 31, 1968. For purposes of subsections (a) and (b), in the case of communications services rendered after January 31, 1968, and before November 1, 1968, for which a bill has not been rendered before January 1, 1969, a bill shall be treated as having been first rendered on December 31, 1968.”

26 USC 4253.

(b) **NONPROFIT HOSPITALS.**—Section 4253 (relating to exemptions from tax on communications) is amended by adding at the end thereof the following new subsection:

“(h) **NONPROFIT HOSPITALS.**—No tax shall be imposed under section 4251 on any amount paid by a nonprofit hospital for services furnished to such organization. For purposes of this subsection, the term ‘nonprofit hospital’ means a hospital referred to in section 503(b)(5) which is exempt from income tax under section 501(a).”

26 USC 503.

26 USC 501.

(c) **EFFECTIVE DATE.**—The amendments made by subsections (a) and (b) shall apply to amounts paid pursuant to bills first rendered on or after April 1, 1966, for services rendered on or after such date. In the case of amounts paid pursuant to bills rendered on or after such date for services which were rendered before such date and for which no previous bill was rendered, such amendments shall apply except with respect to such services as were rendered more than 2 months before such date. In the case of services rendered more than 2 months before such date, the provisions of subchapter B of chapter 33 of the Code in effect at the time such services were rendered, subject to the provision of section 701(b)(2) of the Excise Tax Reduction Act of 1965, shall apply to the amounts paid for such services.

26 USC 4251-4254.

79 Stat. 156.  
26 USC 4251  
note.

### TITLE III—MISCELLANEOUS PROVISIONS

#### SEC. 301. DISALLOWANCE OF DEDUCTION FOR CERTAIN INDIRECT CONTRIBUTIONS TO POLITICAL PARTIES.

26 USC 261-275.

(a) **DISALLOWANCE.**—Part IX of subchapter B of chapter 1 (relating to items not deductible) is amended by adding at the end thereof the following new section:

#### “SEC. 276. CERTAIN INDIRECT CONTRIBUTIONS TO POLITICAL PARTIES.

“(a) **DISALLOWANCE OF DEDUCTION.**—No deduction otherwise allowable under this chapter shall be allowed for any amount paid or incurred for—

“(1) advertising in a convention program of a political party, or in any other publication if any part of the proceeds of such publication directly or indirectly inures (or is intended to inure) to or for the use of a political party or a political candidate,

“(2) admission to any dinner or program, if any part of the proceeds of such dinner or program directly or indirectly inures (or is intended to inure) to or for the use of a political party or a political candidate, or

“(3) admission to an inaugural ball, inaugural gala, inaugural parade, or inaugural concert, or to any similar event which is identified with a political party or a political candidate.

“(b) DEFINITIONS.—For purposes of this section—

“(1) POLITICAL PARTY.—The term ‘political party’ means—

“(A) a political party;

“(B) a National, State, or local committee of a political party; or

“(C) a committee, association, or organization, whether incorporated or not, which directly or indirectly accepts contributions (as defined in section 271(b)(2)) or make expenditures (as defined in section 271(b)(3)) for the purpose of influencing or attempting to influence the selection, nomination, or election of any individual to any Federal, State, or local elective public office, or the election of presidential and vice-presidential electors, whether or not such individual or electors are selected, nominated, or elected.

“(2) PROCEEDS INURING TO OR FOR THE USE OF POLITICAL CANDIDATES.—Proceeds shall be treated as inuring to or for the use of a political candidate only if—

“(A) such proceeds may be used directly or indirectly for the purpose of furthering his candidacy for selection, nomination, or election to any elective public office, and

“(B) such proceeds are not received by such candidate in the ordinary course of a trade or business (other than the trade or business of holding elective public office).

“(c) CROSS REFERENCE.—

“For disallowance of certain entertainment, etc., expenses, see section 274.”

(b) CLERICAL AMENDMENT.—The table of sections for such part IX is amended by adding at the end thereof the following new item:

“Sec. 276. Certain indirect contributions to political parties.”

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply to taxable years beginning after December 31, 1965, but only with respect to amounts paid or incurred after the date of the enactment of this Act.

#### SEC. 302. BENEFITS AT AGE 72 FOR CERTAIN UNINSURED INDIVIDUALS.

(a) MONTHLY BENEFITS.—Title II of the Social Security Act is amended by adding at the end thereof the following new section:

“BENEFITS AT AGE 72 FOR CERTAIN UNINSURED INDIVIDUALS

##### “Eligibility

“Sec. 228. (a) Every individual who—

“(1) has attained the age of 72,

“(2) (A) attained such age before 1968, or (B) has not less than 3 quarters of coverage, whenever acquired, for each calendar year elapsing after 1966 and before the year in which he attained such age,

68A Stat. 82.  
26 USC 271.

42 USC 401-427.

74 Stat. 937.  
42 USC 410.

"(3) is a resident of the United States (as defined in subsection (e)), and is (A) a citizen of the United States or (B) an alien lawfully admitted for permanent residence who has resided in the United States (as defined in section 210(i)) continuously during the 5 years immediately preceding the month in which he files application under this section, and

"(4) has filed application for benefits under this section, shall (subject to the limitations in this section) be entitled to a benefit under this section for each month beginning with the first month after September 1966 in which he becomes so entitled to such benefits and ending with the month preceding the month in which he dies. No application under this section which is filed by an individual more than 3 months before the first month in which he meets the requirements of paragraphs (1), (2), and (3) shall be accepted as an application for purposes of this section.

#### "Benefit Amount

"(b) (1) Except as provided in paragraph (2), the benefit amount to which an individual is entitled under this section for any month shall be \$35.

"(2) If both husband and wife are entitled (or upon application would be entitled) to benefits under this section for any month, the amount of the husband's benefit for such month shall be \$35 and the amount of the wife's benefit for such month shall be \$17.50.

#### "Reduction for Governmental Pension System Benefits

"(c) (1) The benefit amount of any individual under this section for any month shall be reduced (but not below zero) by the amount of any periodic benefit under a governmental pension system for which he is eligible for such month.

"(2) In the case of a husband and wife only one of whom is entitled to benefits under this section for any month, the benefit amount, after any reduction under paragraph (1), shall be further reduced (but not below zero) by the excess (if any) of (A) the total amount of any periodic benefits under governmental pension systems for which the spouse who is not entitled to benefits under this section is eligible for such month, over (B) \$17.50.

"(3) In the case of a husband and wife both of whom are entitled to benefits under this section for any month—

"(A) the benefit amount of the wife, after any reduction under paragraph (1), shall be further reduced (but not below zero) by the excess (if any) of (i) the total amount of any periodic benefits under governmental pension systems for which the husband is eligible for such month, over (ii) \$35, and

"(B) the benefit amount of the husband, after any reduction under paragraph (1), shall be further reduced (but not below zero) by the excess (if any) of (i) the total amount of any periodic benefits under governmental pension systems for which the wife is eligible for such month, over (ii) \$17.50.

"(4) For purposes of this subsection, in determining whether an individual is eligible for periodic benefits under a governmental pension system—

"(A) such individual shall be deemed to have filed application for such benefits,

"(B) to the extent that entitlement depends on an application by such individual's spouse, such spouse shall be deemed to have filed application, and

“(C) to the extent that entitlement depends on such individual or his spouse having retired, such individual and his spouse shall be deemed to have retired before the month for which the determination of eligibility is being made.

“(5) For purposes of this subsection, if any periodic benefit is payable on any basis other than a calendar month, the Secretary shall allocate the amount of such benefit to the appropriate calendar months.

“(6) If, under the foregoing provisions of this section, the amount payable for any month would be less than \$1, such amount shall be reduced to zero. In the case of a husband and wife both of whom are entitled to benefits under this section for the month, the preceding sentence shall be applied with respect to the aggregate amount so payable for such month.

“(7) If any benefit amount computed under the foregoing provisions of this section is not a multiple of \$0.10, it shall be raised to the next higher multiple of \$0.10.

“(8) Under regulations prescribed by the Secretary, benefit payments under this section to an individual (or aggregate benefit payments under this section in the case of a husband and wife) of less than \$5 may be accumulated until they equal or exceed \$5.

#### “Suspension for Months in Which Cash Payments Are Made Under Public Assistance

“(d) The benefit to which any individual is entitled under this section for any month shall not be paid for such month if—

“(1) such individual receives aid or assistance in the form of money payments in such month under a State plan approved under title I, IV, X, XIV, or XVI, or

“(2) such individual's husband or wife receives such aid or assistance in such month, and under the State plan the needs of such individual were taken into account in determining eligibility for (or amount of) such aid or assistance,

unless the State agency administering or supervising the administration of such plan notifies the Secretary, at such time and in such manner as may be prescribed in accordance with regulations of the Secretary, that such payments to such individual (or such individual's husband or wife) under such plan are being terminated with the payment or payments made in such month.

42 USC 301, 601,  
1201, 1351, 1381.

#### “Suspension Where Individual Is Residing Outside the United States

“(e) The benefit to which any individual is entitled under this section for any month shall not be paid if, during such month, such individual is not a resident of the United States. For purposes of this subsection, the term ‘United States’ means the 50 States and the District of Columbia.

#### “Treatment as Monthly Insurance Benefits

“(f) For purposes of subsections (t) and (u) of section 202, and of section 1840, a monthly benefit under this section shall be treated as a monthly insurance benefit payable under section 202.

42 USC 402,  
1395s.

#### “Annual Reimbursement of Federal Old-Age and Survivors Insurance Trust Fund

“(g) There are authorized to be appropriated to the Federal Old-Age and Survivors Insurance Trust Fund for the fiscal year ending June 30, 1969, and for each fiscal year thereafter, such sums as the

Secretary of Health, Education, and Welfare deems necessary on account of—

“(1) payments made under this section during the second preceding fiscal year and all fiscal years prior thereto to individuals who, as of the beginning of the calendar year in which falls the month for which payment was made, had less than 3 quarters of coverage,

“(2) the additional administrative expenses resulting from the payments described in paragraph (1), and

“(3) any loss in interest to such Trust Fund resulting from such payments and expenses,

in order to place such Trust Fund in the same position at the end of such fiscal year as it would have been in if such payments had not been made.

#### “Definitions

“(h) For purposes of this section—

“(1) The term ‘quarter of coverage’ includes a quarter of coverage as defined in section 5(1) of the Railroad Retirement Act of 1937.

“(2) The term ‘governmental pension system’ means the insurance system established by this title or any other system or fund established by the United States, a State, any political subdivision of a State, or any wholly owned instrumentality of any one or more of the foregoing which provides for payment of (A) pensions, (B) retirement or retired pay, or (C) annuities or similar amounts payable on account of personal services performed by any individual (not including any payment under any workmen’s compensation law or any payment by the Veterans’ Administration as compensation for service-connected disability or death).

“(3) The term ‘periodic benefit’ includes a benefit payable in a lump sum if it is a commutation of, or a substitute for, periodic payments.

“(4) The determination of whether an individual is a husband or wife for any month shall be made under subsection (h) of section 216 without regard to subsections (b) and (f) of section 216.”

(b) **CERTAIN APPLICATIONS UNDER 1965 AMENDMENTS.**—For purposes of paragraph (4) of section 228(a) of the Social Security Act (added by subsection (a) of this section), an application filed under section 103 of the Social Security Amendments of 1965 before July 1966 shall be regarded as an application under such section 228 and shall, for purposes of such paragraph and of the last sentence of such section 228(a), be deemed to have been filed in July 1966, unless the person by whom or on whose behalf such application was filed notifies the Secretary that he does not want such application so regarded.

60 Stat. 733.  
45 USC 228e.

71 Stat. 519.  
42 USC 416.

Ante, p. 67.

79 Stat. 333.  
42 USC 426  
note.

**SEC. 303. TEMPORARY DUTY-FREE ENTRY FOR GIFTS FROM MEMBERS OF ARMED FORCES IN COMBAT ZONES.**

(a) **GIFTS COSTING \$50 OR LESS.**—Subpart B of part 1 of the appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by inserting after item 915.20 the following new item:

77A Stat. 434.

915.25	Articles constituting a bona fide gift from a member of the Armed Forces of the United States serving in a combat zone (within the meaning of section 112(c) of the Internal Revenue Code of 1954) to the extent such articles in any shipment do not exceed \$50 in aggregate retail value in the country of shipment and with such limitations on the importation of alcoholic beverages and tobacco products as the Secretary of the Treasury may prescribe, if such articles were purchased in or through authorized agencies of the Armed Forces of the United States or in accordance with regulations prescribed by the Secretary of Defense.....	Free (see headnote 2 of this subpart)	Free (see headnote 2 of this subpart)	On or before 12/31/67
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(b) **CLERICAL AMENDMENT.**—Headnote 2 for subpart B of part 1 of such appendix is amended by striking out “item 915.20” and inserting in lieu thereof “items 915.20 and 915.25”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply with respect to articles entered, or withdrawn from warehouse, for consumption after the date of the enactment of this Act.

Approved March 15, 1966, 8:15 p.m.

Public Law 89-369

AN ACT

To provide for the participation of the United States in the Asian Development Bank.

March 16, 1966  
[H. R. 12563]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the “Asian Development Bank Act”.*

Asian Development Bank Act.

ACCEPTANCE OF MEMBERSHIP

SEC. 2. The President is hereby authorized to accept membership for the United States in the Asian Development Bank (hereinafter referred to as the “Bank”) provided for by the agreement establishing the Bank (hereinafter referred to as the “agreement”) deposited in the archives of the United Nations.

SEC. 3. (a) The President, by and with the advice and consent of the Senate, shall appoint a Governor of the Bank, an alternate for the Governor, and a Director of the Bank.

Presidential appointees.

(b) No person shall be entitled to receive any salary or other compensation from the United States for services as a Governor or Alternate Governor. The Director may, in the discretion of the President, receive such compensation, allowances, and other benefits as, together with those received by him from the Bank, will equal those authorized for a Chief of Mission, class 2, within the meaning of the Foreign Service Act of 1946, as amended.

60 Stat. 999.  
22 USC 801  
note.

SEC. 4. (a) The policies and operations of the representatives of the United States on the Bank shall be coordinated with other United States policies in such manner as the President shall direct.

(b) An annual report with respect to United States participation in the Bank shall be submitted to the Congress by such agency or officer as the President shall designate.

Report to Congress.

SEC. 5. Unless the Congress by law authorizes such action, neither the President nor any person or agency shall, on behalf of the United States, (a) subscribe to additional shares of stock of the Bank; (b) vote for or agree to any amendment of the agreement which increases the obligations of the United States, or which would change the purpose or functions of the Bank; or (c) make a loan or provide other financing to the Bank, except that funds for technical assistance not to exceed \$1,000,000 in any one year may be provided to the Bank by a United States agency created pursuant to an Act of Congress which is authorized by law to provide funds to international organizations.

#### DEPOSITORIES

SEC. 6. Any Federal Reserve bank which is requested to do so by the Bank shall act as its depository or as its fiscal agent, and the Board of Governors of the Federal Reserve System shall supervise and direct the carrying out of these functions by the Federal Reserve banks.

#### PAYMENT OF SUBSCRIPTIONS

Appropriation.

SEC. 7. (a) There is hereby authorized to be appropriated, without fiscal year limitation, for the purchase of twenty thousand shares of capital stock of the Bank, \$200,000,000.

(b) Any payment made to the United States by the Bank as a distribution of net income shall be covered into the Treasury as a miscellaneous receipt.

#### JURISDICTION AND VENUE OF ACTIONS

SEC. 8. For the purpose of any civil action which may be brought within the United States, its territories or possessions, or the Commonwealth of Puerto Rico, by or against the Bank in accordance with the agreement, the Bank shall be deemed to be an inhabitant of the Federal judicial district in which its principal office or agency in the United States is located, and any such action to which the Bank shall be a party shall be deemed to arise under the laws of the United States, and the district courts of the United States, including the courts enumerated in title 28, section 460, United States Code, shall have original jurisdiction of any such action. When the Bank is a defendant in any action in a State court, it may, at any time before the trial thereof, remove such action into the district court of the United States for the proper district by following the procedure for removal of causes otherwise provided by law.

65 Stat. 725.

#### STATUS, IMMUNITIES, AND PRIVILEGES

SEC. 9. The agreement, and particularly articles 49 through 56, shall have full force and effect in the United States, its territories and possessions, and the Commonwealth of Puerto Rico, upon acceptance of membership by the United States in, and the establishment of, the Bank. The President, at the time of deposit of the instrument of acceptance of membership by the United States in the Bank, shall also deposit a declaration that the United States retains for itself and its political subdivisions the right to tax salaries and emoluments paid by the Bank to its citizens or nationals.

#### SECURITIES ISSUED BY BANK AS INVESTMENT SECURITIES FOR NATIONAL BANKS

SEC. 10. The last sentence of paragraph 7 of section 5136 of the Revised Statutes, as amended (12 U.S.C. 24), is amended by striking

the word "or" after the words "International Bank for Reconstruction and Development" and inserting a comma in lieu thereof, and by inserting after the words "the Inter-American Development Bank" the words "or the Asian Development Bank".

SECURITIES ISSUED BY BANK AS EXEMPT SECURITIES; REPORT FILED WITH SECURITIES AND EXCHANGE COMMISSION

SEC. 11. (a) Any securities issued by the Bank (including any guarantee by the Bank, whether or not limited in scope) in connection with raising of funds for inclusion in the Bank's ordinary capital resources as defined in article 7 of the agreement and any securities guaranteed by the Bank as to both principal and interest to which the commitment in article 6, section 5, of the agreement is expressly applicable, shall be deemed to be exempted securities within the meaning of paragraph (a) (2) of section 3 of the Act of May 27, 1933, as amended (15 U.S.C. 77c), and paragraph (a) (12) of section 3 of the Act of June 6, 1934, as amended (15 U.S.C. 78c). The Bank shall file with the Securities and Exchange Commission such annual and other reports with regard to such securities as the Commission shall determine to be appropriate in view of the special character of the Bank and its operations and necessary in the public interest or for the protection of investors.

48 Stat. 906, 882.

(b) The Securities and Exchange Commission, acting in consultation with such agency or officer as the President shall designate, is authorized to suspend the provisions of subsection (a) at any time as to any or all securities issued or guaranteed by the Bank during the period of such suspension. The Commission shall include in its annual reports to Congress such information as it shall deem advisable with regard to the operations and effect of this section and in connection therewith shall include any views submitted for such purpose by any association of dealers registered with the Commission.

Reports to Congress.

Approved March 16, 1966, 9:50 a.m.

Public Law 89-370

AN ACT

March 17, 1966  
[H. R. 2627]

For the relief of certain classes of civilian employees of naval installations erroneously in receipt of certain wages due to misinterpretation of certain personnel instructions.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That each civilian employee and each former civilian employee of any United States Navy installation is relieved of all liability to refund to the United States any and all amounts which were erroneously received by him without fault on his part after May 25, 1960, and before July 1, 1962, resulting from a premature within-grade advancement based upon a misinterpretation of cover sheet 852 of the Navy Civilian Personnel Instructions dated May 25, 1960. Any such employee or former employee who has at any time made repayment to the United States of an amount paid to him as a result of any such misinterpretation is hereby entitled to have refunded to him such amount so repaid if application therefor is made to the Secretary of the Navy within one year following the date of enactment of this Act. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for appropriate amounts for which liability is relieved by this Act. Appropriations available for the pay of civilian personnel of the Navy are hereby made available for payment of refunds under this Act.

Naval installations.  
Relief of certain civilian employees.

SEC. 2. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 March 17, 1966.

Public Law 89-371

AN ACT

March 18, 1966  
[H. R. 12169]

To amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Foreign Assistance Act of 1961; amendments.

75 Stat. 434;  
79 Stat. 656.  
22 USC 2242.

22 USC 2408.

22 USC 2261.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 402 of the Foreign Assistance Act of 1961, as amended, which relates to supporting assistance, is amended as follows:

(a) Strike out "\$369,200,000" and substitute "\$684,200,000".

(b) In the first sentence, after "President" insert ", without regard to section 649,".

SEC. 2. Section 451(a) of the Foreign Assistance Act of 1961, as amended, which relates to the contingency fund, is amended by striking out "\$50,000,000" and substituting "\$150,000,000" and by inserting immediately after the first sentence thereof the following new sentence: "No part of the funds appropriated under the preceding sentence after January 1, 1966, for the fiscal year 1966, shall be used to provide assistance to any country which permits any ship or aircraft under its registry to transport any equipment, materials, or commodities to or from North Vietnam unless the President determines that the withholding of such assistance would be contrary to the national interest of the United States and reports such determination to the Congress."

76 Stat. 260.  
22 USC 2360.

22 USC 2397.

SEC. 3. Section 610(b) of such Act, which relates to transfer between accounts, is amended by adding at the end thereof the following: "Not to exceed \$1,400,000 of the funds appropriated under section 402 of this Act after January 1, 1966, for the fiscal year 1966, may be transferred to and consolidated with appropriations made under section 637(a) of this Act for such fiscal year, subject to the limitations of subsection (a) of this section and subject to the further limitation that funds so transferred shall be available solely for administrative expenses incurred in connection with programs in the Republic of Vietnam."

Approved March 18, 1966.

Public Law 89-372

AN ACT

March 18, 1966  
[S. 1666]

To provide for the appointment of additional circuit and district judges, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the President shall appoint, by and with the advice and consent of the Senate, two additional circuit judges for the fourth circuit, two additional circuit judges for the sixth circuit, one additional circuit judge for the seventh circuit, and one additional circuit judge for the eighth circuit.

Additional circuit and district judges.

(b) In order that the table contained in section 44(a) of title 28 of the United States Code will reflect the changes made by subsection (a) of this section in the number of circuit judges for said circuits, such table is amended to read as follows with respect to said circuits:

62 Stat. 871.

Circuits	Number of judges
Fourth	7
Sixth	8
Seventh	8
Eighth	8

(c) The President shall appoint, by and with the advice and consent of the Senate, four additional circuit judges for the fifth circuit. The first four vacancies occurring in the office of circuit judge in said circuit shall not be filled.

SEC. 2. (a) The President shall appoint, by and with the advice and consent of the Senate, one district judge for the middle and southern districts of Alabama, one additional district judge for the district of Arizona, one additional district judge for the northern district of Florida, one additional district judge for the middle district of Florida, two additional district judges for the southern district of Florida, one additional district judge for the northern district of Illinois, one additional district judge for the southern district of Indiana, four additional district judges for the eastern district of Louisiana, one additional district judge for the district of Maryland, one additional district judge for the northern district of Mississippi, one additional district judge for the southern district of Mississippi, one additional district judge for the western district of New York, one additional district judge for the northern district of Ohio, one additional district judge for the southern district of Ohio, one additional district judge for the district of Rhode Island, two additional district judges for the southern district of Texas, one additional district judge for the western district of Texas, two additional district judges for the eastern district of Virginia, and one additional district judge for the district of Vermont.

Florida.

(b) The existing district judgeship for the northern, middle and southern districts of Florida heretofore provided for by section 133 of title 28, United States Code, shall hereafter be a district judgeship for the middle district of Florida only, and the present incumbent of such judgeship shall henceforth hold his office under section 133, as amended by this Act.

76 Stat. 248.

SEC. 3. (a) Section 84 of title 28, United States Code, is amended to read as follows:

Judicial districts, revision.

“§ 84. California

“California is divided into four judicial districts to be known as the Northern, Eastern, Central, and Southern Districts of California.

“Northern District

“(a) The Northern District comprises the counties of Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Benito, Santa Clara, Santa Cruz, San Francisco, San Mateo, and Sonoma.

“Court for the Northern District shall be held at Eureka, Oakland, San Francisco, and San Jose.

“Eastern District

“(b) The Eastern District comprises the counties of Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Fresno, Glenn, Inyo, Kern, Kings, Lassen, Madera, Mariposa, Merced, Modoc, Mono, Nevada, Placer, Plumas, Sacramento, San Joaquin, Shasta, Sierra, Siskiyou, Solano, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo, and Yuba.

“Court for the Eastern District shall be held at Fresno, Redding, and Sacramento.

“Central District

“(c) The Central District comprises the counties of Los Angeles, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara, and Ventura.

“Court for the Central District shall be held at Los Angeles.

“Southern District

“(d) The Southern District comprises the counties of Imperial and San Diego.

“Court for the Southern District shall be held at San Diego.”

(b) The two district judges for the northern district of California holding office on the day before the effective date of this section and whose official station is Sacramento shall, on and after such date, be district judges for the eastern district of California. All other district judges for the northern district of California holding office on the day before the effective date of this section shall, on and after such date, be district judges for the northern district of California.

(c) The district judge for the southern district of California, residing in the northern division thereof and holding office on the day before the effective date of this section, shall, on and after such date, be a district judge for the eastern district of California. The two district judges for the southern district of California holding office on the day before the effective date of this section and whose official station is San Diego shall, on and after such date, be the district judges for the southern district of California. All other district judges for the southern district of California holding office on the day before the effective date of this section shall, on and after such date, be district judges for the central district of California.

(d) Nothing in this Act shall in any manner affect the tenure of office of the United States attorney and the United States marshal for the northern district of California who are in office on the effective date of this section, and who shall be during the remainder of their present terms of office the United States attorney and marshal for such district as constituted by this Act.

(e) Nothing in this Act shall in any manner affect the tenure of office of the United States attorney and the United States marshal

for the southern district of California who are in office on the effective date of this section, and who shall be during the remainder of their present terms of office the United States attorney and marshal for the central district of California.

(f) The President shall appoint, by and with the advice and consent of the Senate, a United States attorney and a United States marshal for the southern district of California.

U. S. attorneys and U. S. marshals.

(g) The President shall appoint, by and with the advice and consent of the Senate, a United States attorney and a United States marshal for the eastern district of California.

(h) The President shall appoint, by and with the advice and consent of the Senate, three additional district judges for the central district of California, and two additional district judges for the northern district of California.

Additional district judges.

(i) The provisions of this section shall become effective six months after the date of enactment of this Act.

Effective date.

SEC. 4. In order that the table contained in section 133 of title 28, of the United States Code will reflect the changes made by sections 2 and 3 of this Act in the number of permanent judgeships for certain districts, such table is amended to read as follows with respect to said districts:

62 Stat. 895.

"Districts	Judges
Alabama :	
* * * * *	
Middle and Southern-----	1
* * * * *	
Arizona-----	4
* * * * *	
California :	
Northern-----	9
Eastern-----	3
Central-----	13
Southern-----	2
* * * * *	
Florida :	
Northern-----	2
Middle-----	5
Southern-----	5
* * * * *	
Illinois :	
Northern-----	11
* * * * *	
Indiana :	
* * * * *	
Southern-----	4
* * * * *	
Louisiana :	
Eastern-----	8
* * * * *	
Maryland-----	5
* * * * *	
Mississippi :	
Northern-----	2
Southern-----	3
* * * * *	
New York :	
* * * * *	
Western-----	3
* * * * *	
Ohio :	
Northern-----	7
Southern-----	4
* * * * *	

"Districts	Judges
Rhode Island-----	2
* * * * *	
Texas:	
* * * * *	
Southern-----	7
* * * * *	
Western-----	4
* * * * *	
Vermont-----	2
* * * * *	
Virginia:	
Eastern-----	5."

Kansas.

SEC. 5. (a) The President shall appoint, by and with the advice and consent of the Senate, one additional district judge for the district of Kansas. The first vacancy occurring in the office of district judge in said district shall not be filled.

Pennsylvania.

(b) The President shall appoint, by and with the advice and consent of the Senate, three additional district judges for the eastern district of Pennsylvania. The first three vacancies occurring in the office of district judge in said district shall not be filled.

Wisconsin.

(c) The President shall appoint, by and with the advice and consent of the Senate, one additional district judge for the eastern district of Wisconsin. The first vacancy occurring in the office of district judge in said district shall not be filled.

Approved March 18, 1966.

Public Law 89-373

AN ACT

March 23, 1966  
[H. R. 432]

To amend the Federal Employees' Group Life Insurance Act of 1954 and the Civil Service Retirement Act with regard to filing designation of beneficiary, and for other purposes.

Federal employ-  
ees' life insurance.  
Beneficiaries.  
68 Stat. 738.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the first item of the order of precedence in section 4 of the Federal Employees' Group Life Insurance Act of 1954, as amended (5 U.S.C. 2093), is amended to read as follows:

39 Stat. 742.  
5 USC 751 note.  
73 Stat. 701.  
5 USC 2095.

"First, to the beneficiary or beneficiaries as the employee may have designated by a signed and witnessed writing received prior to death in the employing office or, if insured because of receipt of annuity or of benefits under the Federal Employees' Compensation Act as provided in section 6(b) or 6(c) of this Act, in the Commission. For this purpose, a designation, change, or cancellation of beneficiary in a will or other document not so executed and filed shall have no force or effect;".

Retirement  
benefits.  
70 Stat. 755.

SEC. 2. The first item of the order of precedence in section 11(c) of the Civil Service Retirement Act, as amended (5 U.S.C. 2261(c)), is amended to read as follows:

"First, to the beneficiary or beneficiaries as the employee or Member may have designated by a signed and witnessed writing received in the Commission prior to his death. For this purpose, a designation, change, or cancellation of beneficiary in a will or other document not so executed and filed shall have no force or effect;".

Approved March 23, 1966.

## Public Law 89-374

## AN ACT

March 25, 1966  
[H. R. 13546]

Making supplemental appropriations for the fiscal year ending June 30, 1966, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Supplemental Defense Appropriation Act, 1966") for the fiscal year ending June 30, 1966, and for other purposes, namely:

Supplemental  
Defense Appropriation Act, 1966.

## DEPARTMENT OF DEFENSE

## MILITARY PERSONNEL

## MILITARY PERSONNEL, ARMY

For an additional amount for "Military personnel, Army", \$833,600,000.

## MILITARY PERSONNEL, NAVY

For an additional amount for "Military personnel, Navy", \$318,500,000.

## MILITARY PERSONNEL, MARINE CORPS

For an additional amount for "Military personnel, Marine Corps", \$184,600,000.

## MILITARY PERSONNEL, AIR FORCE

For an additional amount for "Military personnel, Air Force", \$219,300,000.

## RESERVE PERSONNEL, ARMY

For an additional amount for "Reserve personnel, Army", \$7,500,000.

## RESERVE PERSONNEL, MARINE CORPS

For an additional amount for "Reserve personnel, Marine Corps", \$2,200,000.

## RESERVE PERSONNEL, AIR FORCE

For an additional amount for "Reserve personnel, Air Force", \$2,700,000.

## NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for "National Guard personnel, Army", \$45,900,000.

## NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for "National Guard personnel, Air Force", \$5,700,000.

## OPERATION AND MAINTENANCE

## OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Operation and maintenance, Army", including an additional amount of not to exceed \$318,000 for emergencies and extraordinary expenses, \$1,077,200,000.

## OPERATION AND MAINTENANCE, NAVY

For an additional amount for "Operation and maintenance, Navy", including an additional amount of not to exceed \$125,000 for emergency and extraordinary expenses, \$506,000,000.

## OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for "Operation and maintenance, Marine Corps", \$102,600,000.

## OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and maintenance, Air Force", \$544,900,000.

## OPERATION AND MAINTENANCE, DEFENSE AGENCIES

For an additional amount for "Operation and maintenance, Defense agencies", \$41,769,000.

## OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for "Operation and maintenance, Army National Guard", \$35,700,000.

## OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for "Operation and maintenance, Air National Guard", \$8,100,000.

## PROCUREMENT

## PROCUREMENT OF EQUIPMENT AND MISSILES, ARMY

For an additional amount for "Procurement of equipment and missiles, Army", \$2,465,000,000, to remain available until expended.

## PROCUREMENT OF AIRCRAFT AND MISSILES, NAVY

For an additional amount for "Procurement of aircraft and missiles, Navy", \$764,500,000, to remain available until expended.

## OTHER PROCUREMENT, NAVY

For an additional amount for "Other procurement, Navy", including purchase of not to exceed forty-six additional passenger motor vehicles, \$607,500,000, to remain available until expended.

## PROCUREMENT, MARINE CORPS

For an additional amount for "Procurement, Marine Corps", \$516,600,000, to remain available until expended.

## AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for "Aircraft procurement, Air Force", \$1,585,700,000, to remain available until expended.

## MISSILE PROCUREMENT, AIR FORCE

For an additional amount for "Missile procurement, Air Force", \$63,700,000, to remain available until expended.

## OTHER PROCUREMENT, AIR FORCE

For an additional amount for "Other procurement, Air Force", including purchase of not to exceed one hundred and sixty-four passenger motor vehicles for replacement only, \$1,016,400,000, to remain available until expended.

## RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

## RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY

For an additional amount for "Research, development, test, and evaluation, Army", \$27,995,000, to remain available until expended.

## RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY

For an additional amount for "Research, development, test, and evaluation, Navy", \$52,570,000, to remain available until expended.

## RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, AIR FORCE

For an additional amount for "Research, development, test, and evaluation, Air Force", \$71,085,000, to remain available until expended.

## MILITARY CONSTRUCTION

## MILITARY CONSTRUCTION, ARMY

For an additional amount for "Military construction, Army", \$509,700,000, to remain available until expended.

## MILITARY CONSTRUCTION, NAVY

For an additional amount for "Military construction, Navy", \$254,600,000, to remain available until expended.

## MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for "Military construction, Air Force", \$274,100,000, to remain available until expended.

## MILITARY CONSTRUCTION, DEFENSE AGENCIES

For an additional amount for "Military construction, Defense agencies", \$200,000,000, to remain available until expended.

## FUNDS APPROPRIATED TO THE PRESIDENT

## MILITARY ASSISTANCE

For an additional amount for "Military assistance", for liquidation of obligations incurred pursuant to the authority in section 510 of the Foreign Assistance Act of 1961, as amended, \$375,000,000.

## ECONOMIC ASSISTANCE

## SUPPORTING ASSISTANCE

For an additional amount for "Supporting assistance", \$315,000,000.

## CONTINGENCY FUND, GENERAL

For an additional amount for "Contingency fund, general", \$100,000,000.

## GENERAL PROVISIONS

Working capital funds.

76 Stat. 521.

SEC. 101. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to 10 U.S.C. 2208 may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: *Provided*, That transfers may be made between such funds in such amounts as may be determined by the Secretary of Defense, with the approval of the Bureau of the Budget.

Funds, availability for Vietnamese forces, etc.

SEC. 102. (a) Appropriations available to the Department of Defense during the fiscal year 1966 shall be available for their stated purposes to support Vietnamese and other Free World Forces in Vietnam and for related costs on such terms and conditions as the Secretary of Defense may determine: *Provided*, That unexpended balances, as determined by the Secretary of Defense, of funds heretofore allocated or transferred by the President to the Secretary of Defense for military assistance to support Vietnamese and other Free World Forces in Vietnam shall be transferred to any appropriation available to the Department of Defense for military functions (including construction), to be merged with and to be available for the same purposes and for the same time period as the appropriation to which transferred.

Report to congressional committees.

(b) Within thirty days after the end of each quarter, the Secretary of Defense shall render to the Committees on Armed Services and Appropriations of the House of Representatives and the Senate a report with respect to the estimated value by purpose, by country, of support furnished from such appropriations.

79 Stat. 874.

SEC. 103. Section 606 of the Department of Defense Appropriation Act, 1966, is amended by deleting the period at the end thereof and inserting the following: ", and the cost of milk so purchased, as determined by the Secretary of Defense, shall be included in the value of the commuted ration."

SEC. 104. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

Approved March 25, 1966.

Public Law 89-375

AN ACT

March 26, 1966  
[S. 2614]

To provide for United States participation in the 1967 statewide celebration of the centennial of the Alaska Purchase.

Alaska Purchase Centennial.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, in recognition of the national and international significance of the purchase of Alaska by the United States from Russia in 1867, the Congress hereby declares that it is the purpose of this Act to provide for appropriate United States participation in the statewide 1967 centennial celebration, jointly with the State of Alaska, through industrial, agricultural, educational, research, or commercial projects, or facilities which contribute to the celebration and result in an enduring symbol of the significance to the United States of its purchase of Alaska in 1867 and a permanent contribution to the economy of Alaska.

SEC. 2. (a) The Secretary of Commerce (hereinafter in this Act referred to as the "Secretary") is authorized to make grants to the State of Alaska, for use by the State, its political subdivisions, municipalities, or public or private nonprofit corporations to defray no more than one-half of the costs of projects planned to support initially the 1967 Alaska Centennial as an event of national interest. Such projects shall be eligible for grants only after they are approved by such department of the State of Alaska as shall be designated for such purpose by the Governor of the State of Alaska. In accord with the purposes of this Act, the Secretary shall establish additional criteria to be met by such projects and shall promulgate regulations governing the submission and approval of applications.

(b) It shall be a condition of the receipt of any grant for a project that recipient of such grant furnish adequate assurance to the Secretary of Labor that all laborers and mechanics employed by contractors or subcontractors on projects financed under this section shall be paid wages at not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-5). The Secretary of Labor shall have, with respect to the labor standards specified in this provision the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133z-15), and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948, as amended; 40 U.S.C. 276(c)).

(c) There is hereby authorized to be appropriated for the purposes of this section not to exceed \$4,000,000. Funds appropriated under this subsection shall remain available for expenditure until June 30, 1968.

SEC. 3. (a) The Secretary may provide for appropriate participation by the United States in ceremonies and exhibits which are a part of the centennial celebration, whenever the national or international significance of any event of the centennial celebration will be enhanced by such United States participation.

(b) In carrying out the purposes of this section, the Secretary may—

(1) provide for the display of Federal exhibits at one or more sites in the State of Alaska in buildings or structures furnished to the United States, during the period of the centennial celebration, except that the Secretary may utilize United States-owned mobile geodesic-domed exhibition buildings or structures erected on land owned by the State of Alaska or any political subdivision thereof and furnished to the United States, without cost, during the period of the centennial celebration;

(2) incur such expenses as may be necessary to carry out the purposes of this section, including but not limited to expenditures involved in the selection, purchase, rental, construction, and other acquisition of exhibits and materials and equipment therefor and the actual display thereof, and including but not limited to related expenditures for costs of landscaping, transportation, insurance, installation, safekeeping, maintenance and operation, and dismantling;

(3) enter into such contracts as may be necessary to provide for United States participation in appropriate ceremonies and exhibits which are a part of the centennial celebration;

(4) appoint such persons as he deems to be necessary to carry out the provisions of this section, except that no person appointed under this paragraph shall receive compensation from the United

Project grants.

Regulations.

Wage standards.

49 Stat. 1011.

40 USC 276c.

Appropriation.

Federal exhibits.

Expenditures.

Contracts.

Appointments.

Post, p. 288.  
5 USC 1071  
note.  
60 Stat. 810.

States at a rate in excess of that received by persons under the Classification Act of 1949 for performing comparable duties;

(5) procure services as authorized by section 15 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 55a), but at rates for individuals not to exceed \$75 per diem when actually employed; and

Gifts, etc.

(6) accept any gifts, donations, or devises, or loans other than of money, to be used in carrying out the purposes of this section.

(c) In determining the exhibits to be installed by the United States during the centennial celebration and in selecting the site or sites in the State of Alaska for such exhibits, the Secretary shall consult with the Alaska State Centennial Commission.

Federal cooperation.

(d) The head of each department, agency, or instrumentality of the Federal Government is authorized—

(1) to cooperate with the Secretary with respect to United States participation in the ceremonial aspects of the centennial celebration; and

(2) to make available to the Secretary from time to time, such personnel as may be necessary to assist the Secretary in carrying out his functions under this section.

Appropriation.

(e) There are hereby authorized to be appropriated for the purposes of this section not to exceed \$600,000.

Report to Congress.

SEC. 4. The Secretary shall report to the Congress within six months after the date of the official close of the centennial celebration concerning the activities of the Federal Government pursuant to this Act, including a detailed statement of expenditures. Upon transmission of such report to the Congress, all appointments made under this Act shall terminate.

Approved March 26, 1966.

## Public Law 89-376

### AN ACT

March 26, 1966  
[H. R. 3584]

To amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines.

Federal Coal  
Mine Safety Act  
Amendments of  
1965.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Coal Mine Safety Act Amendments of 1965".*

SEC. 2. (a) Subsection (b) of section 201 of the Federal Coal Mine Safety Act (66 Stat. 693; 30 U.S.C. 471 (b)) is repealed.

55 Stat. 177.  
30 USC 451  
note.

(b) For a period of six months following the month during which this Act becomes effective, the amendments made by section 3 of this Act to the Federal Coal Mine Safety Act shall not apply to any mine in which on the effective date of this Act no more than fourteen individuals are regularly employed underground, except that the amendments made by subsections (c) and (d) of such section shall become effective on the date of enactment of this Act.

66 Stat. 707.  
30 USC 479.

(c) For a period of six months following the month during which this Act becomes effective, paragraph (5) of subsection (h) of section 209 of the Federal Coal Mine Safety Act shall not apply to any mine in which on the effective date of this Act (1) no more than fourteen individuals are regularly employed underground and (2) the storage, handling, or use of black powder is expressly permitted by a statute of the State in which such mine is located.

SEC. 3. (a) Section 203 of the Federal Coal Mine Safety Act (66 Stat. 694; 30 U.S.C. 473) is amended by adding a new subsection (d) and a new subsection (e), reading as follows, and by redesignating present subsections (d), (e), and (f) as subsections (f), (g), and (h), respectively, and by amending those subsections to read as follows:

“(d) (1) If a duly authorized representative of the Bureau, upon making an inspection of a mine as authorized in section 202, finds that any provision of section 209 is being violated, and if he also finds that, while the conditions created by such violation do not cause danger that a mine explosion, mine fire, mine inundation, or man-trip or man-hoist accident will occur in such mine immediately or before the imminence of such danger can be eliminated, such violation is of such nature as could significantly and substantially contribute to the cause or effect of a mine explosion, mine fire, mine inundation, or man-trip or man-hoist accident, and if he finds such violation to be caused by an unwarrantable failure of such operator to comply with the provisions of section 209, he shall include such finding in the notice given to the operator under subsection (b) of this section. Within ninety days of the time such notice was given to such operator, the Bureau shall cause such mine to be reinspected to determine if any similar such violation exists in such mine. Such reinspection shall be in addition to any special inspection required under section 203 or section 206. If, during any special inspection relating to such violation or during such reinspection, a representative of the Bureau finds such similar violation does exist, and if he finds such violation to be caused by an unwarrantable failure of such operator to comply with the provisions of section 209, he shall forthwith issue an order requiring the operator to cause all persons in the area affected by such violation, except those persons referred to in paragraph (3) of this subsection, to be withdrawn from, and to be debarred from entering, such area. Such finding and order shall state the provision or provisions of section 209 which have been violated and shall contain a detailed description of the conditions which such representative finds cause and constitute such violation, and a description of the area from which persons must be withdrawn and debarred. The representative of the Bureau shall promptly thereafter advise the Director in writing of his findings and his action.

Inspection and  
reinspection of  
mines.  
30 USC 472.

30 USC 476.

Finding and  
order.

“(2) If a withdrawal order with respect to any area in a mine has been issued pursuant to paragraph (1) of this subsection, thereafter a withdrawal order shall promptly be issued by a duly authorized representative of the Bureau who finds upon any following inspection the existence in such mine of violations similar to those that resulted in the issuance of the withdrawal order under paragraph (1) of this subsection until such time as an inspection of such mine discloses no similar violations. Following an inspection of such mine which discloses no similar violations, the provisions of paragraph (1) of this subsection shall again be applicable to that mine.

Withdrawal or-  
ders.

“(3) No order issued under paragraphs (1) or (2) of this subsection shall require any of the following persons to be withdrawn from, or to be debarred from entering, the area described in the order: (A) Any person whose presence in such area is necessary, in the judgment of the operator of the mine, to abate the violation described in the order; (B) any public official whose official duties require him to enter such area; or (C) any legal or technical consultant or any representative of the employees of the mine, who is a certified person qualified to

make mine examinations, or is accompanied by such a person, and whose presence in such area is necessary, in the judgment of the operator of the mine, for the proper investigation of the conditions described in the order.

“(e) Except as provided in subsection (g) of this section an order issued under subsection (c) or (d) of this section may be annulled, canceled, or revised by the duly authorized representative of the Bureau who issued such order or any other duly authorized representative of the Bureau.

Methane.  
30 USC 472.

“(f) If a duly authorized representative of the Bureau, upon making an inspection of a mine, as authorized in section 202, finds that methane has been ignited in such mine or finds methane by use of a permissible flame safety lamp or by air analysis in an amount of 0.25 per centum or more in any open workings of such mine when tested at a point not less than twelve inches from the roof, face, or rib, he shall make an order requiring the operator of such mine to comply with the provisions of section 209 of this title which pertain to gassy mines, in the operation of such mine.

30 USC 479.

Notice to State agency.

“(g) (1) If an order is made pursuant to subsection (a) of this section, and a State inspector did not participate in the inspection on which such order is based, the duly authorized representative of the Bureau who issued the order shall notify the State mine inspection or safety agency immediately, but not later than twenty-four hours after the issuance of such order, that such order has been issued. Following such order the operator of the mine may immediately request the State mine inspection or safety agency to assign a State inspector to inspect the mine. The State agency shall then promptly assign a State inspector to inspect the mine affected by such order and file an inspection report with the Bureau and the State agency. The order of the duly authorized representative of the Bureau shall remain in effect, but shall immediately be subject to review as provided in this title.

Inspection and report.

Concurrence of State inspector.

“(2) No order shall be made pursuant to subsection (c) or (d) of this section with respect to a mine in a State in which a State plan approved under section 202(b) is in effect unless a State inspector participated in the inspection on which such order is based and concurs in such order, or an independent inspector appointed under paragraph (3) of this subsection concurs in such order. If the State inspector does not concur in such order, the operator of the mine, the duly authorized representative of the Bureau who proposes to make such order, or the State inspector may apply, within twenty-four hours after the completion of the inspection involved, for the appointment of an independent inspector under paragraph (3). Within five days after the date of his appointment, the independent inspector shall inspect the mine. The representative of the Bureau and the State inspector shall be given the opportunity to accompany the independent inspector during such inspection. If, after such inspection is completed, either the independent inspector or the State inspector concurs in the order, it shall be issued.

Independent inspector, appointment.

“(3) Within five days after the date of receipt of an application under paragraph (2) of this subsection, the chief judge of the United States district court for the district in which the mine is involved is located (or in his absence, the clerk of such court) shall appoint a graduate engineer with experience in the coal-mining industry to serve

as an independent inspector under this subsection. Each independent inspector so appointed shall be compensated at the rate of \$50 for each day of actual service (including each day he is traveling on official business) and shall, notwithstanding the Travel Expense Act of 1949, be fully reimbursed for traveling, subsistence, and related expenses.

“(4) An order made pursuant to subsection (a) or (c) or (d) of this section with respect to a mine in a State in which a State plan approved under section 202(b) is in effect shall not be subject to review under section 206, but shall be subject to review under section 207.

“(h) Notice of each finding and order made under this section shall promptly be given to the operator of the mine to which it pertains, by the person making such finding or order.”

(b) Section 202 of the Federal Coal Mine Safety Act (66 Stat. 693; 30 U.S.C. 472) is amended as follows:

(1) Subsection (a) is amended by striking out the reference to “section 203(d)” and inserting in lieu thereof “section 203(f)”; and by striking out the reference to “section 203(c)” and inserting in lieu thereof “section 203(c) and (d)”.

(2) Subsection (b)(2)(C) is amended by striking out the reference to “section 203(e)(1)” and inserting in lieu thereof “section 203(g)(1)”.

(3) Subsection (c) is amended by striking out the reference to “section 203(e)(3)” and inserting in lieu thereof “section 203(g)(3)”.

(c) Subsections (a), (b), (c), and (d) of section 205 of the Federal Coal Mine Safety Act (66 Stat. 697; 30 U.S.C. 475) are amended to read as follows:

“(a) The Federal Coal Mine Safety Board of Review is hereby continued as an agency of the United States, except that the Board shall consist of five members, instead of three members, who shall be appointed by the President, by and with the advice and consent of the Senate.

“(b) The terms of office of members of the Board shall be five years, except that—

“(1) the terms of office of members in office on the date of enactment of the Federal Coal Mine Safety Act Amendments of 1965, shall expire on the date originally fixed for their expiration,

“(2) the term of office of one of the members appointed to fill a vacancy resulting from the enactment of the Federal Coal Mine Safety Act Amendments of 1965 shall expire July 15, 1969, and the term of office of the member appointed to fill the other vacancy resulting therefrom shall expire July 15, 1970, and

“(3) a vacancy caused by the death, resignation, or removal of a member prior to the expiration of the term for which he was appointed shall be appointed only for the remainder of such unexpired term.

The members of the Board may be removed by the President for inefficiency, neglect of duty, or malfeasance in office.

“(c) Each member of the Board shall be compensated at the rate of \$50 for each day of actual service (including each day he is traveling on official business) and shall, notwithstanding the Travel Expense Act of 1949, be fully reimbursed for traveling, subsistence, and other related expenses. The Board, at all times, shall consist of one person who by reason of previous training and experience may reasonably be said to represent the viewpoint of operators of coal mines employing fourteen or fewer employees underground (hereinafter referred to as ‘small mine operators representative’), one person who by reason of previous training and experience may reasonably be said to rep-

63 Stat. 166.  
5 USC 835 note.

30 USC 472.  
30 USC 476, 477.

Notice to mine  
operator.

Board of Re-  
view.  
Appointment by  
President.

63 Stat. 166.  
5 USC 835 note.  
Qualifications  
of certain Board  
members.

resent the viewpoint of operators of coal mines employing fifteen or more employees underground (hereinafter referred to as the 'large mine operators representative'), one person who by reason of previous training and experience may reasonably be said to represent the viewpoint of coal mine workers in mines employing fourteen or fewer employees underground (hereinafter referred to as the 'small mine workers representative'), one person who by reason of previous training and experience may reasonably be said to represent the viewpoint of coal mine workers in mines employing fifteen or more employees underground (hereinafter referred to as the 'large mine workers representative'), and one person who shall be chairman of the Board, who shall be a graduate engineer with experience in the coal mining industry or shall have had at least five years' experience as a practical mining engineer in the coal mining industry, and who shall not, within one year of his appointment as a member of the Board, have had a pecuniary interest in, or have been regularly employed or engaged in, the mining of coal, or have regularly represented either coal mine operators or coal mine workers, or have been an officer or employee of the Department of the Interior assigned to duty in the Bureau.

Principal office.

"(d) The principal office of the Board shall be in the District of Columbia. Whenever the convenience of the public or of the parties may be promoted, or delay or expense may be minimized, the Board may hold hearings or conduct other proceedings at any other place. At the request of an operator of a mine the Board shall hold hearings or conduct other proceedings at the county seat of the county in which the mine is located or at any place mutually agreed to by the chairman of the Board and the operator of the mine involved in the appeal or proceeding. The Board shall have an official seal which shall be judicially noticed and which shall be preserved in the custody of the secretary of the Board."

Seal.

30 USC 475.

(d) Subsection (f) of section 205 of such Act is amended to read as follows:

Quorum.

"(f) Three members of the Board shall constitute a quorum, and official action can be taken only on the affirmative vote of at least three members, except that in any official action involving mines in which no more than fourteen individuals are regularly employed underground the participation of the small mine operators' representative and small mine workers' representative shall be required, and in any official action involving mines in which more than fourteen individuals are regularly employed underground the participation of the large mine operators' representative and large mine workers' representative shall be required; but a special panel composed of one or more members, upon order of the Board, shall conduct any hearing provided for in section 207 of this title and submit the transcript of such hearing to the entire Board of its action thereon. Such transcript shall be made available to the parties prior to any final action of the Board. An opportunity to appear before the Board shall be afforded the parties prior to any final action and the Board may afford the parties an opportunity to submit additional evidence as may be required for a full and true disclosure of the facts. Every official act of the Board shall be entered of record, and its hearings and records thereof shall be open to the public."

30 USC 477.

Availability of information.

(e) Section 206 of the Federal Coal Mine Safety Act (66 Stat. 699; 30 U.S.C. 476) is amended as follows:

(1) Subsection (a) is amended by striking out the reference to "section 203(e) (4)" and inserting in lieu thereof "section 203(g) (4)".

(2) Subsection (b) is amended by striking out the reference to "section 203(e)(4)" and inserting in lieu thereof "section 203(g)(4)".

(3) A new subsection (c), reading as follows, is added and present subsections (c), (d), (e), and (f) are redesignated as subsections (d), (e), (f), and (g), respectively, and are amended to read as follows:

"(c) Except as provided in section 203(g)(4), an operator notified of an order made pursuant to section 203(d) may apply to the Director for annulment or revision of such order. Upon receipt of such application the Director shall make a special inspection of the mine affected by such order, or cause three duly authorized representatives of the Bureau, other than the representative who made such order, to make such inspection of such mine and report thereon to him. Upon making such special inspection himself, or upon receiving the report of such inspection made by such representatives, the Director shall find whether or not there was a violation of section 209 as described in such order, at the time of the making of such order. If he finds there was no such violation he shall make an order annulling the order under review. If he finds there was such a violation he shall also find whether or not such violation was totally abated at the time of the making of such special inspection. If he finds that such violation was totally abated at such time, he shall make an order annulling the order under review. If he finds that such violation was not totally abated at such time, he shall find the extent of the area of such mine which was affected by such violation at the time such special inspection was made, and he shall then make an order, consistent with his findings, affirming or revising the order under review.

"(d) An operator notified of an order made pursuant to section 203(f) may apply, not later than twenty days after the receipt of notice of such order, to the Director for annulment of such order. Upon receipt of such application the Director shall make or cause to be made such investigation as he deems necessary. Upon concluding his investigation or upon receiving the report of such investigation made at his direction, the Director shall find whether or not methane has been ignited in such mine, or whether or not methane was found in such mine in an amount of 0.25 per centum or more in any open workings of such mine, when tested at a point not less than twelve inches from the roof, face, or rib, at the time of the making of such order. If he finds that methane has not been ignited in such mine and was not found in such mine as set out in such order, he shall make an order annulling the order under review. If he finds that methane has been ignited in such mine or was found in such mine as set out in the order under review, he shall make an order denying such application.

"(e) The Director shall cause notice of each finding and order made under this section to be given promptly to the operator of the mine to which it pertains.

"(f) Except as provided in section 203(g)(4), at any time while an order made pursuant to section 203 or this section is in effect, or any time during the pendency of a proceeding under section 207 or section 208 seeking annulment or revision of such order, the operator of the mine affected by such order may apply to the Director for annulment or revision of such order. The Director shall thereupon proceed to act upon such application in the manner provided in subsections (a), (b), (c) or (d) of this section.

"(g) In view of the urgent need for prompt decision of matters submitted to the Director under this section, all actions which the

Application for  
annulment or re-  
vision of order.  
Ante, p. 85.

30 USC 479.

Ante, p. 86.

Notice to mine  
operator.

Director or his representatives are required to take under this section shall be taken as rapidly as practicable, consistent with adequate consideration of the issues involved."

(f) Section 207 of the Federal Coal Mine Safety Act (66 Stat. 700; as amended 74 Stat. 201; 30 U.S.C. 477) is amended as follows:

(1) Subsection (a) is amended by striking out the reference to "subsection (a), (c) or (d)" and inserting in lieu thereof "subsection (a), (c), (d) or (f)"; by striking out the reference to "subsection (d)" and inserting in lieu thereof "subsection (f)"; and by striking out the reference to "subsection (c)" and inserting in lieu thereof "subsection (d)".

(2) A new subsection (h), reading as follows, is inserted and present subsections (h), (i), and (j) are redesignated as subsections (i), (j), and (k), respectively, and are amended to read as follows:

Board findings.

"(h) If the proceeding is one in which an operator seeks annulment or revision of an order made pursuant to section 203(d), the Board, upon conclusion of the hearing, shall find whether or not there was a violation of section 209, as described in such order, at the time of the making of such order. If the Board finds there was no such violation, the Board shall make an order annulling the order under review. If the Board finds there was such a violation, the Board shall also find whether or not such violation was totally abated at the time of the filing of the operator's application. If the Board finds that such violation was totally abated at such time, the Board shall make an order annulling the order under review. If the Board finds that such violation was not totally abated at such time, the Board shall find the extent of the area of such mine which was affected by such violation at such time, and shall make an order, consistent with its findings, affirming or revising the order under review.

30 USC 479.

"(i) If the proceeding is one in which an operator seeks annulment of an order made pursuant to section 203(f) or 206(d), the Board, upon conclusion of the hearing, shall find whether or not methane has been ignited in such mine or was found in such mine in an amount of 0.25 per centum or more in any open workings of such mine when tested at a point not less than twelve inches from the roof, face, or rib, as set out in such order. If the Board finds that methane has not been ignited in such mine and was not found in such mine as set out in such order, the Board shall make an order annulling the order under review. If the Board finds that methane has been ignited in such mine or was found in such mine as set out in the order under review, the Board shall make an order denying such application.

Ante, pp. 85, 89.

"(j) Each finding and order made by the Board shall be in writing. It shall show the date on which it is made, and shall bear the signatures of the members of the Board who concur therein. Upon making a finding and order the Board shall cause a true copy thereof to be sent by registered mail or by certified mail to all parties or their attorneys of record. The Board shall cause each such finding and order to be entered on its official record, together with any written opinion prepared by any members in support of, or dissenting from, any such finding or order.

Need for prompt action.

"(k) In view of the urgent need for prompt decision of matters submitted to the Board under this section, all actions which the Board is required to take under this section shall be taken as rapidly as practicable, consistent with adequate consideration of the issues involved."

SEC. 4. Subsection (d) of section 210 of the Federal Coal Mine Safety Act (66 Stat. 708; 30 U.S.C. 480(d)) is amended by striking out the reference to "section 203(e)(3)" and inserting in lieu thereof "section 203(g)(3)".

SEC. 5. Section 212 of the Federal Coal Mine Safety Act (66 Stat. 709; 30 U.S.C. 482) is amended by adding at the end thereof the following new subsections:

"(d) For the promotion of sound and effective coordination of Federal and State activities within the field covered by this Act, to eliminate duplication of effort and expense, and to secure effective enforcement of the coal mine safety requirements established by this title, the director shall affirmatively and diligently seek to cooperate with the mine inspection or safety agencies of the several States, through formal agreement or otherwise, in the enforcement of the provisions of this title.

"(e)(1) The Secretary of the Interior shall enlarge and intensify the educational programs of the Bureau of Mines with respect to the advancement of health and safety in coal mines.

"(2) The Secretary of the Interior may also make grants to States to assist them in planning and implementing programs for the advancement of health and safety in coal mines. The amount granted any State for a fiscal year under this paragraph may not exceed 50 per centum of the amount expended by such State in such year for carrying out such programs and no one State may be granted an amount in a fiscal year which exceeds 15 per centum of the aggregate amount granted all States for that year. There is hereby authorized to be appropriated for the fiscal year ending June 30, 1966, and each of the succeeding fiscal years for carrying out this paragraph, the sum of \$500,000."

SEC. 6. The Secretary of the Interior shall conduct a special study to determine the sufficiency of the present safety requirements of the Federal Coal Mine Safety Act, with particular emphasis upon the requirements relative to roof support, ventilation, and electrical equipment. The Secretary of the Interior shall make a report to the Congress on the results of such study, together with his recommendations, within one year after the enactment of this Act.

SEC. 7. (a) The Secretary of the Interior shall, as soon as feasible after the enactment of this Act, convene one or more conferences for the purpose of enabling those persons affected by this Act to become familiar with its provisions, particularly the enforcement provisions of section 209. The Secretary shall invite the participation in such conference or conferences of (1) mine safety experts of the Department of the Interior, (2) representatives of the appropriate State mine inspection or safety agencies, (3) representatives of owners and operators of all classes and categories of coal mines, (4) individuals or representatives of individuals employed in all classes and categories of coal mines, and (5) such other experts as he deems advisable.

(b) The Secretary of the Interior shall, upon the enactment of this Act, immediately provide the operator of each mine subject to inspection as authorized by section 202 with a copy of the form used in coal mine inspections by agents of the Bureau of Mines, clearly indicating the enforceable provisions of the Federal Coal Mine Safety Act. Such information should be in such form as would be readily comprehensible and shall include a complete description of the procedures available to an operator to seek the annulment or revision of an order of an agent of the Bureau of Mines. Nothing in this section shall be construed as authorizing the Secretary to modify the provisions of the Act.

Approved March 26, 1966.

Federal and State cooperation.

Educational programs.

Grants to States.

Appropriation.

Study.

30 USC 479.

Report to Congress.

Conferences.

Forms used in inspections.

## Public Law 89-377

March 28, 1966  
[H. R. 8030]

## AN ACT

To provide for the discontinuance of the Postal Savings System, and for other purposes.

Postal Savings  
System.  
Discontinuance.  
74 Stat. 682.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That title 39, United States Code, is amended by adding the following new sections to chapter 85 thereof:

**“§ 5225. Discontinuance of Postal Savings System**

“(a) The closing date for the Postal Savings System is the thirtieth day immediately following the date of the enactment of this Act. On and after the closing date no deposits shall be accepted in existing postal savings account and no new postal savings account shall be opened. After the closing date the Board of Trustees of the Postal Savings System shall not be required to maintain the 5 per centum reserve of postal savings funds otherwise required to be maintained by section 5214 of this title nor to apportion deposits in banks in accordance with sections 5215 and 5219 of this title.

“(b) Interest on deposits in the Postal Savings System shall cease to accrue on the anniversary dates of the respective certificates occurring in the twelve-month period starting with the closing date.

**“§ 5226. Liquidation of accounts**

Regulations of  
Board of Trustees.

“(a) During the closing period beginning on the closing date and ending on the last day of the first fiscal year which shall begin after such closing date, the Postmaster General is authorized and directed, to the extent practicable, to terminate the business, settle and pay the accounts, liquidate the assets, discharge the obligations, and otherwise wind up the affairs of the Postal Savings System, in accordance with such rules, regulations, and authority as may be prescribed by the Board of Trustees of the Postal Savings System.

“(b) In the settlement and payment of any Postal Savings account, including all interest accrued thereon, which is maintained in the name of the deceased, presumed dead or incompetent depositor, or which is determined payable to—

“(1) a minor,

“(2) a person adjudicated mentally incompetent or under other legal disability, or

“(3) the estate of a person who is deceased or presumed dead, the payment of such account, or any appropriate share thereof, may be made to a legal representative of the depositor, or to a legal representative of the person or property of such claimant. Where there are no outstanding guardianship or administration proceedings on the person or estate of the depositor, or the person or estate of such claimant, the Board of Trustees of the Postal Savings System shall determine the person who is otherwise qualified to receive payment according to the laws of descent and distribution of the State where the account is held. Payment made under this subsection shall be a bar to recovery by any other claimant of amounts so paid.

“(c) Until the last day of the first fiscal year which shall begin after the closing date for the Postal Savings System, the Postmaster General shall continue to cover into the postal revenues the excess of interest and profit accruing from the deposit or investment of postal savings funds after the payment of interest due to depositors in the Postal Savings System.

Annual report.

“(d) The annual report of the Post Office Department for the fiscal year which includes the closing date shall include a statement with

respect to the progress, results, and status of the winding up of the affairs of the Postal Savings System under this Act, together with such recommendations as the Postmaster General deems advisable.

**“§ 5227. Liquidation of investments**

“To facilitate the winding up of the affairs of the Postal Savings System, the Secretary of the Treasury shall redeem or purchase the public debt obligations of the United States, which are held for the account of the Postal Savings System, at their par value whenever it will not be advantageous to sell such public debt obligations on the regular market.

**“§ 5228. Transfer of deposits to Treasury**

“Effective on the first day of the second fiscal year which shall begin after the closing date for the Postal Savings System, the total amount of unpaid deposits, including the accrued interest due thereon, as shown by the books of the Board of Trustees of the Postal Savings System, shall be transferred to the Secretary of the Treasury. The Secretary of the Treasury shall deposit the amount so transferred under authority of this section in the Treasury to the credit of the trust fund receipt account ‘Unclaimed moneys of individuals whose whereabouts are unknown’. Expenditures are authorized to be made from such account as provided by section 725p of title 31, United States Code.

84 Stat. 1230.

**“§ 5229. Regulations**

“The Board of Trustees of the Postal Savings System is authorized and directed to prescribe such rules and regulations, and to make such delegation of authority, as may be necessary to carry out the purposes of sections 5225–5228 of this title.”

SEC. 2. The table of contents of chapter 85 of title 39, United States Code, is amended by adding thereto the following:

74 Stat. 682.

“5225. Discontinuance of Postal Savings System.

“5226. Liquidation of accounts.

“5227. Liquidation of investments.

“5228. Transfer of deposits to Treasury.

“5229. Regulations.”

Approved March 28, 1966.

Public Law 89-378

AN ACT

To authorize redetermination under the Civil Service Retirement Act of annuities of certain reemployed annuitants.

March 30, 1966  
[H. R. 969]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the last sentence of section 13(b) of the Civil Service Retirement Act, 5 U.S.C. 2263(b), is amended to read as follows: “Notwithstanding the restriction contained in section 115 of the Social Security Amendments of 1954, Public Law 83-761, a similar right to redetermination after deposit shall be applicable to an annuitant (1) whose annuity is based on an involuntary separation from the service and (2) who is separated on or after July 12, 1960, after such period of full-time reemployment which began before October 1, 1956.”

Certain civil  
service annuities.  
Recomputation.  
75 Stat. 771.

68 Stat. 1087.  
42 USC 410 note.

SEC. 2. Notwithstanding any other provision of law, annuity benefits resulting from enactment of this Act shall be paid from the civil service retirement and disability fund.

Approved March 30, 1966.

## Public Law 89-379

## AN ACT

March 30, 1966  
[H. R. 10553]

To preserve the benefits of the Civil Service Retirement Act, the Federal Employees' Group Life Insurance Act of 1954, and the Federal Employees Health Benefits Act of 1959 for congressional employees receiving certain congressional staff fellowships.

Congressional  
staff fellowship  
employees.  
Nonpay status.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, with respect to each employee of the Senate or House of Representatives—

(1) whose compensation is disbursed by the Secretary of the Senate or the Clerk of the House of Representatives, and

(2) who, on or after January 1, 1963 shall have been separated from employment with the Senate or House of Representatives in order to pursue certain studies under a congressional staff fellowship awarded by the American Political Science Association, the period of time covered by such fellowship shall be held and considered to be service (in a nonpay status) in employment with the Senate or House of Representatives, as the case may be, at the rate of compensation received immediately prior to separation (including any increases in compensation provided by law during the period covered by such fellowship) for the purposes of—

(A) the Civil Service Retirement Act, as amended (5 U.S.C. 2251 and following),

(B) the Federal Employees' Group Life Insurance Act of 1954, as amended (5 U.S.C. 2091 and following), and

(C) the Federal Employees' Health Benefits Act of 1959, as amended (5 U.S.C. 3001 and following),

if the award of such fellowship to such employee is certified to the Secretary of the Senate or the Clerk of the House of Representatives, as appropriate, by the appointing authority concerned or, in the event of the death or disability of such appointing authority, is established to the satisfaction of the Secretary of the Senate or the Clerk of the House by records or other evidence.

Approved March 30, 1966.

70 Stat. 743.

68 Stat. 736.

73 Stat. 708.

## Public Law 89-380

## AN ACT

March 30, 1966  
[H. R. 1647]

To provide for the payment of certain amounts and restoration of employment benefits to certain Government officers and employees improperly deprived thereof, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Back Pay Act of 1966".

SEC. 2. For the purposes of this Act—

(1) "agency" means—

(A) each executive department of the Government of the United States;

(B) each agency or independent establishment in the executive branch of such Government;

Back Pay Act of  
1966.

"Agency."

- (C) each corporation owned or controlled by such Government;
- (D) the Administrative Office of the United States Courts;
- (E) the Library of Congress;
- (F) the General Accounting Office;
- (G) the Government Printing Office; and
- (H) the municipal government of the District of Columbia.

SEC. 3. Each civilian officer or employee of an agency who, on the basis of an administrative determination or a timely appeal, is found, on or after the date of enactment of this Act, by appropriate authority under applicable law or regulation to have undergone an unjustified or unwarranted personnel action taken prior to, on, or after the date of enactment of this Act, which has resulted in the withdrawal or reduction of all or any part of the pay, allowances, or differentials of such officer or employee—

Unjustified personnel action, benefit principles.

(1) shall be entitled, upon correction of such personnel action, to receive for the period for which such personnel action was in effect an amount commensurate with the amount of all or any part of the pay, allowances, or differentials, as applicable, which such officer or employee normally would have earned during such period if such personnel action had not occurred, less any amounts earned by him through other employment during such period; and

Pay.

(2) for all purposes, shall be held and considered to have rendered service for such agency during such period, except that such officer or employee shall not be credited, by reason of the enactment of this Act, leave in an amount which would cause any amount of leave to his credit to exceed any maximum amount of such leave authorized for such officer or employee by law or regulation.

Leave accumulation.

SEC. 4. The United States Civil Service Commission shall prescribe regulations to carry out the provisions of this Act. Such regulations shall not be applicable with respect to the Tennessee Valley Authority and its officers and employees.

Regulations; nonapplicability.

SEC. 5. There are hereby repealed—

Repeals.

(1) section 6(b) of the Act of August 24, 1912, as amended (5 U.S.C. 652(b)); and

62 Stat. 355.

(2) that part of the third proviso of the first section of the Act of August 26, 1950 (5 U.S.C. 22-1), which reads: “, and if so reinstated or restored shall be allowed compensation for all or any part of the period of such suspension or termination in an amount not to exceed the difference between the amount such person would normally have earned during the period of such suspension or termination, at the rate he was receiving on the date of suspension or termination, as appropriate, and the interim net earnings of such person”.

64 Stat. 477.

Approved March 30, 1966.

## Public Law 89-381

March 30, 1966  
[H. R. 12762]

## AN ACT

To authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard.

Coast Guard.  
Appropriation  
authorization.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That funds are hereby authorized to be appropriated for fiscal year 1967 for the use of the Coast Guard as follows:

## VESSELS

For procurement, extension of service life, and increasing capability of vessels, \$63,210,000.

## (A) Procurement:

- (1) four high-endurance cutters;
- (2) one river tender;
- (3) design of icebreaker;
- (4) design of oceanographic cutter; and
- (5) design of small cutter.

## (B) Increasing capability:

- (1) install secure communications equipment on three high-endurance cutters; and
- (2) install balloon tracking radar on one high-endurance cutter.

## (C) Extension of service life:

- (1) improve icebreakers; and
- (2) enlarge operations center on two two-hundred-and-fifty-five-foot high-endurance cutters.

## AIRCRAFT

For procurement of aircraft, \$29,144,000:

- (1) three long-range aircraft;
- (2) five medium-range fixed or rotary-wing aircraft; and
- (3) twenty medium-range helicopters.

## CONSTRUCTION

For establishment or development of installations and facilities by acquisition, construction, conversion, extension, or installation of permanent or temporary public works, including the preparation of sites and furnishing of appurtenances, utilities, and equipment for the following, \$33,725,000.

- (1) Station, Umpqua River, Oregon: barracks, messing and operations building; equipment building; and public family quarters;
- (2) Station, Coos Bay, Oregon: operations building, garage and public family quarters;
- (3) Base, Milwaukee, Wisconsin: administration, industrial and buoy maintenance building; dock; and breakwater on leased premises with long-term lease;
- (4) Depot, Southwest Harbor, Maine: barracks and mess building, piers, and public family quarters;
- (5) Station, New Canal, Louisiana: utility building, bulkhead, and dock;
- (6) Base, Governors Island, New York: industrial facilities, piers; and acquisition of the building constructed on the Fort Jay Military Reservation, New York, by the Young Men's Christian Association;

(7) Station, Saint Ignace, Michigan: barracks, messing and operations building, garage, piers, breakwater, and public family quarters;

(8) Station, Grand Isle, Louisiana: moorings, bulkhead, public family quarters, and completion of LORAN-A station;

(9) Air Station, South San Francisco, California: barracks and sickbay building, rehabilitation of existing barracks as administration and messing building, transmitter-emergency operations building;

(10) Various locations: transportable communications units;

(11) Base, New Orleans, Louisiana: third and fourth floors of administration building, gatehouse, shop buildings, and moorings;

(12) Station, Rappahannock River, Virginia: barracks, messing, operations building; bulkhead, pier; and public family quarters;

(13) Radio Station, Long Beach, California: transmitter installation;

(14) Radio Station, Kodiak Island, Alaska: transmitter and antennas;

(15) Station, Marathon, Florida: barracks, administration and operations building, storage building wharf, bulkhead and seawall;

(16) Station, Cape May, New Jersey: hangar, offices, shop building, and improve mooring;

(17) Air Station, Kodiak, Alaska: improvement of hangar doors;

(18) Base, Terminal Island, San Pedro, California: supply warehouse;

(19) Moorings, Pine Bluff, Arkansas: establish moorings for aids to navigation tender;

(20) Various locations: Aids to navigation projects including, where necessary, advance planning and acquisition of sites;

(21) LORAN-A Stations, Galveston and Port Isabel, Texas: transmitter, power, and storage buildings;

(22) Academy, New London, Connecticut: cadet barracks;

(23) Recruit Training Center, Cape May, New Jersey: administration building;

(24) Reserve Training Center, Yorktown, Virginia: Engineman School classification and laboratory building;

(25) Station, Chicago, Illinois: hangar, offices, shop building, and improved mooring;

(26) Cape Kennedy, Florida: hangar, offices, shop building, and improved mooring;

(27) Various locations: public family quarters; and

(28) Various locations: advance planning, construction design architectural services and acquisition of sites in connection with public works projects not otherwise authorized by law.

Sec. 2. During fiscal years 1967 through and including 1968 the Secretary of the Department in which the Coast Guard is operating is authorized to lease existing housing facilities at or near Coast Guard installations in the United States and Puerto Rico for assignment as public quarters to military personnel and their dependents, if any, without rental charge upon a determination by the Secretary, or his designee, that there is a lack of adequate housing facilities at or near such Coast Guard installations. Such housing facilities may be leased on an individual or multiple-unit basis. Expenditures for the rental of such housing facilities may not exceed the average authorized for the Department of Defense.

Approved March 30, 1966.

Certain existing housing facilities, leasing authority.

## Public Law 89-382

## AN ACT

March 31, 1966  
[H. R. 7526]

To provide for the striking of medals in commemoration of the two hundred and fiftieth anniversary of the founding of San Antonio.

San Antonio,  
Tex.  
250th anniversary,  
medals.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury (hereinafter referred to as the "Secretary") shall strike and furnish for the San Antonio Fair, Inc. (hereinafter referred to as the "corporation"), a not-for-profit organization for the celebration of the two hundred and fiftieth anniversary of the founding of the San Antonio community, national medals in commemoration of such anniversary.

Size, materials,  
etc.

SEC. 2. Such medals shall be of such sizes, materials, and designs, and shall be so inscribed, as the corporation may determine with the approval of the Secretary.

Limitation.

SEC. 3. Not more than one hundred thousand of such medals may be produced. Production shall be in such quantities, not less than two thousand, as may be ordered by the corporation, but no work may be commenced on any order unless the Secretary has received security satisfactory to him for the payment of the cost of the production of such order. Such cost shall include labor, material, dies, use of machinery, and overhead expenses, as determined by the Secretary. No medals may be produced pursuant to this Act after December 31, 1968.

Delivery.

SEC. 4. Upon receipt of payment for such medals in the amount of the cost thereof as determined pursuant to section 3, the Secretary shall deliver the medals as the corporation may request.

Approved March 31, 1966.

## Public Law 89-383

## AN ACT

March 31, 1966  
[H. R. 10722]

To authorize the payment of an allowance of not to exceed \$10 per day to employees assigned to duty at the Nevada Test Site of the United States Atomic Energy Commission, and for other purposes.

Nevada Test  
Site employees.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the first section of the Act entitled "An Act to provide authority for the payment of certain amounts to offset certain expenses of Federal employees assigned to duty on the California offshore islands, and for other purposes", approved August 31, 1964 (78 Stat. 745; 5 U.S.C. 70c), is amended by inserting after the word "islands" the words "or at the United States Atomic Energy Commission Nevada Test Site, including the Nuclear Rocket Development Station,".

SEC. 2. Sections 2 and 3 of such Act are amended to read as follows:  
"SEC. 2. (a) Each employee or former employee of the United States who was erroneously paid per diem in lieu of subsistence under section 3 of the Travel Expense Act of 1949 (5 U.S.C. 836) for the period he was assigned to one of the California offshore islands or the United States Atomic Energy Commission Nevada Test Site, including the Nuclear Rocket Development Station, as his principal place of duty is relieved of all liability to refund to the United States the amounts of per diem in lieu of subsistence so paid.

63 Stat. 166;  
75 Stat. 339, 340.

Appropriation.

"(b) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the employee, former employee, or other appropriate party con-

cerned, in accordance with law, all amounts paid by, or withheld from amounts otherwise due, an employee or former employee of the United States in complete or partial satisfaction of his liability to the United States for which relief has been granted by section 2 of this Act.

"SEC. 3. In accordance with regulations issued under the first section of this Act, the allowance authorized by such section may be made retroactively effective from the date erroneous payments of per diem in lieu of subsistence were discontinued as a result of the decision of the Comptroller General of the United States dated May 4, 1964 (B-153571), or as the result of administrative action taken by reason of that and similar decisions of the Comptroller General of the United States."

Approved March 31, 1966.

Effective date.

## Public Law 89-384

### AN ACT

April 8, 1966  
[H. R. 6319]

To amend the Internal Revenue Code of 1954 to provide for treatment of the recovery of losses arising from expropriation, intervention, or confiscation of properties by governments of foreign countries, and to amend title XVIII of the Social Security Act to extend the initial enrollment period for supplementary medical insurance benefits.

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

#### SECTION 1. RECOVERIES OF FOREIGN EXPROPRIATION LOSSES.

(a) Subchapter Q of chapter 1 of the Internal Revenue Code of 1954 (relating to readjustment of tax between years) is amended by adding at the end thereof the following new part:

Foreign expropriations.  
Medical insurance benefits; enrollment period.  
68A Stat. 334;  
78 Stat. 105.

#### "PART VII—RECOVERIES OF FOREIGN EXPROPRIATION LOSSES

"Sec. 1351. Treatment of recoveries of foreign expropriation losses.

#### "SEC. 1351. TREATMENT OF RECOVERIES OF FOREIGN EXPROPRIATION LOSSES.

##### "(a) ELECTION.—

"(1) IN GENERAL.—This section shall apply only to a recovery, by a domestic corporation subject to the tax imposed by section 11 or 802, of a foreign expropriation loss sustained by such corporation and only if such corporation was subject to the tax imposed by section 11 or 802, as the case may be, for the year of the loss and elects to have the provisions of this section apply with respect to such loss.

78 Stat. 25;  
73 Stat. 115.

"(2) TIME, MANNER, AND SCOPE.—An election under paragraph (1) shall be made at such time and in such manner as the Secretary or his delegate may prescribe by regulations. An election made with respect to any foreign expropriation loss shall apply to all recoveries in respect of such loss.

"(b) DEFINITION OF FOREIGN EXPROPRIATION LOSS.—For purposes of this section, the term 'foreign expropriation loss' means any loss sustained by reason of the expropriation, intervention, seizure, or similar taking of property by the government of any foreign country, any political subdivision thereof, or any agency or instrumentality of the foregoing. For purposes of the preceding sentence, a debt which becomes worthless shall, to the extent of any deduction allowed under section 166(a), be treated as a loss.

68A Stat. 50.

##### "(c) AMOUNT OF RECOVERY.—

"(1) GENERAL RULE.—The amount of any recovery of a foreign expropriation loss is the amount of money and the fair market

value of other property received in respect of such loss, determined as of the date of receipt.

73 Stat. 125.

“(2) SPECIAL RULE FOR LIFE INSURANCE COMPANIES.—The amount of any recovery of a foreign expropriation loss includes, in the case of a life insurance company, the amount of decrease of any item taken into account under section 810(c), to the extent such decrease is attributable to the release, by reason of such loss, of its liabilities with respect to such item.

“(d) ADJUSTMENT FOR PRIOR TAX BENEFITS.—

“(1) IN GENERAL.—That part of the amount of a recovery of a foreign expropriation loss to which this section applies which, when added to the aggregate of the amounts of previous recoveries with respect to such loss, does not exceed the allowable deductions in prior taxable years on account of such loss shall be excluded from gross income for the taxable year of the recovery for purposes of computing the tax under this subtitle; but there shall be added to, and assessed and collected as a part of, the tax under this subtitle for such taxable year an amount equal to the total increase in the tax under this subtitle for all taxable years which would result by decreasing, in an amount equal to such part of the recovery so excluded, the deductions allowable in the prior taxable years on account of such loss. For purposes of this paragraph, if the loss to which the recovery relates was taken into account as a loss from the sale or exchange of a capital asset, the amount of the loss shall be treated as an allowable deduction even though there were no gains against which to allow such loss.

68A Stat. 33.

“(2) COMPUTATION.—The increase in the tax for each taxable year referred to in paragraph (1) shall be computed in accordance with regulations prescribed by the Secretary or his delegate. Such regulations shall give effect to previous recoveries of any kind (including recoveries described in section 111, relating to recovery of bad debts, etc.) with respect to any prior taxable year, but shall otherwise treat the tax previously determined for any taxable year in accordance with the principles set forth in section 1314(a) (relating to correction of errors). Subject to the provisions of paragraph (3), all credits allowable against the tax for any taxable year, and all carryovers and carrybacks affected by so decreasing the allowable deductions, shall be taken into account in computing the increase in the tax.

26 USC 901-905.

74 Stat. 1010.

“(3) FOREIGN TAXES.—For purposes of this subsection—

“(A) any choice made under subpart A of part III of subchapter N (relating to foreign tax credit) for any taxable year may be changed,

“(B) subject to the provisions of section 904(b), an election to have the limitation provided by section 904(a)(2) apply may be made, and

“(C) notwithstanding section 904(b)(1), an election previously made to have the limitation provided by section 904(a)(2) apply may be revoked with respect to any taxable year and succeeding taxable years.

78 Stat. 25.

“(4) SUBSTITUTION OF CURRENT NORMAL TAX AND SURTAX RATES.—For purposes of this subsection, the normal tax rate provided by section 11(b) and the surtax rate provided by section 11(c) which are in effect for the taxable year of the recovery shall be treated as having been in effect for all prior taxable years.

“(e) GAIN ON RECOVERY.—That part of the amount of a recovery of a foreign expropriation loss to which this section applies which is not excluded from gross income under subsection (d)(1) shall be considered for the taxable year of the recovery as gain on the involuntary

conversion of property as a result of its destruction or seizure and shall be recognized or not recognized as provided in section 1033.

“(f) BASIS OF RECOVERED PROPERTY.—The basis of property (other than money) received as a recovery of a foreign expropriation loss to which this section applies shall be an amount equal to its fair market value on the date of receipt, reduced by such part of the gain under subsection (e) which is not recognized as provided in section 1033.

“(g) RESTORATION OF VALUE OF INVESTMENTS.—For purposes of this section, if the value of any interest in, or with respect to, property (including any interest represented by a security, as defined in section 165(g)(2))—

“(1) which became worthless by reason of the expropriation, intervention, seizure, or similar taking of such property by the government of any foreign country, any political subdivision thereof, or any agency or instrumentality of the foregoing, and

“(2) which was taken into account as a loss from the sale or exchange of a capital asset or with respect to which a deduction for a loss was allowed under section 165 or a deduction for a bad debt was allowed under section 166,

68A Stat. 49.

is restored in whole or in part by reason of any recovery of money or other property in respect of the property which became worthless, the value so restored shall be treated as property received as a recovery in respect of such loss or such bad debt.

“(h) SPECIAL RULE FOR EVIDENCES OF INDEBTEDNESS.—Bonds or other evidences of indebtedness received as a recovery of a foreign expropriation loss to which this section applies shall not be considered to have any original issue discount within the meaning of section 1232(a)(2).

“(i) ADJUSTMENTS FOR SUCCEEDING YEARS.—For purposes of this subtitle, proper adjustment shall be made, under regulations prescribed by the Secretary or his delegate, in—

“(1) the credit under section 33 (relating to foreign tax credit),

“(2) the credit under section 38 (relating to investment credit),

76 Stat. 962.

“(3) the net operating loss deduction under section 172, or the operations loss deduction under section 812,

“(4) the capital loss carryover under section 1212(a), and

78 Stat. 860.

“(5) such other items as may be specified by such regulations,

for the taxable year of a recovery of a foreign expropriation loss to which this section applies, and for succeeding taxable years, to take into account items changed in making the computations under subsection (d) for taxable years prior to the taxable year of such recovery.”

(b)(1) Part II of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to items specifically included in gross income) is amended by adding at the end thereof the following new section:

**“SEC. 80. RESTORATION OF VALUE OF CERTAIN SECURITIES.**

“(a) GENERAL RULE.—In the case of a domestic corporation subject to the tax imposed by section 11 or 802, if the value of any security (as defined in section 165(g)(2))—

78 Stat. 25;  
73 Stat. 115.

“(1) which became worthless by reason of the expropriation, intervention, seizure, or similar taking by the government of any foreign country, any political subdivision thereof, or any agency or instrumentality of the foregoing of property to which such security was related, and

“(2) which was taken into account as a loss from the sale or exchange of a capital asset or with respect to which a deduction for a loss was allowed under section 165,

is restored in whole or in part during any taxable year by reason of any recovery of money or other property in respect of the property to

which such security was related, the value so restored (to the extent that, when added to the value so restored during prior taxable years, it does not exceed the amount of the loss described in paragraph (2)) shall, except as provided in subsection (b), be included in gross income for the taxable year in which such restoration occurs.

“(b) **REDUCTION FOR FAILURE TO RECEIVE TAX BENEFIT.**—The amount otherwise includible in gross income under subsection (a) in respect of any security shall be reduced by an amount equal to the amount (if any) of the loss described in subsection (a) (2) which did not result in a reduction of the taxpayer's tax under this subtitle for any taxable year, determined under regulations prescribed by the Secretary or his delegate.

“(c) **CHARACTER OF INCOME.**—For purposes of this subtitle—

“(1) Except as provided in paragraph (2), the amount included in gross income under this section shall be treated as gain from the sale or exchange of property which is neither a capital asset nor property described in section 1231.

“(2) If the loss described in subsection (a) (2) was taken into account as a loss from the sale or exchange of a capital asset, the amount included in gross income under this section shall be treated as long-term capital gain.

“(d) **TREATMENT UNDER FOREIGN EXPROPRIATION LOSS RECOVERY PROVISION.**—This section shall not apply to any recovery of a foreign expropriation loss to which section 1351 applies.”

(2) The table of sections for such part II is amended by adding at the end thereof the following:

“Sec. 80. Restoration of value of certain securities.”

(3) The amendments made by this subsection shall apply to taxable years beginning after December 31, 1965, but only with respect to losses described in section 80(a) (2) of the Internal Revenue Code of 1954 (as added by paragraph (1) of this subsection) which were sustained after December 31, 1958.

(c) (1) Section 46(a) (3) of the Internal Revenue Code of 1954 (relating to liability for tax for purposes of the investment credit) is amended by inserting after “personal holding company tax)” the following: “, and any additional tax imposed for the taxable year by section 1351(d) (1) (relating to recoveries of foreign expropriation losses)”.

(2) Section 901(a) of such Code (relating to foreign tax credit) is amended by inserting after “section 1333 (relating to war loss recoveries)” in the last sentence thereof “or under section 1351 (relating to recoveries of foreign expropriation losses)”.

(d) Subchapter B of chapter 62 of the Internal Revenue Code of 1954 (relating to time and place for paying tax) is amended by adding at the end thereof the following new section:

“**SEC. 6167. EXTENSION OF TIME FOR PAYMENT OF TAX ATTRIBUTABLE TO RECOVERY OF FOREIGN EXPROPRIATION LOSSES.**

“(a) **EXTENSION ALLOWED BY ELECTION.**—If—

“(1) a corporation has a recovery of a foreign expropriation loss to which section 1351 applies, and

“(2) the portion of the recovery received in money is less than 25 percent of the amount of such recovery (as defined in section 1351(c)) and is not greater than the tax attributable to such recovery,

the tax attributable to such recovery shall, at the election of the taxpayer, be payable in 10 equal installments on the 15th day of the third month of each of the taxable years following the taxable year of the

68A Stat. 325.

Ante, p. 99.

76 Stat. 963;  
78 Stat. 32.

recovery. Such election shall be made at such time and in such manner as the Secretary or his delegate may prescribe by regulations. If an election is made under this subsection, the provisions of this subtitle shall apply as though the Secretary or his delegate were extending the time for payment of such tax.

“(b) EXTENSION PERMITTED BY SECRETARY.—If a corporation has a recovery of a foreign expropriation loss to which section 1351 applies and if an election is not made under subsection (a), the Secretary or his delegate may, upon finding that the payment of the tax attributable to such recovery at the time otherwise provided in this subtitle would result in undue hardship, extend the time for payment of such tax for a reasonable period or periods not in excess of 9 years from the date on which such tax is otherwise payable.

“(c) ACCELERATION OF PAYMENTS.—If—

“(1) an election is made under subsection (a),

“(2) during any taxable year before the tax attributable to such recovery is paid in full—

“(A) any property (other than money) received on such recovery is sold or exchanged, or

“(B) any property (other than money) received on any sale or exchange described in subparagraph (A) is sold or exchanged, and

“(3) the amount of money received on such sale or exchange (reduced by the amount of the tax imposed under chapter 1 with respect to such sale or exchange), when added to the amount of money—

“(A) received on such recovery, and

“(B) received on previous sales or exchanges described in subparagraphs (A) and (B) of paragraph (2) (as so reduced),

exceeds the amount of money which may be received under subsection (a) (2),

an amount of the tax attributable to such recovery equal to such excess shall be payable on the 15th day of the third month of the taxable year following the taxable year in which such sale or exchange occurs. The amount of such tax so paid shall be treated, for purposes of this section, as a payment of the first unpaid installment or installments (or portion thereof) which become payable under subsection (a) following such taxable year.

“(d) PRORATION OF DEFICIENCY TO INSTALLMENTS.—If an election is made under subsection (a), and a deficiency attributable to the recovery of a foreign expropriation loss has been assessed, the deficiency shall be prorated to such installments. The part of the deficiency so prorated to any installment the date for payment of which has not arrived shall be collected at the same time as, and as part of, such installment. The part of the deficiency so prorated to any installment the date for payment of which has arrived shall be paid upon notice and demand from the Secretary or his delegate. This subsection shall not apply if the deficiency is due to negligence, to intentional disregard of rules and regulations, or to fraud with intent to evade tax.

“(e) TIME FOR PAYMENT OF INTEREST.—If the time for payment for any amount of tax has been extended under this section, interest payable under section 6601 on any unpaid portion of such amount shall be paid annually at the same time as, and as part of, each installment payment of the tax. Interest, on that part of a deficiency prorated under this section to any installment the date for payment of which has not arrived, for the period before the date fixed for the last installment preceding the assessment of the deficiency, shall be paid upon

*Infra.*

notice and demand from the Secretary or his delegate. In applying section 6601(j) (relating to the application of the 4-percent rate of interest in the case of recoveries of foreign expropriation losses to which this section applies) in the case of a deficiency, the entire amount which is prorated to installments under this section shall be treated as an amount of tax the payment of which is extended under this section.

“(f) TAX ATTRIBUTABLE TO RECOVERY OF FOREIGN EXPROPRIATION LOSS.—For purposes of this section, the tax attributable to a recovery of a foreign expropriation loss is the sum of—

*Ante*, p. 99.

“(1) the additional tax imposed by section 1351(d)(1) on such recovery, and

“(2) the amount by which the tax imposed under subtitle A is increased by reason of the gain on such recovery which under section 1351(e) is considered as gain on the involuntary conversion of property.

“(g) FAILURE TO PAY INSTALLMENT.—If any installment under this section is not paid on or before the date fixed for its payment by this section (including any extension of time for the payment of such installment), the unpaid portion of the tax payable in installments shall be paid upon notice and demand from the Secretary or his delegate.

“(h) CROSS-REFERENCES.—

“(1) Interest.—For provisions requiring the payment of interest at the rate of 4 percent per annum for the period of an extension, see section 6601(j).

“(2) Security.—For authority of the Secretary or his delegate to require security in the case of an extension under this section, see section 6165.

“(3) Period of limitation.—For extension of the period of limitation in the case of an extension under this section, see section 6503(f).”

70 Stat. 1075.

(e) Section 6503 of the Internal Revenue Code of 1954 (relating to suspension of running of period of limitation) is amended by redesignating subsection (f) as (g), and by inserting after subsection (e) the following new subsection:

“(f) EXTENSIONS OF TIME FOR PAYMENT OF TAX ATTRIBUTABLE TO RECOVERIES OF FOREIGN EXPROPRIATION LOSSES.—The running of the period of limitations for collection of the tax attributable to a recovery of a foreign expropriation loss (within the meaning of section 6167 (f)) shall be suspended for the period of any extension of time for payment under subsection (a) or (b) of section 6167.”

*Supra.*

(f) Section 6601 of the Internal Revenue Code of 1954 (relating to interest on underpayments) is amended by redesignating subsection (j) as (k), and by inserting after subsection (i) the following new subsection:

“(j) EXTENSIONS OF TIME FOR PAYMENT OF TAX ATTRIBUTABLE TO RECOVERIES OF FOREIGN EXPROPRIATION LOSSES.—If the time for payment of an amount of the tax attributable to a recovery of a foreign expropriation loss (within the meaning of section 6167(f)) is extended as provided in subsection (a) or (b) of section 6167, interest shall be paid at the rate of 4 percent, in lieu of 6 percent as provided in subsection (a).”

(g) (1) The table of parts for subchapter Q of chapter 1 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following:

“Part VII. Recoveries of foreign expropriation losses.”

(2) The table of sections for subchapter B of chapter 62 of such Code is amended by adding at the end thereof the following:

“Sec. 6167. Extension of time for payment of tax attributable to recovery of foreign expropriation losses.”

**SEC. 2. EFFECTIVE DATE.**

The amendments made by section 1 (except subsection (b)) shall apply with respect to amounts received after December 31, 1964, in respect of foreign expropriation losses (as defined in section 1351(b) of the Internal Revenue Code of 1954 added by section 1(a)) sustained after December 31, 1958.

**SEC. 3. TWO-MONTH EXTENSION OF INITIAL ENROLLMENT PERIOD FOR SUPPLEMENTARY MEDICAL INSURANCE BENEFITS FOR THE AGED.**

(a) The first sentence of section 1837(c) of the Social Security Act is amended (1) by striking out "January 1, 1966" and inserting in lieu thereof "March 1, 1966", and (2) by striking out "March 31, 1966" and inserting in lieu thereof "May 31, 1966".

79 Stat. 304.  
42 USC 1395p.

(b) Section 1837(d) of the Social Security Act is amended by striking out "January 1, 1966" and inserting in lieu thereof "March 1, 1966".

(c) Section 102(b) of the Social Security Amendments of 1965 is amended by striking out "April 1, 1966" each time it appears and inserting in lieu thereof "June 1, 1966".

79 Stat. 332.  
42 USC 1395p  
note.

(d) In the case of an individual who first satisfies paragraphs (1) and (2) of section 1836 of the Social Security Act in March 1966, and who enrolls pursuant to subsection (d) of section 1837 of such Act in May 1966, his coverage period shall, notwithstanding section 1838(a)(2)(D) of such Act, begin on July 1, 1966.

**SEC. 4. COVERAGE, UNDER STATE AGREEMENTS, OF PUBLIC ASSISTANCE RECIPIENTS ENTITLED TO SOCIAL SECURITY OR RAILROAD RETIREMENT BENEFITS.**

(a) Subsection (b) of section 1843 of the Social Security Act is amended by striking out the semicolon at the end of paragraph (2) and inserting in lieu thereof a period, and by striking out all that follows and inserting in lieu thereof (after and below paragraph (2)) the following new sentence:

42 USC 1395v.

"Except as provided in subsection (g), there shall be excluded from any coverage group any individual who is entitled to monthly insurance benefits under title II or who is entitled to receive an annuity or pension under the Railroad Retirement Act of 1937."

(b) Section 1843 of such Act is amended by adding at the end thereof the following new subsection:

50 Stat. 307;  
79 Stat. 335.  
45 USC 228a  
et seq.

"(g)(1) The Secretary shall, at the request of a State made before January 1, 1968, enter into a modification of an agreement entered into with such State pursuant to subsection (a) under which the second sentence of subsection (b) shall not apply with respect to such agreement.

"(2) In the case of any individual who would (but for this subsection) be excluded from the applicable coverage group described in subsection (b) by the second sentence of such subsection—

"(A) subsections (c) and (d)(2) shall be applied as if such subsections referred to the modification under this subsection (in lieu of the agreement under subsection (a)),

"(B) subsection (d)(3)(B) shall not apply so long as there is in effect a modification entered into by the State under this subsection, and

"(C) notwithstanding subsection (e), in the case of any termination described in such subsection, such individual may terminate his enrollment under this part by the filing of a notice, before the close of the third month which begins after the date of such termination, that he no longer wishes to participate in the insurance program established by this part (and in such a

case, the termination of his coverage period under this part shall take effect as of the close of such third month).”

79 Stat. 306,  
42 USC 1395s.

(c) Section 1840 of such Act is amended by adding at the end thereof the following new subsection:

“(i) In the case of an individual who is enrolled under the program established by this part as a member of a coverage group to which an agreement with a State entered into pursuant to section 1843 is applicable, subsections (a), (b), (c), (d), and (e) of this section shall not apply to his monthly premium for any month in his coverage period which is determined under section 1843(d).”

Approved April 8, 1966, 12:15 p.m.

Public Law 89-385

JOINT RESOLUTION

Designating April 9, 1966, as “Sir Winston Churchill Day”.

April 9, 1966  
[S. J. Res. 127]

Sir Winston  
Churchill Day.  
Designation.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That April 9, 1966, the anniversary of the conferring of honorary United States citizenship on Sir Winston Churchill, is hereby designated as “Sir Winston Churchill Day”. The President is authorized and requested to issue a proclamation calling on the people of the United States to honor the memory of Sir Winston Churchill by observing such day with appropriate ceremonies and activities.

Approved April 9, 1966.

Public Law 89-386

AN ACT

Authorizing the planning, design, construction, furnishing, and maintenance of an official residence for the Vice President of the United States.

April 9, 1966  
[S. 2394]

Vice President  
of the United  
States.  
Residence.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Administrator of General Services is hereby authorized to plan, design, and construct an official residence for the Vice President of the United States in the District of Columbia.

SEC. 2. The Administrator is further authorized to use as a site for such residence Federal land and property comprising approximately ten acres at the United States Naval Observatory, the specific area and boundaries thereof to be determined jointly by the General Services Administration and the Department of the Navy: *Provided*, That any roads and improvements thereon for which there is a continued need may be relocated and reconstructed.

Care, maintenance, etc.

SEC. 3. The Administrator is further authorized to provide for the care, maintenance, repair, improvement, alteration, and furnishing of the official residence and grounds, including heating, lighting, and air conditioning, which services shall be provided at the expense of the United States.

Gifts and  
furnishings.

SEC. 4. The Administrator of General Services is further authorized to accept cash gifts, furniture, and furnishings and other types of gifts on behalf of the United States for use in constructing and furnishing the official residence but without further conditions on use, all such articles thus given to become the property of the United States.

SEC. 5. There is authorized to be appropriated to the General Services Administration, the sum of \$750,000 for planning, design, construction, and costs incidental thereto, including the cost of initial furnishings.

Appropriations.

SEC. 6. There is further authorized to be appropriated to the General Services Administration, annually, such amounts as may be necessary to carry out the purposes of section 3.

Approved April 9, 1966, 10:25 p.m.

## Public Law 89-387

## AN ACT

To promote the observance of a uniform system of time throughout the United States.

April 13, 1966  
[S. 1404]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That this Act may be cited as the "Uniform Time Act of 1966".

Uniform Time  
Act of 1966.

SEC. 2. It is the policy of the United States to promote the adoption and observance of uniform time within the standard time zones prescribed by the Act entitled "An Act to save daylight and to provide standard time for the United States", approved March 19, 1918 (40 Stat. 450; 15 U.S.C. 261-264), as modified by the Act entitled "An Act to transfer the Panhandle and Plains section of Texas and Oklahoma to the United States standard central time zone", approved March 4, 1921 (41 Stat. 1446; 15 U.S.C. 265). To this end the Interstate Commerce Commission is authorized and directed to foster and promote widespread and uniform adoption and observance of the same standard of time within and throughout each such standard time zone.

SEC. 3. (a) During the period commencing at 2 o'clock antemeridian on the last Sunday of April of each year and ending at 2 o'clock antemeridian on the last Sunday of October of each year, the standard time of each zone established by the Act of March 19, 1918 (15 U.S.C. 261-264), as modified by the Act of March 4, 1921 (15 U.S.C. 265), shall be advanced one hour and such time as so advanced shall for the purposes of such Act of March 19, 1918, as so modified, be the standard time of such zone during such period; except that any State may by law exempt itself from the provisions of this subsection providing for the advancement of time, but only if such law provides that the entire State (including all political subdivisions thereof) shall observe the standard time otherwise applicable under such Act of March 19, 1918, as so modified, during such period.

(b) It is hereby declared that it is the express intent of Congress by this section to supersede any and all laws of the States or political subdivisions thereof insofar as they may now or hereafter provide for advances in time or changeover dates different from those specified in this section.

(c) For any violation of the provisions of this section the Interstate Commerce Commission or its duly authorized agent may apply to the district court of the United States for the district in which such violation occurs for the enforcement of this section; and such court shall have jurisdiction to enforce obedience thereto by writ of injunction or by other process, mandatory or otherwise, restraining against further violations of this section and enjoining obedience thereto.

Violations.

Standard time or zones.

SEC. 4. (a) The first section of the Act of March 19, 1918, as amended (15 U.S.C. 261), is amended to read as follows:

"That for the purpose of establishing the standard time of the United States, the territory of the United States shall be divided into eight zones in the manner provided in this section. Except as provided in section 3(a) of the Uniform Time Act of 1966, the standard time of the first zone shall be based on the mean solar time of the sixtieth degree of longitude west from Greenwich; that of the second zone on the seventy-fifth degree; that of the third zone on the ninetieth degree; that of the fourth zone on the one hundred and fifth degree; that of the fifth zone on the one hundred and twentieth degree; that of the sixth zone on the one hundred and thirty-fifth degree; that of the seventh zone on the one hundred and fiftieth degree; and that of the eighth zone on the one hundred and sixty-fifth degree. The limits of each zone shall be defined by an order of the Interstate Commerce Commission, having regard for the convenience of commerce and the existing junction points and division points of common carriers engaged in interstate or foreign commerce, and any such order may be modified from time to time. As used in this Act, the term 'interstate or foreign commerce' means commerce between a State, the District of Columbia, the Commonwealth of Puerto Rico, or any possession of the United States and any place outside thereof."

"Interstate or foreign commerce."

15 USC 262.

(b) Section 2 of such Act is amended to read as follows:

"SEC. 2. Within the respective zones created under the authority of this Act the standard time of the zone shall insofar as practicable (as determined by the Interstate Commerce Commission) govern the movement of all common carriers engaged in interstate or foreign commerce. In all statutes, orders, rules, and regulations relating to the time of performance of any act by any officer or department of the United States, whether in the legislative, executive, or judicial branches of the Government, or relating to the time within which any rights shall accrue or determine, or within which any act shall or shall not be performed by any person subject to the jurisdiction of the United States, it shall be understood and intended that the time shall insofar as practicable (as determined by the Interstate Commerce Commission) be the United States standard time of the zone within which the act is to be performed."

Designations.

(c) Section 4 of such Act is amended to read as follows:

"SEC. 4. The standard time of the first zone shall be known and designated as Atlantic standard time; that of the second zone shall be known and designated as eastern standard time; that of the third zone shall be known and designated as central standard time; that of the fourth zone shall be known and designated as mountain standard time; that of the fifth zone shall be known and designated as Pacific standard time; that of the sixth zone shall be known and designated as Yukon standard time; that of the seventh zone shall be known and designated as Alaska-Hawaii standard time; and that of the eighth zone shall be known and designated as Bering standard time."

60 Stat. 237.

SEC. 5. The Administrative Procedure Act (5 U.S.C. 1001-1011) shall apply to all proceedings under this Act, the Act of March 19, 1918 (15 U.S.C. 261-264), and the Act of March 4, 1921 (15 U.S.C. 265).

Effective date.

SEC. 6. This Act shall take effect on April 1, 1967; except that if any State, the District of Columbia, the Commonwealth of Puerto Rico, or any possession of the United States, or any political subdivision thereof, observes daylight saving time in the year 1966, such time shall advance the standard time otherwise applicable in such place by one hour and shall commence at 2 o'clock antemeridian on the last

Sunday in April of the year 1966 and shall end at 2 o'clock antemeridian on the last Sunday in October of the year 1966.

SEC. 7. As used in this Act, the term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, or any possession of the United States.

Approved April 13, 1966.

"State."

Public Law 89-388

AN ACT

To amend the Tariff Act of 1930 to make permanent the existing temporary suspension of duty on copra, palm nuts, and palm-nut kernels, and the oils crushed therefrom, and for other purposes.

April 13, 1966  
[H. R. 6568]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the article description preceding item 175.09, and items 175.09 through 175.12, inclusive, of the Tariff Schedules of the United States (19 U.S.C. 1202) are amended to read as follows:

Copra, palm nuts, etc.  
Duty suspension.

77A Stat. 72.

175.09	Copra: Entered during the effective period of special proclamation issued pursuant to headnote 1 of this part, or entered after July 3, 1974.....	Free	Free
175.10	Entered on or before July 3, 1974, when no such special proclamation is in effect.....	1.25¢ per lb.	1.25¢ per lb.
175.11	If product of the Philippines or of the Trust Territory.....	Free	
175.12	If produced elsewhere than in the Philippines or the Trust Territory wholly of materials the growth or production thereof.....	Free	Free

(b) Such Schedules are amended by striking out items 175.27 and 175.30 and inserting in lieu thereof the following:

175.28	Palm-nut kernels and palm nuts.....	Free	Free
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(c) The article description preceding item 176.04, and items 176.04 through 176.13, inclusive, of such Schedules are amended to read as follows:

176.04	Coconut oil: Entered during the effective period of special proclamation issued pursuant to headnote 1 of this part, or entered after July 3, 1974.....	1¢ per lb.	2¢ per lb.
176.05	If product of the Philippines or of the Trust Territory: If Philippine article within tariff-rate quota (see headnote 2 of this subpart), or if Trust Territory article, entered on or before July 3, 1974.....	Free	
176.06	Other.....	1¢ per lb.	
176.07	Entered on or before July 3, 1974, when no special proclamation issued pursuant to headnote 1 is in effect: Crude.....	3¢ per lb.	4¢ per lb.
176.08	If product of the Philippines or of the Trust Territory: If Philippine article within tariff-rate quota (see headnote 2 of this subpart), or if Trust Territory article.....	Free	
176.09	Other.....	1¢ per lb.	
176.10	If produced elsewhere than in the Philippines or the Trust Territory wholly from materials the growth or production thereof.....	1¢ per lb.	2¢ per lb.
176.11	Other than crude.....	1¢ per lb.	2¢ per lb.
176.12	If product of the Philippines or of the Trust Territory: If Philippine article within tariff-rate quota (see headnote 2 of this subpart), or if Trust Territory article.....	Free	
176.13	Other.....	1¢ per lb.	

(d) Such Schedules are amended by striking out the article description preceding item 176.32 and all that follows through item 176.36 and inserting in lieu thereof the following:

176.32	Palm-kernel oil:	Free	Free
176.33	Rendered unfit for use as food.....	0.5¢ per lb.	1¢ per lb.
176.34	Other.....	Free	Free
	Palm oil.....		

77A Stat. 203.

(e) (1) Items 465.05 and 465.15 of such Schedules are amended—  
    (A) by striking out “4.5¢ per lb.” each place it appears and inserting in lieu thereof “3¢ per lb.”; and  
    (B) by striking out “7.5¢ per lb.” each place it appears and inserting in lieu thereof “6¢ per lb.”.

(2) Items 465.25, 465.35, 465.45, 465.65, 490.24, 490.48, and 490.73 of such Schedules are amended by striking out “3¢ per lb. +” each place it appears.

77A Stat. 204.  
19 USC 1202.

(3) Items 465.55 and 490.92 of such Schedules are amended by striking out “1.5¢ per lb. +” each place it appears.

(f) (1) Headnote 3 for schedule 1, part 14 of such Schedules is amended by striking out “, palm-kernel nuts and palm nuts, and a 3-cent part of each of the rates of duty in subpart B on coconut oil, palm-kernel oil and palm oil”.

(2) Headnote 2 for schedule 4, part 8, subpart A of such Schedules is repealed.

(3) Schedule 4, part 13, subpart A of such Schedules is amended by striking out “Subpart A headnote:” and by striking out headnote 1.

(g) The article description preceding item 903.30 and all that follows through item 903.65, the article descriptions preceding item 907.70 and all that follows through item 907.77, and the article description preceding item 907.85 and all that follows through item 907.88 of such Schedules are repealed.

Effective date.

SEC. 2. The amendments and repeals made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act.

SEC. 3. (a) The limitation for the calendar year 1965 contained in headnote 2(b) for schedule 1, part 14, subpart B of the Tariff Schedules of the United States is hereby increased by 28,308,955 pounds.

46 Stat. 734.  
19 USC 1514.

(b) Notwithstanding the provisions of section 514 of the Tariff Act of 1930 or any other provision of law, entries during 1965 of coconut oil, which is a Philippine article (within the meaning of the Tariff Schedules of the United States), shall be liquidated or reliquidated in accordance with the provisions of subsection (a), and appropriate refunds of duty shall be made, if request therefor is filed with the appropriate customs officer on or before the 120th day after the date of the enactment of this Act.

Status of amendments.

76 Stat. 881, 899.  
69 Stat. 165.

SEC. 4. For purposes of applying paragraphs (4) and (5) of section 256 (19 U.S.C. 1886) and section 351(b) (19 U.S.C. 1981(b)) of the Trade Expansion Act of 1962 and section 350(c) (2) (A) of the Tariff Act of 1930 (19 U.S.C. 1351(c) (2) (A))—

(1) The rates of duty in rate column numbered 1 of the Tariff Schedules of the United States as changed by this Act shall be treated as the rates of duty existing on July 1, 1962.

(2) The rates of duty in rate column numbered 2 of such Schedules as changed by this Act shall be treated as the rates of duty existing on July 1, 1934.

Approved April 13, 1966, 6:10 p.m.

## Public Law 89-389

## AN ACT

To amend subchapter S of chapter 1 of the Internal Revenue Code of 1954, and for other purposes.

April 14, 1966  
[H. R. 9883]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) (1) section 1375 of the Internal Revenue Code of 1954 (relating to special rules applicable to distributions of electing small business corporations) is amended by adding at the end thereof the following new subsection:

Taxes.  
Small business  
corporations, spe-  
cial options.  
72 Stat. 1654.

“(f) DISTRIBUTIONS WITHIN 2½-MONTH PERIOD AFTER CLOSE OF TAXABLE YEAR.—

“(1) DISTRIBUTIONS CONSIDERED AS DISTRIBUTIONS OF UNDIS-  
TRIBUTED TAXABLE INCOME.—Any distribution of money made by  
a corporation after the close of a taxable year with respect to  
which it was an electing small business corporation and on or  
before the 15th day of the third month following the close of such  
taxable year to a person who was a shareholder of such corpora-  
tion at the close of such taxable year shall be treated as a distribu-  
tion of the corporation’s undistributed taxable income for such  
year, to the extent such distribution (when added to the sum of  
all prior distributions of money made to such person by such  
corporation following the close of such year) does not exceed such  
person’s share of the corporation’s undistributed taxable income  
for such year. Any distribution so treated shall, for purposes of  
this chapter, be considered a distribution which is not a dividend,  
and the earnings and profits of the corporation shall not be  
reduced by reason of such distribution.

“(2) SHARE OF UNDIS-  
TRIBUTED TAXABLE INCOME.—For purposes  
of paragraph (1), a person’s share of a corporation’s undistrib-  
uted taxable income for a taxable year is the amount required to be  
included in his gross income under section 1373(b) as a share-  
holder of such corporation for his taxable year in which or with  
which the taxable year of the corporation ends.

“(3) ELECTION UNDER SUBSECTION (e).—Paragraph (1) shall  
not apply to any distribution with respect to which an election  
under subsection (e) applies.”

(2) Subsection (e) of section 1375 of the Internal Revenue Code of  
1954 is repealed effective with respect to distributions made after the  
close of any taxable year of the corporation beginning after the date  
of the enactment of this Act.

Repeal.  
78 Stat. 112.

(b) Section 1375(d) (2) (B) (ii) of such Code is amended by striking  
out “under paragraph (1)” and inserting in lieu thereof “under sub-  
section (f) or paragraph (1) of this subsection”.

72 Stat. 1655.

(c) Except as provided by subsection (d), the amendments made by  
subsections (a) (1) and (b) shall apply only with respect to distribu-  
tions made after the date of the enactment of this Act.

(d) (1) The amendments made by subsections (a) (1) and (b) shall  
also apply with respect to distributions of money (other than distribu-  
tions with respect to which an election under section 1375(e) of the  
Internal Revenue Code of 1954 applies) made by a corporation on or  
before the date of the enactment of this Act and on or after the date  
of the first distribution of money during the taxable year designated  
by the corporation if—

(A) such corporation elects to have such amendments apply  
to all such distributions made by it, and

(B) except as otherwise provided by this subsection, all per-  
sons (or their personal representatives) who were shareholders

of such corporation at any time on or after the date of such first distribution and before the date on which the corporation files the election with the Secretary of the Treasury or his delegate consent to such election and to the application of this subsection.

Regulations.  
Publication in  
Federal Register.

(2) An election by a corporation under this subsection, and the consent thereto of the persons who are or were shareholders of such corporation, shall be made in such manner and within such time as the Secretary of the Treasury or his delegate prescribes by regulations, but the period for making such election shall not expire before one year after the date on which the regulations prescribed under this subsection are published in the Federal Register.

(3) In applying paragraphs (1) and (2), the consent of a person (or his personal representative) shall not be required if, under regulations prescribed under this subsection, it is shown to the satisfaction of the Secretary of the Treasury or his delegate that the liability of such person for Federal income tax for any taxable year cannot be affected by the election of the corporation of which he is or was a shareholder.

Ante, p. 111.

(4) In applying this subsection, the reference in section 1375(f) of the Internal Revenue Code of 1954 (as added by subsection (a) (1)) to the 15th day of the third month following the close of the taxable year shall be treated as referring to the 15th day of the fourth month following the close of the taxable year.

(5) The statutory period for the assessment of any deficiency for any taxable year against the corporation filing the election or any person consenting thereto, to the extent such deficiency is attributable to an election under this subsection, shall not expire before the last day of the 2-year period beginning on the date on which the regulations prescribed under this subsection are published in the Federal Register; and such deficiency may be assessed at any time before the expiration of such 2-year period, notwithstanding any law or rule of law which would otherwise prevent such assessment.

(6) If—

(A) credit or refund of the amount of any overpayment for any taxable year attributable to an election under this subsection is not prevented, on the date of the enactment of this Act, by the operation of any law or rule of law, and

(B) credit or refund of the amount of such overpayment is prevented, by the operation of any law or rule of law (other than chapter 74 of the Internal Revenue Code of 1954, relating to closing agreements and compromises), at any time on or before the expiration of the 2-year period beginning on the date on which the regulations prescribed under this subsection are published in the Federal Register,

credit or refund of such overpayment may, nevertheless, be allowed or made, to the extent such overpayment is attributable to such election, if claim therefor is filed before the expiration of such 2-year period.

(7) If—

(A) (i) one or more consecutive distributions of money made by the corporation after the close of a taxable year and on or before the 15th day of the fourth month following the close of the taxable year were substantially the same in amount as the undistributed taxable income of such corporation for such year, or

(ii) it is established to the satisfaction of the Secretary of the Treasury or his delegate that one or more distributions of money made by the corporation during the period described in clause (i) were intended to be distributions of the undistributed taxable income of such corporation for the taxable year preceding such period, and

(B) credit or refund of the amount of any overpayment for the taxable year in which such distribution or distributions were received is prevented on the date of the enactment of this Act, by the operation of any law or rule of law (other than chapter 74 of the Internal Revenue Code of 1954, relating to closing agreements and compromises),

26 USC 7121-7123.

credit or refund of such overpayment may, nevertheless, be allowed or made, to the extent such overpayment is attributable to an election under this subsection, if claim therefor is filed before the expiration of the 2-year period beginning on the date on which the regulations prescribed under this subsection are published in the Federal Register.

(8) No interest on any deficiency attributable to an election under this subsection shall be assessed or collected for any period before the expiration of the 2-year period beginning on the date on which the regulations prescribed under this subsection are published in the Federal Register. No interest on any overpayment attributable to an election under this subsection shall be allowed or paid for any period before the expiration of such 2-year period.

SEC. 2. (a) Subchapter S of chapter 1 of the Internal Revenue Code of 1954 (relating to election by certain small business corporations as to taxable status) is amended by adding at the end thereof the following new section:

72 Stat. 1650.

**“SEC. 1378. TAX IMPOSED ON CERTAIN CAPITAL GAINS.**

“(a) **GENERAL RULE.**—If for a taxable year of an electing small business corporation—

“(1) the excess of the net long-term capital gain over the net short-term capital loss of such corporation exceeds \$25,000, and exceeds 50 percent of its taxable income for such year, and

“(2) the taxable income of such corporation for such year exceeds \$25,000,

there is hereby imposed a tax (computed under subsection (b)) on the income of such corporation.

“(b) **AMOUNT OF TAX.**—The tax imposed by subsection (a) shall be the lower of—

“(1) an amount equal to 25 percent of the amount by which the excess of the net long-term capital gain over the net short-term capital loss of the corporation for the taxable year exceeds \$25,000, or

“(2) an amount equal to the tax which would be imposed by section 11 on the taxable income (computed as provided in section 1373(d)) of the corporation for the taxable year if the corporation was not an electing small business corporation.

No credit shall be allowable under part IV of subchapter A of this chapter (other than under section 39) against the tax imposed by subsection (a).

26 USC 31-40.

79 Stat. 167.

“(c) **EXCEPTIONS.**—

“(1) **IN GENERAL.**—Subsection (a) shall not apply to an electing small business corporation for any taxable year if the election under section 1372(a) which is in effect with respect to such corporation for such taxable year has been in effect for the 3 immediately preceding taxable years.

“(2) **NEW CORPORATIONS.**—Subsection (a) shall not apply to an electing small business corporation if—

Nonapplicability provisions.

“(A) it has been in existence for less than 4 taxable years, and

“(B) an election under section 1372(a) has been in effect with respect to such corporation for each of its taxable years.

“(3) PROPERTY WITH SUBSTITUTED BASIS.—If—

“(A) but for paragraph (1) or (2), subsection (a) would apply for the taxable year,

“(B) any long-term capital gain is attributable to property acquired by the electing small business corporation during the period beginning 3 years before the first day of the taxable year and ending on the last day of the taxable year, and

“(C) the basis of such property is determined in whole or in part by reference to the basis of any property in the hands of another corporation which was not an electing small business corporation throughout all of the period described in subparagraph (B) before the transfer by such other corporation and during which such other corporation was in existence,

then subsection (a) shall apply for the taxable year, but the amount of the tax determined under subsection (b) shall not exceed 25 percent of the excess of the net long-term capital gain over the net short-term capital loss attributable to property acquired as provided in subparagraph (B) and having a basis described in subparagraph (C).”

72 Stat. 1650.

(b)(1) The table of sections for subchapter S of chapter 1 of such Code is amended by adding at the end thereof the following new item:

“Sec. 1378. Tax imposed on certain capital gains.”

(2) Section 1372(b)(1) of such Code (relating to effect of election by small business corporation) is amended by inserting “(other than the tax imposed by section 1378)” after “this chapter”.

Ante, p. 113.

(3) Section 1373(c) of such Code (relating to definition of undistributed taxable income) is amended by inserting “the sum of (1) the tax imposed by section 1378(a) and (2)” after “minus”.

(4) Section 1375(a) of such Code (relating to treatment of capital gains in the hands of shareholders) is amended by adding at the end thereof the following new paragraph:

“(3) REDUCTION FOR TAX IMPOSED BY SECTION 1378.—For purposes of paragraphs (1) and (2), the excess of an electing small business corporation’s net long-term capital gain over its net short-term capital loss for a taxable year shall be reduced by an amount equal to the amount of the tax imposed by section 1378(a) on the income of such corporation for such year.”

76 Stat. 963;  
78 Stat. 32.

(5) Section 46(a)(3) of such Code (relating to liability for tax for purposes of the credit for investment in certain depreciable property) is amended by striking out “or by section 541 (relating to personal holding company tax)” and inserting in lieu thereof “, section 541 (relating to personal holding company tax), or section 1378 (relating to tax on certain capital gains of subchapter S corporations)”.

68A Stat. 182;  
78 Stat. 79.

Applicability.

(c) The amendments made by this section shall apply with respect to taxable years of electing small business corporations beginning after the date of the enactment of this Act, but such amendments shall not apply with respect to sales or exchanges occurring before February 24, 1966.

SEC. 3. (a) Section 1372(e)(5) of the Internal Revenue Code of 1954 (relating to termination of election by small business corporations) is amended to read as follows:

“(5) PASSIVE INVESTMENT INCOME.—

“(A) Except as provided in subparagraph (B), an election under subsection (a) made by a small business corporation shall terminate if, for any taxable year of the corporation for which the election is in effect, such corporation has gross

receipts more than 20 percent of which is passive investment income. Such termination shall be effective for the taxable year of the corporation in which it has gross receipts of such amount, and for all succeeding taxable years of the corporation.

“(B) Subparagraph (A) shall not apply with respect to a taxable year in which a small business corporation has gross receipts more than 20 percent of which is passive investment income, if—

Nonapplicability provisions.

“(i) such taxable year is the first taxable year in which the corporation commenced the active conduct of any trade or business or the next succeeding taxable year; and

“(ii) the amount of passive investment income for such taxable year is less than \$3,000.

“(C) For purposes of this paragraph, the term ‘passive investment income’ means gross receipts derived from royalties, rents, dividends, interest, annuities, and sales or exchanges of stock or securities (gross receipts from such sales or exchanges being taken into account for purposes of this paragraph only to the extent of gains therefrom).”

“Passive investment income.

(b) The amendment made by subsection (a) shall apply to taxable years of electing small business corporations ending after the date of the enactment of this Act. Such amendment shall also apply with respect to taxable years beginning after December 31, 1962, and ending on or before such date of enactment, if (at such time and in such manner as the Secretary of the Treasury or his delegate prescribes by regulations)—

Applicability provisions.

(1) the corporation elects to have such amendment so apply, and

(2) all persons (or their personal representatives) who were shareholders of such corporation at any time during any taxable year beginning after December 31, 1962, and ending on or before the date of the enactment of this Act consent to such election and to the application of the amendment made by subsection (a).

SEC. 4. (a) Section 1361 of the Internal Revenue Code of 1954 (relating to unincorporated business enterprises electing to be taxed as domestic corporations) is amended—

68A Stat. 350.

(1) by adding at the end of subsection (a) the following new sentence: “No election (other than an election referred to in subsection (f)) may be made under this subsection after the date of the enactment of this sentence.”;

(2) by striking out in subsection (c) “, except as provided in subsection (m).”;

(3) by striking out “subsection (f)” in subsection (e) and inserting in lieu thereof “subsections (f) and (n).”;

(4) by striking out subsection (m); and

(5) by adding at the end of such section the following new subsection:

“(n) REVOCATION AND TERMINATION OF ELECTIONS.—

“(1) REVOCATION.—An election under subsection (a) with respect to an unincorporated business enterprise may be revoked after the date of the enactment of this subsection by the proprietor of such enterprise or by all the partners owning an interest in such enterprise on the date on which the revocation is made. Such enterprise shall not be considered a domestic corporation for any period on or after the effective date of such revocation. A revocation under this paragraph shall be made in such manner as the Secretary or his delegate may prescribe by regulations.

“(2) **TERMINATION.**—If a revocation under paragraph (1) of an election under subsection (a) with respect to any unincorporated business enterprise is not effective on or before December 31, 1968, such election shall terminate on January 1, 1969, and such enterprise shall not be considered a domestic corporation for any period on or after January 1, 1969.”

Effective date.

(b) Effective on January 1, 1969—

(1) subchapter R of chapter 1 of such Code (relating to election of certain partnerships and proprietorships as to taxable status) is repealed;

68A Stat. 4.

(2) the table of subchapters for chapter 1 of such Code is amended by striking out the item relating to subchapter R; and

(3) section 1504(b) of such Code (relating to definition of includible corporation) is amended by striking out paragraph (7).

Applicability.

(c) The amendments made by subsections (a) (2) and (4) shall apply with respect to transactions occurring after the date of the enactment of this Act.

Approved April 14, 1966.

### Public Law 89-390

#### AN ACT

April 14, 1966  
[S. 2642]

To authorize the release of platinum from the national stockpile, and for other purposes.

Platinum.  
Disposal.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately three hundred sixteen thousand three hundred ounces of platinum from the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98-98h). Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided*, That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

60 Stat. 596.

**SEC. 2.** The platinum covered by this Act, materials in the inventory maintained under the Defense Production Act of 1950, as amended (50 U.S.C. App. 2061-2166), and materials in the national stockpile and the supplemental stockpile (7 U.S.C. 1704(b)) the disposition of which has been or may hereafter be authorized pursuant to law, shall be available, without reimbursement, for transfer at fair market value in payment of the purchase price and other expenses of acquisition (including transportation and other accessorial expenses) of palladium for the national stockpile. No acquisition of palladium shall be made pursuant to the authority of this section if, as a result of such acquisition, the aggregate quantity of palladium in the national stockpile and the supplemental stockpile would exceed the palladium stockpile objective established pursuant to the Strategic and Critical Materials Stock Piling Act.

64 Stat. 798.

73 Stat. 607.

Approved April 14, 1966.

## Public Law 89-391

## AN ACT

April 14, 1966  
[H. R. 6845]

To correct inequities with respect to the basic compensation of teachers and teaching positions under the Defense Department Overseas Teachers Pay and Personnel Practices Act.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) section 4(a)(2) of the Defense Department Overseas Teachers Pay and Personnel Practices Act (73 Stat. 214; Public Law 86-91; 5 U.S.C. 2352(a)(2)) is amended to read as follows:

Armed Forces.  
Overseas teachers, salary adjustment.

“(2) the fixing of basic compensation for teachers and teaching positions at rates equal to the average of the range of rates of basic compensation for similar positions of a comparable level of duties and responsibilities in urban school jurisdictions in the United States of 100,000 or more population;”

(b) Section 5(c) of such Act (73 Stat. 214; Public Law 86-91; 5 U.S.C. 2353(c)) is amended to read as follows:

“(c) The Secretary of each military department shall fix the basic compensation for teachers and teaching positions in his military department at rates equal to the average of the range of rates of basic compensation for similar positions of a comparable level of duties and responsibilities in urban school jurisdictions in the United States of 100,000 or more population.”

(c) Section 5 of such Act (73 Stat. 214; Public Law 86-91; 5 U.S.C. 2353) is amended by adding at the end thereof the following new subsection:

“(c) On or before the 15th day of January in each calendar year beginning after the date of enactment of this subsection, the Secretary of Defense shall report to the respective Committees on Post Office and Civil Service of the Senate and the House of Representatives the following information—

Report to congressional committees.

“(1) the number of teachers separated from teaching positions subsequent to the close of the immediately preceding full school year;

“(2) the number of such separated teachers who returned to the United States;

“(3) the number of such separated teachers placed in positions as teachers in the United States following such separation;

“(4) the number of such separated teachers returned to positions as teachers in the United States under voluntary reciprocal interchange agreements with school jurisdictions in the United States;

“(5) the number of such separated teachers placed in positions as teachers in the United States through special placement assistance programs of the Department of Defense and the military departments;

“(6) the number of such separated teachers who (A) were separated at their own request and (B) were separated involuntarily;

“(7) the number of such separated teachers who had served in teaching positions (A) three years or more and (B) five years or more;

“(8) the number of new teachers appointed to teaching positions at the beginning of the school year current at time of the report; and

“(9) the number of such new teachers obtained through voluntary reciprocal interchange agreements with school jurisdictions in the United States.”

Effective date.

SEC. 2. The amendments made by the first section of this Act shall become effective on the first day of the first pay period which begins after the date of enactment of this Act.

Approved April 14, 1966.

Public Law 89-392

AN ACT

April 14, 1966  
[H. R. 7723]

To amend the Tariff Schedules of the United States to suspend the duty on certain tropical hardwoods.

Tropical hardwoods.  
Duty suspension.

77A Stat. 434.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subpart B of part 1 of the appendix to title I of the Tariff Act of 1930 (Tariff Schedules of the United States; 28 F.R., part II, Aug. 17, 1963; 77A Stat.; 19 U.S.C., sec. 1202) is amended by adding at the end thereof the following new items:

916.20	Hardwood lumber, rough, dressed, or worked, provided for in item 202.36....	Free	\$3 per 1,000 ft., board measure	On or before 12/31/67
916.21	Hardwood lumber, rough, dressed, or worked, provided for in item 202.39....	Free	\$3.10 per 1,000 ft., board measure	On or before 12/31/67
916.22	Hardwood lumber, rough, dressed, or worked, provided for in item 202.41, except Boxwood ( <i>Buxus</i> spp.), Japanese maple ( <i>Acer</i> spp.), and Japanese white oak ( <i>Quercus</i> spp.)...	Free	15% ad val.	On or before 12/31/67
916.23	Hardwood lumber, rough, dressed, or worked, provided for in item 202.43, except Alder ( <i>Alnus</i> spp.), Almon ( <i>Shorea almon</i> ), Ash ( <i>Fraxinus</i> spp.), Aspen and cottonwood ( <i>populus</i> spp.), Bagtikan ( <i>Parashorea plicata</i> ), Basswood ( <i>Tilia</i> spp.), Beech ( <i>Fagus</i> spp.), Birch ( <i>Betula</i> spp.), Black or tupelo gum ( <i>Nyssa</i> spp.), Buckeye ( <i>Aesculus</i> spp.), Cherry ( <i>Prunus</i> spp.), Elm ( <i>Ulmus</i> spp.), Eucalyptus ( <i>Eucalyptus</i> spp.), Hickory ( <i>Carya</i> spp.), Lauan, red ( <i>Shorea negrosensis</i> ), Lauan, white ( <i>Pentacme contorta</i> and <i>P. mindanensis</i> ), Magnolia ( <i>Magnolia</i> spp.), Maple ( <i>Acer</i> spp.), Mayapis ( <i>Shorea squamata</i> ), Meranti ( <i>Shorea</i> spp.), Oak ( <i>Quercus</i> spp.), Sen ( <i>Kalopanax</i> spp.), Oak ( <i>Quercus</i> spp.), Seraya, red ( <i>Shorea</i> spp.), Seraya, white ( <i>Parashorea</i> spp.), Sweet (red or sap) gum ( <i>Liquidambar</i> spp.), Sycamore ( <i>Platanus</i> spp.), Tiangile ( <i>Shorea polysperma</i> ), Tiang (Shorea spp.), Walnut ( <i>Juglans</i> spp.), Willow ( <i>Salix</i> spp.), and Yellow poplar ( <i>Liriodendron</i> spp.)	Free	\$3 per 1,000 ft., board measure	

Effective date.

SEC. 2. The amendment made by the first section of this Act shall apply to articles entered, or withdrawn from warehouse, for consumption after the date of the enactment of this Act.

Approved April 14, 1966.

## Public Law 89-393

## AN ACT

April 14, 1966  
[S. 2719]

To provide for the striking of medals in commemoration of the one hundredth anniversary of the purchase of Alaska by the United States from Russia.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in commemoration of the one hundredth anniversary of the purchase of Alaska by the United States from Russia (which anniversary will be celebrated in 1967), the Secretary of the Treasury is authorized and directed to strike and furnish to the Alaska Centennial Commission not more than two hundred thousand medals with suitable emblems, devices, and inscriptions to be determined by the Alaska Centennial Commission subject to the approval of the Secretary of the Treasury. The medals shall be made and delivered at such times as may be required by the Commission in quantities of not less than two thousand, but no medals shall be made after December 31, 1967. The medals shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes.

Alaska.  
100th anniversary medals.31 USC 368.  
Cost.

SEC. 2. The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture; including labor, materials, dies, use of machinery, and overhead expenses; and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for full payment of such costs.

SEC. 3. The medals authorized to be issued pursuant to this Act shall be of such size or sizes and of such metals as shall be determined by the Secretary of the Treasury in consultation with such Commission.

Sizes, materials.

Approved April 14, 1966.

## Public Law 89-394

## AN ACT

April 14, 1966  
[S. 1488]

To authorize the disposal, without regard to the six-month waiting period, of approximately one hundred twenty-six thousand three hundred long calcined tons of refractory grade bauxite from the national stockpile.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, at the fair market value thereof, approximately one hundred twenty-six thousand three hundred long calcined tons of refractory grade bauxite now held in the national stockpile. Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act, relating to dispositions on the basis of a revised determination pursuant to section 2 of said Act, to the effect that no such dispositions shall be made until six months after publication in the Federal Register and transmission to the Congress and to the Armed Services Committees thereof of a notice of the proposed disposition, but in such disposition the Administrator of General Services shall comply with the provisions of such section 3, which require that the plan and the date of disposition shall be fixed with due regard to the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

Refractory grade bauxite.  
Disposal.60 Stat. 596.  
50 USC 98b.  
50 USC 98a.  
Publication in Federal Register.

Approved April 14, 1966.

## Public Law 89-395

## AN ACT

April 14, 1966  
[H. R. 3349]

For the relief of certain retired officers of the Army, Navy, and Air Force.

Uniformed serv-  
ices.  
Certain retired  
officers, relief.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the limitation of time prescribed by the Act of October 9, 1940 (54 Stat. 1061; 31 U.S.C. 237), is hereby waived with respect to claims for increased retired pay by any retired officer of the Army, Navy, Air Force, Marine Corps, Coast Guard, Coast and Geodetic Survey, or Public Health Service, if (1) he served in any capacity as a member of the military or naval forces of the United States prior to November 12, 1918; (2) he was retired under any provision of law prior to June 1, 1942, and was subsequently called to active duty; and (3) he was returned to an inactive status on a retired list after May 31, 1942: *Provided,* That a claim for such retired pay shall be filed with the General Accounting Office by each such officer or by his designated beneficiary, within one year following the date of enactment of this Act.

Approved April 14, 1966.

## Public Law 89-396

## AN ACT

April 14, 1966  
[S. 2573]

To validate the action of the Acting Superintendent, Yosemite National Park, in extending the 1955 leave year for certain Federal employees, and for other purposes.

Yosemite Na-  
tional Park.  
Employees,  
leave year exten-  
sion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, inasmuch as the administrative order issued by the Acting Superintendent of Yosemite National Park recalling to duty certain Federal employees to assist in meeting the storm and flood emergency which existed in late 1955 and early 1956 was in the public interest, his action purporting to extend to March 15, 1956, the time within which leave available for the 1955 leave year could be used is hereby validated.

Approved April 14, 1966.

## Public Law 89-397

## JOINT RESOLUTION

April 16, 1966  
[H. J. Res. 837]

To authorize the President to proclaim the week beginning April 17, 1966, as "State and Municipal Bond Week".

State and Munic-  
ipal Bond Week.  
Proclamation.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President is hereby authorized and requested to issue a proclamation designating the week beginning April 17, 1966, as "State and Municipal Bond Week", in recognition of the role that State and municipal bonds play in building a better community.

Approved April 16, 1966.

## Public Law 89-398

## AN ACT

To authorize the loan of naval vessels to China.

April 16, 1966  
[H. R. 7813]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That notwithstanding section 7307 of title 10, United States Code, or any other law, the President may lend one destroyer and one destroyer escort from the reserve fleet to the Republic of China on such terms and conditions as he deems appropriate.

Naval vessels.  
Loan to China.  
70A Stat. 452.

SEC. 2. All expenses involved in the activation, rehabilitation, and outfitting (including repairs, alterations, and logistic support) of vessels transferred under this Act, shall be charged to funds programed for the recipient government as grant military assistance, or as reimbursable, under the provisions of the Foreign Assistance Act of 1961, as amended, or successor legislation.

75 Stat. 424,  
719.  
22 USC 2151  
note.

SEC. 3. Loans executed under this Act shall be for periods not exceeding five years, but the President may in his discretion extend such loans for an additional period of not more than five years. All loans shall be made on the condition that they may be terminated at an earlier date if necessitated by the defense requirements of the United States.

SEC. 4. No loan may be made under this Act unless the Secretary of Defense, after consultation with the Joint Chiefs of Staff, determines that such loan is in the best interest of the United States. The Secretary of Defense shall keep the Congress currently advised of all extensions or loans made under authority of this Act.

Notice to Congress.

SEC. 5. The President may promulgate such rules and regulations as he deems necessary to carry out the provisions of this Act.

SEC. 6. The authority of the President to lend naval vessels under this Act terminates on December 31, 1967.

Termination of authority.

Approved April 16, 1966.

## Public Law 89-399

## AN ACT

To amend the Fire and Casualty Act regulating the business of fire, marine, and casualty insurance in the District of Columbia.

April 16, 1966  
[H. R. 959]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) section 13 of chapter II of the Fire and Casualty Act (D.C. Code, sec. 35-1316) is amended by striking out the period at the end of the first sentence and inserting in lieu thereof a comma and the following: "except that every domestic stock company authorized to do a fidelity or surety business in the District shall have and shall at all times maintain a paid-up capital stock of not less than \$500,000, and a surplus of not less than \$250,000."

D.C. fidelity  
companies.  
Stock require-  
ments.  
54 Stat. 1070.

(b) Section 715 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901 (D.C. Code, sec. 26-301), is amended by inserting after "one million dollars" the following: "except as otherwise provided in section 13 of chapter II of the Fire and Casualty Act (D.C. Code, sec. 35-1316)".

31 Stat. 1303.

Approved April 16, 1966.

## Public Law 89-400

## AN ACT

April 16, 1966  
[S. 2831]

To furnish to the Scranton Association, Incorporated, medals in commemoration of the one hundredth anniversary of the founding of the city of Scranton, Pennsylvania.

Scranton, Pa.  
100th anniversary  
medals.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in the commemoration of the one hundredth anniversary of the founding of the city of Scranton, Pennsylvania, the Secretary of the Treasury is authorized and directed to strike and furnish to the Scranton Association, Incorporated, not more than one hundred and fifty thousand medals with suitable emblems, devices, and inscriptions to be determined by the Scranton Association, Incorporated, subject to the approval of the Secretary of the Treasury. The medals shall be made and delivered at such times as may be required by the association in quantities of not less than two thousand, but no medals shall be made after December 31, 1966. The medals shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes (31 U.S.C. 368).

Cost.

SEC. 2. The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses; and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for the full payment of such cost.

Sizes, materials.

SEC. 3. The medals authorized to be issued pursuant to this Act shall be of such size or sizes and of such metals as shall be determined by the Secretary of the Treasury in consultation with such association.

Approved April 16, 1966.

## Public Law 89-401

## AN ACT

April 16, 1966  
[S. 2835]

To provide for the striking of medals in commemoration of the seventy-fifth anniversary of the founding of the American Numismatic Association.

American Numismatic Association.  
75th anniversary  
medals.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in commemoration of the seventy-fifth anniversary of the founding in 1891 of the American Numismatic Association, which now holds a perpetual Federal charter from the Congress, the Secretary of the Treasury is authorized and directed to strike and furnish to the American Numismatic Association not more than fifty thousand medals with suitable emblems, devices, and inscriptions to be determined by the American Numismatic Association subject to the approval of the Secretary of the Treasury. The medals shall be made and delivered at such times as may be required by the association in quantities of not less than two thousand, but no medals shall be made after December 31, 1967. The medals shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes.

31 USC 368.

Cost.

SEC. 2. The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses; and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for the full payment of such costs.

SEC. 3. The medals authorized to be issued pursuant to this Act shall be of such size or sizes and of such various metals as shall be determined by the Secretary of the Treasury in consultation with the American Numismatic Association.

Approved April 16, 1966.

Sizes, materials.

Public Law 89-402

AN ACT

April 18, 1966  
[H. R. 11664]

To confer additional jurisdiction upon the Superintendent of Insurance for the District of Columbia to regulate domestic stock insurance companies and to exempt such companies from section 12(g)(1) of the Securities Exchange Act of 1934.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, as used in this Act, unless the context otherwise requires, "domestic stock insurance company" means a stock insurance company incorporated or organized under the laws of the District of Columbia.

D. C. Superintendent of Insurance.  
Additional jurisdiction.  
"Domestic stock company."

SEC. 2. (a) The Commissioners of the District of Columbia shall promulgate rules and regulations with respect to the solicitation and voting of proxies, consents, and authorizations of domestic stock insurance companies in conformity, as nearly as may be practicable, with those prescribed by the National Association of Insurance Commissioners. The Superintendent of Insurance (hereinafter "Superintendent") shall have power to revoke or suspend the certificate of authority to transact business in the District of Columbia of any such company which has failed or refused to comply with the rules and regulations promulgated by the Commissioners of the District of Columbia.

Notice of suspension.

(b) The Superintendent shall not revoke nor suspend the certificate of authority of any such company until he has given the company not less than thirty days' notice of the proposed revocation or suspension and of the grounds alleged therefor, and has afforded the company an opportunity for a full hearing: *Provided*, That if the Superintendent shall find upon examination that the further transaction of business by the company would be hazardous to the public or to the policyholders or creditors of the company in the District, he may suspend such authority without giving notice as herein required: *Provided further*, That in lieu of revoking or suspending the certificate of authority of any company, after hearing as herein provided, the Superintendent may subject such company to a penalty of not more than \$500 when, in his judgment, he finds that the public interest would be best served by the continued operation of the company. The amount of any such penalty shall be paid by the company through the office of the Superintendent to the Commissioners of the District of Columbia. At any hearing provided by this section, the Superintendent shall have authority to administer oaths to witnesses. Anyone testifying falsely after having been administered such an oath shall be subject to the penalties of perjury.

Penalties.

(c) The provisions of subsections (a) and (b) of this section shall not apply to securities of a domestic stock insurance company if such securities shall be registered, or shall be required to be registered, pursuant to section 12 of the Securities Exchange Act of 1934, as amended.

SEC. 3. (a) Every person who is directly or indirectly the beneficial owner of more than 10 per centum of any class of any equity security of a domestic stock insurance company, or who is a director or an officer of such company, shall file in the office of the Superintendent on

48 Stat. 892;  
78 Stat. 565.  
15 USC 78l.  
Registration requirements of beneficial owners, etc.

or before the 31st day of December 1965, or within ten days after he becomes such beneficial owner, director, or officer, a statement, in such form as the Superintendent may prescribe, of the amount of all equity securities of such company of which he is the beneficial owner, and within ten days after the close of each calendar month thereafter, if there has been a change in such ownership during such month, shall file in the office of the Superintendent a statement, in such form as the Superintendent may prescribe, indicating his ownership at the close of the calendar month and such changes in his ownership as have occurred during such calendar month.

Six month-  
transaction limi-  
tation.

(b) For the purpose of preventing the unfair use of information which may have been obtained by such beneficial owner, director, or officer by reason of his relationship to such company, any profit realized by him from any purchase and sale, or any sale and purchase, of any equity security of such company within any period of less than six months, unless such security was acquired in good faith in connection with a debt previously contracted, shall inure to and be recoverable by the company, irrespective of any intention on the part of such beneficial owner, director, or officer in entering into such transaction of holding the security purchased or of not repurchasing the security sold for a period exceeding six months. Suit to recover such profit may be instituted at law or in equity in any court of competent jurisdiction by the company, or by the owner of any security of the company in the name and in behalf of the company if the company shall fail or refuse to bring such suit within sixty days after request or shall fail diligently to prosecute the same thereafter; but no such suit shall be brought more than two years after the date such profit was realized. This section shall not be construed to cover any transaction where such beneficial owner was not such both at the time of the purchase and sale, or the sale and purchase, of the security involved, or any transaction or transactions which the Commissioners of the District of Columbia by rules and regulations may exempt as not comprehended within the purpose of this section.

Sales, restric-  
tion.

(c) It shall be unlawful for any such beneficial owner, director, or officer, directly or indirectly, to sell any equity security of such company if the person selling the security or his principal (i) does not own the security sold, or (ii) if owning the security, does not deliver it against such sale within twenty days thereafter, or does not within five days after such sale deposit it in the mails or other usual channels of transportation; but no person shall be deemed to have violated this section if he proves that, notwithstanding the exercise of good faith, he was unable to make such delivery or deposit within such time, or that to do so would cause undue inconvenience or expense.

(d) The provisions of subsection (b) of this section shall not apply to any purchase and sale, or sale and purchase, and the provisions of subsection (c) of this section shall not apply to any sale, of an equity security of a domestic stock insurance company not then or theretofore held by him in an investment account, by a dealer in the ordinary course of his business and incident to the establishment or maintenance by him of a primary or secondary market (otherwise than on an exchange as defined in the Securities Exchange Act of 1934) for such security. The Commissioners of the District of Columbia may, by such rules and regulations as they deem necessary or appropriate in the public interest, define and prescribe terms and conditions with respect to securities held in an investment account and transactions made in the ordinary course of business and incident to the establishment or maintenance of a primary or secondary market.

48 Stat. 882.  
15 USC 78c.

(e) The provisions of subsections (a), (b), and (c) of this section shall not apply to foreign or domestic arbitrage transactions unless made in contravention of such rules and regulations as the Commissioners of the District of Columbia may adopt in order to carry out the purposes of this section.

(f) The term "equity security" when used in this section means any stock or similar security; or any security convertible with or without consideration, into such a security, or carrying any warrant or right to subscribe to or purchase such a security; or any such warrant or right; or any other security which the Commissioners of the District of Columbia shall deem to be of similar nature and consider necessary or appropriate, by such rules and regulations as they may prescribe in the public interest or for the protection of investors, to treat as an equity security.

"Equity security."

(g) The provisions of subsections (a), (b), and (c) of this section shall not apply to securities of a domestic stock insurance company if (i) such securities shall be registered, or shall be required to be registered, pursuant to section 12 of the Securities Exchange Act of 1934, as amended, or if (ii) such domestic stock insurance company shall not have any class of its equity securities held of record by one hundred or more persons on the last business day of the year next preceding the year in which equity securities of the company would be subject to the provisions of subsections (a), (b), and (c) of this section except for the provisions of this subsection (g) (ii).

48 Stat. 892;  
78 Stat. 565.  
15 USC 78l.

(h) The Commissioners of the District of Columbia shall make such rules and regulations as may be necessary for the execution of the functions vested in the Superintendent by subsections (a) through (g) of this section, and may for such purpose classify domestic stock insurance companies, securities, and other persons or matters within his jurisdiction. No provisions of subsection (a), (b), or (c) of this section imposing any liability shall apply to any act done or omitted in good faith in conformity with any rule or regulation of the Commissioners of the District of Columbia notwithstanding that such rule or regulation may, after such act or omission, be amended or rescinded or determined by judicial or other authority to be invalid for any reason.

(i) Any person who willfully violates any provision of this section, or any rule or regulation thereunder the violation of which is made unlawful by this section or the observance of which is required under the terms of this section, or any person who willfully and knowingly makes, or causes to be made, any statement in any application, report, or document required to be filed under this section, which statement was false or misleading with respect to any material fact, shall upon conviction be fined not more than \$1,000, or be imprisoned not more than thirty days, or both.

Penalty.

(j) This section shall take effect thirty days after enactment.

Effective date.

SEC. 4. Nothing in this Act shall be construed so as to affect the authority vested in the Board of Commissioners of the District of Columbia by Reorganization Plan Numbered 5 of 1952 (66 Stat. 824). The performance of any function vested by this Act in the Board of Commissioners or in any office or agency under the jurisdiction and control of said Board of Commissioners may be delegated by said Board of Commissioners in accordance with section 3 of such plan.

D.C. Code. 1  
App.

Approved April 18, 1966.

## Public Law 89-403

## AN ACT

April 18, 1966  
[H. R. 8466]

To amend the Fire and Casualty Act to provide for the licensing and regulation of insurance premium finance companies in the District of Columbia.

D.C. insurance  
premium finance  
companies.  
Licensing and  
regulation.  
54 Stat. 1063.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Fire and Casualty Act (D.C. Code, secs. 35-1301—35-1350) is amended by adding at the end thereof the following new chapter:

“CHAPTER III—INSURANCE PREMIUM FINANCE COMPANIES

“SEC. 51. APPLICATION.—The provisions of this chapter shall not apply with respect to (A) any insurance company licensed to do business in the District, (B) any banking institution, trust, loan, mortgage, safe deposit, or title company, building association, credit union, moneylenders, or common trust fund authorized to do business in the District, (C) the inclusion of a charge for insurance in connection with an installment sale of a motor vehicle made in accordance with the Act of April 22, 1960 (D.C. Code, secs. 40-901—40-910), or (D) the financing of insurance premiums in the District in accordance with the provisions of sections 28-3301 and 28-3302 of the District of Columbia Code relating to rates of interest.

“SEC. 52. DEFINITIONS.—For the purposes of this chapter—

“(1) The term ‘insurance premium finance company’ means a person engaged in the business of entering into insurance premium finance agreements.

“(2) The term ‘premium finance agreement’ means an agreement by which an insured or prospective insured promises to pay to a premium finance company the amount advanced or to be advanced under the agreement to an insurer or to an insurance agent or broker in payment of premiums on an insurance contract together with a service charge as authorized and limited by this chapter.

“(3) The term ‘licensee’ means a premium finance company holding a license issued by the Superintendent under this chapter.

“SEC. 53. LICENSES.—(a) No person shall engage in the business of financing insurance premiums in the District without first having obtained a license as a premium finance company from the Superintendent. Any person who shall engage in the business of financing insurance premiums in the District without obtaining a license as provided hereunder shall, upon conviction in the District of Columbia Court of General Sessions, be guilty of a misdemeanor and shall be subject to the penalties provided in section 43 of this Act.

“(b) The annual license fee shall be \$50. Licenses may be renewed from year to year as of the first day of May of each year upon payment of the fee of \$50. The fee for said license shall be paid through the Superintendent to the District of Columbia Treasurer.

“(c) The person to whom the license or the renewal thereof may be issued shall file sworn answers, subject to the penalties of perjury, to such interrogatories as the Superintendent may require. The Superintendent shall have authority, at any time, to require the applicant fully to disclose the identity of all stockholders, partners, officers, and employees and he may, in his discretion, refuse to issue or renew a license in the name of any firm, partnership, or corporation if he is not satisfied that any officer, employee, stockholder, or partner thereof who may materially influence the applicant's conduct meets the standards of this chapter.

54 Stat. 1082.  
D.C. Code 35-  
1347.  
License fee.

74 Stat. 69.

78 Stat. 675.

"SEC. 54. ACTION BY SUPERINTENDENT ON APPLICATION.—(a) Upon the filing of an application and the payment of the license fee the Superintendent shall make an investigation of each applicant and shall issue a license if the applicant is qualified in accordance with this chapter. If the Superintendent does not so find, he shall, within thirty days after he has received such application, at the request of the applicant, give the applicant a full hearing.

Hearing.

"(b) The Superintendent shall issue or renew a license as may be applied for when he is satisfied that the person to be licensed—

License issuance or renewal, provisions.

"(1) is competent and trustworthy and intends to act in good faith in the capacity involved by the license applied for,

"(2) has a good business reputation and has had experience, training, or education so as to be qualified in the business for which the license is applied for, and

"(3) if a corporation, is a corporation incorporated under the laws of the District or a foreign corporation authorized to transact business in the District.

"SEC. 55. REVOCATION AND SUSPENSION OF LICENSES.—(a) The Superintendent may revoke or suspend the license of any premium finance company when and if after investigation it appears to the Superintendent that—

"(1) any license issued to such company was obtained by fraud,

"(2) there was any misrepresentation in the application for the license,

"(3) the holder of such license has otherwise shown himself untrustworthy or incompetent to act as a premium finance company,

"(4) such company has violated any of the provisions of this chapter, or

"(5) such company has been rebating part of the service charge as allowed and permitted herein to any insurance agent or any employee of an insurance agent or to any other person as an inducement to the financing of any insurance policy with the premium finance company.

"(b) Before the Superintendent shall revoke, suspend, or refuse to renew the license of any premium finance company, he shall give to such person an opportunity to be fully heard and to introduce evidence in his behalf. In lieu of revoking or suspending the license for any of the causes enumerated in this section, after hearing as herein provided, the Superintendent may subject such company to a penalty of not more than \$200 for each offense when in his judgment he finds that the public interest would not be harmed by the continued operation of such company. The amount of any such penalty shall be paid by such company through the office of the Superintendent to the District of Columbia Treasurer. At any hearing provided by this section, the Superintendent shall have authority to administer oaths to witnesses. Anyone testifying falsely, after having been administered such oath, shall be subject to the penalty of perjury.

Hearing.

Penalty.

"(c) If the Superintendent refuses to issue or renew any license or if any applicant or licensee is aggrieved by any action of the Superintendent, said applicant or licensee shall have the right to a hearing and court proceeding as provided for in sections 35, 44, and 45 of this Act.

"SEC. 56. BOOKS AND RECORD.—(a) Every licensee shall maintain records of its premium finance transactions and the said records shall be open to examination and investigation by the Superintendent. The Superintendent may at any time require any licensee to bring such records as he may direct to the Superintendent's office for examination.

72 Stat. 25;  
54 Stat. 1082.  
D.C. Code 35-  
1339; 35-1348,  
35-1349.

“(b) Every licensee shall preserve its records of such premium finance transactions, including cards used in a card system, or at least three years after making the final entry in respect to any premium finance agreement. The preservation of records in photographic form shall constitute compliance with this requirement.

“SEC. 57. POWER TO MAKE RULES.—The Superintendent shall have authority to make and enforce such reasonable rules and regulations as may be necessary in making effective the provisions of this chapter, but such rules and regulations shall not be contrary to nor inconsistent with the provisions of this chapter.

“SEC. 58. FORM OF PREMIUM FINANCE AGREEMENT.—(a) A premium finance agreement shall—

“(1) be dated, signed by or on behalf of the insured, and the printed portion thereof shall be in at least eight-point type,

“(2) contain the name and place of business of the insurance agent negotiating the related insurance contract, the name and residence or the place of business of the premium finance company to which payments are to be made, a description of the insurance contracts involved and the amount of the premium therefor; and

“(3) set forth the following items where applicable:

“(A) the total amount of the premiums,

“(B) the amount of the downpayment,

“(C) the principal balance (the difference between items (A) and (B)),

“(D) the amount of the service charge,

“(E) the balance payable by the insured (sum of items (C) and (D)), and

“(F) the number of installments required, the amount of each installment expressed in dollars, and the due date or period thereof.

“(b) The items set out in clause (3) of subsection (a) need not be stated in the sequence or order in which they appear in such clause, and additional items may be included to explain the computations made in determining the amount to be paid by the insured.

“SEC. 59. MAXIMUM SERVICE CHARGE.—(a) A premium finance company shall not charge, contract for, receive, or collect a service charge other than as permitted by this chapter.

Computation.

“(b) The service charge is to be computed on the balance of the premiums due (after subtracting the downpayment made by the insured in accordance with the premium finance agreement) from the effective date of the insurance coverage, for which the premiums are being advanced, to and including the date when the final installment of the premium finance agreement is payable.

Amount.

“(c) The service charge shall be a maximum of \$6 per \$100 per year plus an additional charge of \$10 per premium finance contract which need not be refunded upon cancellation or prepayment.

“SEC. 60. DELINQUENCY CHARGES.—A premium finance agreement may provide for the payment by the insured of a delinquency charge of \$1 to a maximum of 5 per centum of the delinquent installment but not to exceed \$5 on any installment which is in default for a period of five days or more.

“SEC. 61. CANCELLATION OF INSURANCE CONTRACT UPON DEFAULT.—

(a) When a premium finance agreement contains a power of attorney enabling the premium finance company to cancel any insurance contract or contracts listed in the agreement, the insurance contract or contracts shall not be canceled by the premium finance company unless such cancellation is effectuated in accordance with this section.

“(b) Not less than ten days’ written notice shall be mailed to the insured of the intent of the premium finance company to cancel the insurance contract unless the default is cured within such ten-day period.

Cancellation notice.

“(c) After expiration of such ten-day period, the premium finance company may thereafter request in the name of the insured, cancellation of such insurance contract or contracts by mailing to the insurer a notice of cancellation, and the insurance contract shall be canceled as if such notice of cancellation had been submitted by the insured himself, but without requiring the return of the insurance contract or contracts. The premium finance company shall also mail a notice of cancellation to the insured at his last known address.

“(d) All statutory, regulatory, and contractual restrictions providing that the insurance contract may not be canceled unless notice is given to a governmental agency, mortgagee, or other third party shall apply where cancellation is effected under the provisions of this section. The insurer shall give the prescribed notice in behalf of itself or the insured to any governmental agency, mortgagee, or other third party on or before the second business day after the day it receives the notice of cancellation from the premium finance company and shall determine the effective date of cancellation taking into consideration the number of days notice required to complete the cancellation.

“(e) Whenever an insurance contract is cancelled in accordance with this section, the insurer shall return whatever gross unearned premiums are due under the insurance contract to the premium finance company effecting the cancellation for the account of the insured or insureds.

Return of premiums.

“(f) In the event that the crediting of return premiums to the account of the insured results in a surplus over the amount due from the insured, the premium finance company shall refund such excess to the insured provided that no such refund shall be required if it amounts to less than \$1.

Refund.

“SEC. 62. EXEMPTION FROM ANY FILING REQUIREMENT.—No filing of the premium finance agreement shall be necessary to perfect the validity of such agreement as a secured transaction as against creditors, subsequent purchasers, pledgees, encumbrances, successors, or assigns.”

SEC. 2. The amendments made by this Act shall take effect on the sixtieth day after the date of enactment.

Effective date.

Approved April 18, 1966.

Public Law 89-404

AN ACT

To promote a more adequate national program of water research.

April 19, 1966  
[S. 22]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 200 of the Water Resources Research Act of 1964 (78 Stat. 331, 42 U.S.C. 1961b) is hereby amended to read as follows:

Water research program.

“SEC. 200. (a) There are authorized to be appropriated to the Secretary of the Interior \$5,000,000 for the fiscal year 1967, \$6,000,000 for the fiscal year 1968, \$7,000,000 for the fiscal year 1969, \$8,000,000 for the fiscal year 1970, \$9,000,000 for the fiscal year 1971, and \$10,000,000 for each of the fiscal years 1972–1976, inclusive, from which appropriations the Secretary may make grants to and finance contracts and

Appropriations.

matching or other arrangements with educational institutions, private foundations or other institutions, with private firms and individuals whose training, experience, and qualifications are, in his judgment, adequate for the conduct of water research projects, and with local, State, and Federal Government agencies, to undertake research into any aspects of water problems related to the mission of the Department of the Interior which he may deem desirable and which are not otherwise being studied.

Transmittal to Congress.

“(b) No grant shall be made, no contract shall be executed, and no matching or other arrangement shall be entered into under subsection (a) of this section prior to sixty calendar days from the date the same is submitted to the President of the Senate and the Speaker of the House of Representatives and said sixty calendar days shall not include days on which either the Senate or the House of Representatives is not in session because of an adjournment of more than three calendar days to a day certain or an adjournment sine die.”

Repeal. 42 USC 1961a-4.

Report to President and Congress.

SEC. 2. The last paragraph of section 104 of said Act is hereby repealed and a new section 307 is added to that Act reading as follows:

“SEC. 307. The Secretary shall make a report to the President and Congress on or before March 1 of each year showing the disposition during the preceding calendar year of moneys appropriated to carry out this Act, the results expected to be accomplished through projects financed during that year under sections 101 and 200 of this Act, and the conclusions reached in or other results achieved by those projects which were completed during that year. The report shall also include an account of the work of all institutes financed under section 100 of this Act and indicate whether any portion of an allotment to any State was withheld and, if so, the reasons therefor.”

Approved April 19, 1966.

Public Law 89-405

AN ACT

Relating to the tariff treatment of certain woven fabrics.

April 19, 1966 [H. R. 11029]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) the article description for item 335.60 of the Tariff Schedules of the United States is amended by striking out “of manmade fibers” and inserting in lieu thereof “either of manmade fibers or of manmade fibers and cotton”.

Woven fabrics. Tariff treatment.

79 Stat. 937. 19 USC 1202.

(b) Item 339.00 of such Schedules is repealed and there is inserted in lieu thereof the following:

Repeal. 77A Stat. 140.

	Woven fabrics of textile materials, not covered by the foregoing subparts of this part:		
339.05	Containing over 17 percent of wool by weight. . . .	30¢ per lb. + 50% ad val.	40¢ per lb. + 60% ad val.
339.10	Other. . . . .	17.5% ad val.	40% ad val.

Applicability.

79 Stat. 933. 19 USC note prec. 1202.

(c) The amendments made by subsections (a) and (b) shall apply as if made by the Tariff Schedules Technical Amendments Act of 1965; except that such amendments shall not apply with respect to any article entered, or withdrawn from warehouse, for consumption, on or before the 60th day after the date of the enactment of this Act.

Approved April 19, 1966.

## Public Law 89-406

## JOINT RESOLUTION

April 19, 1966  
[H. J. Res. 997]

To support United States participation in relieving victims of hunger in India and to enhance India's capacity to meet the nutritional needs of its people.

Whereas the Congress has declared it to be the policy of the United States to make maximum efficient use of this Nation's agricultural abundance in furtherance of the foreign policy of the United States; Whereas the Congress is considering legislation to govern the response of the United States to the mounting world food problem; Whereas critical food shortages in India threatening the health if not the lives of tens of millions of people require an urgent prior response: Therefore be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Congress endorses and supports the President's initiative in organizing substantial American participation in an urgent international effort designed to:

(a) Help meet India's pressing food shortages by making available to India under Public Law 480 agricultural commodities to meet India's normal import needs plus added quantities of agricultural commodities as the United States share in the international response to the Indian emergency.

(b) Help combat malnutrition, especially in mothers and children, via a special program;

(c) Encourage and assist those measures which the Government of India is planning to expand India's own agricultural production;

That the Congress urges the President to join India in pressing on other nations the urgency of sharing appropriately in a truly international response to India's critical need.

The Congress urges that to the extent necessary the food made available by this program be distributed in such manner that hungry people without money will be able to obtain food.

Approved April 19, 1966, 6 p.m.

India.  
Food aid.68 Stat. 454.  
7 USC 1691  
note.

## Public Law 89-407

## AN ACT

April 25, 1966  
[H. R. 1746]

To define the term "child" for lump-sum payment purposes under the Civil Service Retirement Act.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 1(j) of the Civil Service Retirement Act (5 U.S.C. 2251(j)) is amended by striking out the word "four" in the third sentence and inserting the word "five", and by adding at the end thereof the following sentence: "The term 'child', for purposes of section 11, shall include an adopted child and a natural child, but shall not include a stepchild".

SEC. 2. The provisions under the heading "Civil Service Retirement and Disability Fund" in title I of the Independent Offices Appropriation Act, 1959 (72 Stat. 1064; Public Law 85-844), shall not apply with respect to benefits resulting from the enactment of this Act.

Approved April 25, 1966.

Civil Service  
Retirement Act,  
amendment.  
Post, p. 300.70 Stat. 755.  
5 USC 2261.5 USC 2267  
note.

## Public Law 89-408

## AN ACT

April 27, 1966  
[S. 1938]

To amend the Indian Long-Term Leasing Act.

25 USC 415.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 1 of the Act of August 9, 1955 (69 Stat. 539), as amended, is hereby amended as follows: After the words "Fort Mojave Reservation," insert the words "the Pyramid Lake Reservation."

Approved April 27, 1966.

## Public Law 89-409

## AN ACT

May 2, 1966  
[S. 2729]

To amend section 4(c) of the Small Business Act, and for other purposes.

Small Business  
Act, amendment.  
79 Stat. 1294.  
15 USC 633.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 4(c) of the Small Business Act is amended by striking out "\$1,841,000,000" and "\$1,375,000,000" and inserting in lieu thereof "\$1,966,000,000" and "\$1,500,000,000", respectively.

SEC. 2. Effective on July 1, 1966, section 4(c) of the Small Business Act is amended to read as follows:

15 USC 636.

"(c) (1) There are hereby established in the Treasury the following revolving funds: (A) a disaster loan fund which shall be available for financing functions performed under sections 7(b) (1), 7(b) (2), 7(b) (4), and 7(c) (2) of this Act, including administrative expenses in connection with such functions; and (B) a business loan and investment fund which shall be available for financing functions performed under sections 7(a), 7(b) (3), 7(e), and 8(a) of this Act, titles III and V of the Small Business Investment Act of 1958, and title IV of the Economic Opportunity Act of 1964, including administrative expenses in connection with such functions.

15 USC 637.

15 USC 681, 695.

42 USC 2901.

"(2) All repayments of loans and debentures, payments of interest and other receipts arising out of transactions heretofore or hereafter entered into by the Administration (A) pursuant to sections 7(b) (1), 7(b) (2), 7(b) (4), and 7(c) (2) of this Act shall be paid into the disaster loan fund; and (B) pursuant to sections 7(a), 7(b) (3), 7(e), and 8(a) of this Act, titles III and V of the Small Business Investment Act of 1958, and title IV of the Economic Opportunity Act of 1964, shall be paid into the business loan and investment fund.

Appropriations,  
unexpended bal-  
ances.

"(3) Unexpended balances of appropriations made to the fund pursuant to this subsection, as in effect immediately prior to the effective date of this paragraph, shall be allocated, together with related assets and liabilities, to the funds established by paragraph (1) in such amounts as the Administrator shall determine. In addition to any sums so allocated, appropriations are hereby authorized to be made to such funds, as capital thereof, in such amounts as may be necessary to carry out the functions of the Administration, which appropriations shall remain available until expended.

Loans, etc.,  
limitations.

"(4) The total amount of loans, guarantees, and other obligations or commitments, heretofore or hereafter entered into by the Administration, which are outstanding at any one time (A) under sections 7(a), 7(b) (3), 7(e), and 8(a) of this Act, and title IV of the Economic Opportunity Act of 1964, shall not exceed \$1,400,000,000; (B)

under title III of the Small Business Investment Act of 1958, shall not exceed \$400,000,000; (C) under title V of the Small Business Investment Act of 1958, shall not exceed \$200,000,000; and (D) under title IV of the Economic Opportunity Act of 1964 shall not exceed \$100,000,000.

“(5) The Administration shall submit to the Committees on Appropriations and the Committees on Banking and Currency of the Senate and House of Representatives, as soon as possible after the beginning of each calendar quarter, a full and complete report on the status of each of the funds established by paragraph (1). If at the close of the preceding calendar quarter the aggregate amount outstanding or committed by the Administration in carrying out its functions under any of the sections or titles referred to in paragraph (4) exceeded 75 per centum of the total amount authorized to be outstanding or committed under such sections or titles, the Administration’s report shall include its recommendations for such additional authority as it deems appropriate. Business-type budgets for each of the funds established by paragraph (1) shall be prepared, transmitted to the Congress, considered, and enacted in the manner prescribed by law (sections 102, 103, and 104 of the Government Corporation Control Act (31 U.S.C. 847-849)) for wholly-owned Government corporations.

Reports to Congress.

“(6) The Administration shall pay into miscellaneous receipts of the Treasury, following the close of each fiscal year, interest on the outstanding cash disbursements from each of the funds established by paragraph (1) at rates determined by the Secretary of the Treasury, taking into consideration the current average yields on outstanding interest-bearing marketable public debt obligations of the United States of comparable maturities as calculated for the month of June preceding such fiscal year.”

59 Stat. 598.

SEC. 3. (a) Section 7 of the Small Business Act is amended by adding at the end thereof the following new subsection:

15 USC 636.

“(e) The Administration also is empowered to make loans (either directly or in cooperation with banks or other lenders through agreements to participate on an immediate or deferred basis) to assist any firm to adjust to changed economic conditions resulting from increased competition from imported articles, but only if (1) an adjustment proposal of such firm has been certified by the Secretary of Commerce pursuant to the Trade Expansion Act of 1962, (2) the Secretary has referred such proposal to the Administration under that Act and the loan would provide part or all of the financial assistance necessary to carry out such proposal, and (3) the Secretary’s certification is in force at the time the Administration makes the loan. With respect to loans made under this subsection the Administration shall apply the provisions of sections 314, 315, 316, 318, 319, and 320 of the Trade Expansion Act of 1962 as though such loans had been made under section 314 of that Act.”

Trade adjustment loans.

76 Stat. 872.  
19 USC 1801  
note.

(b) Section 2 of Public Law 87-550, approved July 25, 1962 (76 Stat. 220), is hereby repealed. Any unexpended balances of appropriations heretofore appropriated for the purposes of such section are hereby transferred to the business loan and investment fund established by section 4(c) (1) of the Small Business Act.

Repeal.  
15 USC 637a.

(c) This section shall take effect on July 1, 1966.

Ante, p. 132.  
Effective date.

Approved May 2, 1966.

## Public Law 89-410

May 4, 1966  
[S. J. Res. 86]

## JOINT RESOLUTION

To authorize the President to proclaim May 4, 1966, as a "Day of Recognition" for firefighters.

Firefighters.  
Day of Recognition.  
Proclamation authorization.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President is hereby authorized and requested to issue a proclamation designating May 4, 1966, as a "Day of Recognition" of the personal sacrifices and devotion to duty of firefighters in the United States of America in protecting lives and property in their communities; and calling upon the people of the United States to observe such day with appropriate ceremonies.

Approved May 4, 1966.

## Public Law 89-411

May 4, 1966  
[S. J. Res. 18]

## JOINT RESOLUTION

To provide for the designation of the week beginning April 23, 1967, as "Youth Temperance Education Week".

Youth Temperance Education Week.  
Designation.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President is authorized and requested to issue a proclamation designating the week beginning April 23, 1967, as "Youth Temperance Education Week", and inviting the people of the United States to cooperate during such week with programs of temperance education.

Approved May 4, 1966.

## Public Law 89-412

May 5, 1966  
[S. J. Res. 130]

## JOINT RESOLUTION

To provide for the designation of the week of May 8 to May 14, 1966, as "National School Safety Patrol Week".

Whereas more than an estimated forty-nine thousand Americans died in traffic accidents on the Nation's highways during the year 1965 and the prevention of such accidents has become a problem of major concern; and

Whereas the school safety patrols, since their organization on a national scale in the early 1920's, have played an important role in the reduction of highway accidents involving school-age children; and

Whereas more than nine hundred thousand safety patrol members are now serving forty thousand schools in all fifty States, protecting nineteen million children; and

Whereas the school safety patrols are a cooperative program sponsored jointly by American Automobile Association motor clubs, local schools, and police; and

Whereas more than sixteen million Americans have served as safety patrol members during the more than forty years since the program was established; and

Whereas the traffic death rate of school-age children since 1922 has dropped nearly one-half while the death rate of all other age groups has doubled and the efforts of the school safety patrols have been a contributing factor in this reduction; and

Whereas the lifesaving efforts of the school safety patrols play an increasingly important role in the nationwide campaign to reduce

traffic accidents and this program should receive public attention and citizen support; and

Whereas the period of May 8 to May 14, 1966, provides an opportunity for due recognition of the foregoing achievements, accomplishments, and needs: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the week of May 8 to May 14, 1966, is hereby designated as "National School Safety Patrol Week" and the President is requested to issue a proclamation calling upon all people of the United States for the observance of such a week with appropriate proceedings and ceremonies.

Approved May 5, 1966.

National School Safety Patrol Week. Designation.

Public Law 89-413

AN ACT

To authorize the disposal of molybdenum from the national stockpile.

May 5, 1966  
[H. R. 13369]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately fourteen million pounds of molybdenum now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98-98h). Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided,* That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

Approved May 5, 1966.

Molybdenum, disposal.

60 Stat. 596.

Public Law 89-414

AN ACT

To amend section 39b of the Bankruptcy Act so as to prohibit referees from acting as trustees or receivers in any proceeding under the Bankruptcy Act.

May 10, 1966  
[S. 1924]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the second and third sentences of paragraph b of section 39 of the Bankruptcy Act (11 U.S.C. 67b) are amended to read as follows:

"Active full-time referees shall not exercise the profession or employment of counsel or attorney, or be engaged in the practice of law; nor act as trustee or receiver in any proceeding under this Act. Active part-time referees, and referees receiving benefits under paragraph (1) of subdivision d of section 40 of this Act, shall not practice as counsel or attorney nor act as trustee or receiver in any proceeding under this Act."

Approved May 10, 1966.

Bankruptcy referees. Restrictions. 60 Stat. 326.

76 Stat. 559.  
11 USC 68.

## Public Law 89-415

## AN ACT

May 11, 1966  
[H. R. 13365]

To authorize the disposal of metallurgical grade chromite from the national stockpile and the supplemental stockpile.

Metallurgical  
grade chromite.  
Disposal.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately eight hundred eighty-five thousand short dry tons of metallurgical grade chromite ore now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98-98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(b)). Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided*, That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

Approved May 11, 1966.

60 Stat. 596.

73 Stat. 607.

## Public Law 89-416

## AN ACT

May 11, 1966  
[H. R. 13367]

To authorize the disposal of acid grade fluorspar from the national stockpile.

Acid grade  
fluorspar.  
Disposal.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately thirty-two thousand short dry tons of acid grade fluorspar in lump form now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98-98h). Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided*, That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

Approved May 11, 1966.

60 Stat. 596.

## Public Law 89-417

## AN ACT

May 11, 1966  
[H. R. 13368]

To authorize the disposal of bismuth from the national stockpile and the supplemental stockpile.

Bismuth.  
Disposal.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately two hundred and twelve thousand three hundred pounds of bismuth now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98-98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704

60 Stat. 596.

(b)). Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided*, That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

Approved May 11, 1966.

73 Stat. 607.

## Public Law 89-418

## AN ACT

To authorize the disposal of phlogopite mica from the national stockpile and the supplemental stockpile.

May 11, 1966  
[H. R. 13371]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately three million seven hundred and sixty-five thousand pounds of phlogopite mica splittings and approximately two hundred and five thousand six hundred and forty pounds of phlogopite block mica now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98-98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(b)). Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided*, That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

Approved May 11, 1966.

Phlogopite mica.  
Disposal.

60 Stat. 596.

73 Stat. 607.

## Public Law 89-419

## AN ACT

To authorize the disposal of muscovite mica from the national stockpile and the supplemental stockpile.

May 11, 1966  
[H. R. 13373]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately six million seven hundred and seventy-two thousand pounds of muscovite block mica, approximately five hundred and twenty-eight thousand pounds of muscovite film mica, and approximately twenty-two million six hundred and sixty-six thousand pounds of muscovite mica splittings now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98-98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(b)). Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided*, That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

Approved May 11, 1966.

Muscovite mica.  
Disposal.

60 Stat. 596.

73 Stat. 607.

## Public Law 89-420

May 11, 1966  
[H. R. 13578]

## AN ACT

To authorize the disposal of rhodium from the national stockpile.

Rhodium.  
Disposal.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately six hundred and eighteen troy ounces of rhodium (Rh content) now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98-98h). Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided*, That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

60 Stat. 596.

Approved May 11, 1966.

## Public Law 89-421

May 11, 1966  
[H. R. 13579]

## AN ACT

To authorize the disposal of thorium from the supplemental stockpile.

Thorium.  
Disposal.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately three million five hundred thousand pounds (thorium oxide content) of thorium nitrate now held in the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(b)). Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b): *Provided*, That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

73 Stat. 607.

60 Stat. 597.

Approved May 11, 1966.

## Public Law 89-422

May 11, 1966  
[H. R. 13580]

## AN ACT

To authorize the disposal of amosite asbestos from the national stockpile and the supplemental stockpile.

Amosite asbestos.  
Disposal.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately fifteen thousand, one hundred and seventy short tons of amosite asbestos now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98-98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(b)). Such disposition may be made without regard to the provisions

60 Stat. 596.

73 Stat. 607.

of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided*, That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

Approved May 11, 1966.

Public Law 89-423

AN ACT

To authorize the disposal of ruthenium from the supplemental stockpile.

May 11, 1966  
[H. R. 13663]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately fifteen thousand troy ounces of ruthenium now held in the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(b)). Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b): *Provided*, That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

Ruthenium.  
Disposal.

73 Stat. 607.

60 Stat. 597.

Approved May 11, 1966.

Public Law 89-424

AN ACT

To authorize the disposal of vanadium from the national stockpile.

May 11, 1966  
[H. R. 13774]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately six thousand four hundred and fifty short tons of vanadium (V content) now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98-98h). Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided*, That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

Vanadium.  
Disposal.

60 Stat. 596.

Approved May 11, 1966.

Public Law 89-425

AN ACT

To provide for the appointment of two additional judges for the United States Court of Claims, and for other purposes.

May 11, 1966  
[S. 1804]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That (a) the President shall appoint, by and with the advice and consent of the Senate, two additional associate judges for the Court of Claims.

U.S. Court of  
Claims.  
Additional  
judges.

62 Stat. 898.

(b) In order to reflect the changes in the number of permanent associate judges of the Court of Claims caused by this section, section 171 of title 28 of the United States Code is amended by striking out the word "four" in the first sentence thereof and inserting in lieu thereof the word "six".

SEC. 2. Section 175 of title 28, United States Code, in its present form is stricken, and the following section is inserted as section 175 of title 28 of the United States Code:

**"§ 175. Assignment of judges; divisions; hearings; quorum; decisions**

"(a) Judges of the Court of Claims shall sit on the court and its divisions in such order and at such times as the court directs.

"(b) The Court of Claims may authorize the hearing and determination of cases and controversies by separate divisions, each consisting of three judges. Such divisions shall sit at the times and places and hear the cases and controversies assigned as the court directs.

28 USC 291-296.

"(c) Cases and controversies shall be heard and determined by a court or division of not more than three judges, unless a hearing en banc is ordered by the court or by the chief judge. The court en banc for an initial hearing shall consist of the judges of the Court of Claims in regular active service. In case of a vacancy in the court or of the inability of a judge thereof in regular active service to sit, a justice or judge assigned to the court pursuant to chapter 13 of this title shall be competent to sit in the court en banc when designated by the court to do so.

"(d) A rehearing en banc may be ordered by a majority of the judges of the Court of Claims in regular active service. The court en banc for a rehearing shall consist of the judges of the Court of Claims in regular active service. A judge of the Court of Claims who has retired from regular active service shall also be competent to sit as a judge of the court en banc in the rehearing of a case or controversy if he sat on the court or division at the original hearing thereof.

"(e) Two judges shall constitute a quorum of a division of the Court of Claims, four judges shall constitute a quorum of a court en banc.

"(f) A majority of the judges or justices who actually sit on the court or division or court en banc must concur in any decision."

28 USC 171-175.

SEC. 3. Item 175 in the analysis of chapter 7 of title 28 of the United States Code, immediately preceding section 171, is amended to read as follows: "175. Assignment of judges; divisions; hearings; quorum; decisions."

Approved May 11, 1966.

## Public Law 89-426

## AN ACT

Making supplemental appropriations for the fiscal year ending June 30, 1966, and for other purposes.

May 13, 1966  
[H. R. 14012]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Second Supplemental Appropriation Act, 1966") for the fiscal year ending June 30, 1966, and for other purposes, namely:

Second Supplemental Appropriation Act, 1966.

## CHAPTER I

## DEPARTMENT OF AGRICULTURE

## FARMERS HOME ADMINISTRATION

For an additional amount for the "Emergency Credit Revolving Fund", \$30,000,000, to remain available until expended.

## CHAPTER II

## DISTRICT OF COLUMBIA

## FEDERAL PAYMENT TO DISTRICT OF COLUMBIA

For an additional amount for "Federal payment to the District of Columbia" for the general fund, \$1,250,000.

## OPERATING EXPENSES

## PUBLIC SAFETY

For an additional amount for "Public safety", including \$3,700 for disbursement by the administrative office of the United States courts for expenses of the Legal Aid Agency for the District of Columbia, \$1,249,200, of which \$111,600 shall be payable from the highway fund, \$200 from the water fund, and \$200 from the sanitary sewage works fund.

## PARKS AND RECREATION

For an additional amount for "Parks and recreation", \$210,600.

## DIVISION OF EXPENSES

The sums appropriated in this title for the District of Columbia shall, unless otherwise specifically provided for, be paid out of the general fund of the District of Columbia, as defined in the District of Columbia Appropriation Act for the fiscal year involved.

79 Stat. 236.

## CHAPTER III

## FOREIGN OPERATIONS

## FUNDS APPROPRIATED TO THE PRESIDENT

## ASIAN DEVELOPMENT BANK

For subscriptions to the Asian Development Bank, as authorized by the Asian Development Bank Act, to remain available until expended, \$140,000,000, of which \$20,000,000 shall be available for the first installment on paid-in capital stock, \$20,000,000 shall be available for the second installment on such stock, and \$100,000,000 shall be available for the entire subscription to callable capital stock.

Ante, p. 71.

## CHAPTER IV

## INDEPENDENT OFFICES

## NATIONAL CAPITAL HOUSING AUTHORITY

## OPERATION AND MAINTENANCE OF PROPERTIES

For an additional amount for "Operation and maintenance of properties", \$12,000.

## SELECTIVE SERVICE SYSTEM

## SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", \$12,000,000.

## VETERANS ADMINISTRATION

## GENERAL OPERATING EXPENSES

For an additional amount for "General operating expenses", \$1,000,000.

## COMPENSATION AND PENSIONS

For an additional amount for "Compensation and pensions", \$288,000,000, to remain available until expended.

## READJUSTMENT BENEFITS

For an additional amount for "Readjustment benefits", \$5,000,000, to remain available until expended.

## FUNDS APPROPRIATED TO THE PRESIDENT

## DISASTER RELIEF

For an additional amount for "Disaster relief", including not to exceed \$75,000 for the purposes of section 5 of the Pacific Northwest Disaster Relief Act of 1965 (Public Law 89-41), \$65,000,000, to remain available until expended: *Provided*, That not to exceed 3 per centum of the foregoing amount shall be available for administrative expenses.

79 Stat. 132.

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

## OFFICE OF THE SECRETARY

## RENT SUPPLEMENT PROGRAM

For rent supplements authorized by section 101 of the Housing and Urban Development Act of 1965, \$100,000: *Provided*, That the maximum payments in any fiscal year for rent supplements required by all contracts which may be entered into under such section shall not exceed \$12,000,000: *Provided further*, That no part of the foregoing appropriation or contract authority shall be used for incurring any obligation in connection with any dwelling unit or project which is not either part of a workable program for community improvement meeting the requirements of section 101(c) of the Housing Act of 1949, as amended (42 U.S.C. 1451(c)), or which is without local official approval for participation in this program.

79 Stat. 451,  
12 USC 1701s  
and note.

68 Stat. 623.

## FEDERAL HOME LOAN BANK BOARD

## LIMITATION ON ADMINISTRATIVE AND NONADMINISTRATIVE EXPENSES

Included in the expenses of any functions of supervision which shall be considered as nonadministrative expenses, as stated in the third proviso under this head in the Independent Offices Appropriations Act, 1966, are expenses (not to exceed \$500,000) necessary for special studies of the savings and loan industry to be completed by December 31, 1968, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), which may be of any duration not beyond such completion date.

79 Stat. 540.

60 Stat. 810.

## CHAPTER V

## DEPARTMENT OF THE INTERIOR

## BUREAU OF LAND MANAGEMENT

## MANAGEMENT OF LANDS AND RESOURCES

For an additional amount for "Management of lands and resources", \$1,495,000.

## BUREAU OF INDIAN AFFAIRS

## RESOURCES MANAGEMENT

For an additional amount for "Resources management", \$755,000.

## NATIONAL PARK SERVICE

## MANAGEMENT AND PROTECTION

For an additional amount for "Management and protection", \$1,028,000.

## MAINTENANCE AND REHABILITATION OF PHYSICAL FACILITIES

For an additional amount for "Maintenance and rehabilitation of physical facilities", \$827,000.

## CONSTRUCTION

For an additional amount for "Construction", \$1,711,000, to remain available until expended.

## CONSTRUCTION (LIQUIDATION OF CONTRACT AUTHORIZATION)

For an additional amount for "Construction (liquidation of contract authorization)", \$5,500,000, to remain available until expended.

## OFFICE OF TERRITORIES

## ADMINISTRATION OF TERRITORIES

For an additional amount for "Administration of Territories", \$2,500,000, to remain available until expended.

## BUREAU OF COMMERCIAL FISHERIES

## MANAGEMENT AND INVESTIGATIONS OF RESOURCES

For an additional amount for "Management and investigations of resources", \$148,000.

## BUREAU OF SPORT FISHERIES AND WILDLIFE

## MANAGEMENT AND INVESTIGATIONS OF RESOURCES

For an additional amount for "Management and investigations of resources", \$658,000.

## RELATED AGENCIES

## DEPARTMENT OF AGRICULTURE

## FOREST SERVICE

## FOREST PROTECTION AND UTILIZATION

For additional amounts for "Forest protection and utilization", as follows:

"Forest land management", \$9,635,000;

"Forest research", \$610,000; and

"State and private forestry cooperation", \$45,000.

## FEDERAL COAL MINE SAFETY BOARD OF REVIEW

## SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", \$18,000.

## NATIONAL CAPITAL PLANNING COMMISSION

## SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", \$18,000.

## TRANSITIONAL GRANTS TO ALASKA

For an additional amount for "Transitional grants to Alaska", \$876,000.

## CHAPTER VI

## DEPARTMENT OF LABOR

## BUREAU OF EMPLOYMENT SECURITY

## TRADE ADJUSTMENT ACTIVITIES

For necessary expenses of worker adjustment assistance allowances and for administration of adjustment assistance services to workers as provided in Title III of the Trade Expansion Act of 1962 (Public Law 87-794), and Title III of the Automotive Products Trade Act of 1965 (Public Law 89-283), \$1,000,000, to be derived by transfer from the appropriation for "Unemployment compensation for Federal employees and ex-servicemen".

76 Stat. 895.  
19 USC 1901.  
79 Stat. 1018.  
19 USC 2021.

## SALARIES AND EXPENSES

For an additional amount for "Bureau of Employment Security, salaries and expenses," \$1,028,000, of which \$821,900 shall be derived by transfer from the appropriation for "Unemployment compensation for Federal employees and ex-servicemen" and \$206,100 may be expended from the employment security administration account in the Unemployment Trust Fund.

## WAGE AND LABOR STANDARDS

## WAGE AND HOUR DIVISION, SALARIES AND EXPENSES

For an additional amount for "Wage and Hour Division, salaries and expenses", \$614,000, to be derived by transfer from the appropriation for "Unemployment compensation for Federal employees and ex-servicemen".

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

## OFFICE OF EDUCATION

## EXPANSION AND IMPROVEMENT OF VOCATIONAL EDUCATION

For an additional amount for "Expansion and improvement of vocational education", for advances for reserve funds and interest payments on insured loans under the National Vocational Student Loan Insurance Act of 1965, \$950,000, of which \$100,000 for interest payments shall remain available until expended and \$850,000 for advances shall remain available until June 30, 1968.

79 Stat. 1037.  
20 USC 981 note.

## VOCATIONAL STUDENT LOAN INSURANCE FUND

For the vocational student loan insurance fund created by section 13 of the National Vocational Student Loan Insurance Act of 1965 (70 Stat. 1046), \$50,000, to remain available until expended.

79 Stat. 1046.  
20 USC 992.

## ELEMENTARY AND SECONDARY EDUCATIONAL ACTIVITIES

For an additional amount for "Elementary and secondary educational activities", for meeting the special educational needs of educationally deprived children under title II of the Act of September 30, 1950, as amended, \$184,000,000.

79 Stat. 27.  
20 USC 241a-  
241f.

## HIGHER EDUCATIONAL ACTIVITIES

79 Stat. 1224.  
20 USC 1022.

For an additional amount for "Higher Educational Activities", \$11,300,000, of which \$10,000,000 shall be for basic grants authorized in section 202 of the Higher Education Act of 1965, \$1,000,000 shall be for training grants under section 223 of that Act, and \$300,000 shall be for transfer to the Librarian of Congress for the acquisition and cataloging of library materials under part C of title II of that Act.

## NATIONAL TEACHER CORPS

20 USC 1101-  
1107.

For the National Teacher Corps authorized in part B of title V of the Higher Education Act of 1965, \$9,500,000: *Provided*, That none of these funds may be used to pay in excess of 90 per centum of the salary of any teacher in the National Teacher Corps: *Provided further*, That none of these funds may be spent on behalf of any National Teacher Corps program in any local school system prior to approval of such program by the State educational agency of the State in which the school system is located.

## PAYMENTS TO SCHOOL DISTRICTS

For an additional amount for "Payments to school districts", \$41,000,000.

## VOCATIONAL REHABILITATION ADMINISTRATION

## GRANTS TO STATES

79 Stat. 1282.  
29 USC 32.

For an additional amount for "Grants to States", for grants to States for vocational rehabilitation services under section 2 of the Vocational Rehabilitation Act, as amended, \$39,000,000.

## PUBLIC HEALTH SERVICE

## NATIONAL LIBRARY OF MEDICINE

42 USC 280b  
note.

For an additional amount for "National Library of Medicine", including carrying out the Medical Library Assistance Act of 1965 (79 Stat. 1059), \$4,175,000, of which \$4,000,000 shall remain available until June 30, 1967.

## SOCIAL SECURITY ADMINISTRATION

## PAYMENT TO TRUST FUNDS FOR HEALTH INSURANCE FOR THE AGED

79 Stat. 333,  
343.  
42 USC 426 note,  
1395i-1.  
42 USC 1395w.

For payment to the Federal Hospital Insurance and Federal Supplementary Medical Insurance trust funds, as authorized by sections 103 and 111(d) of the Social Security Amendments of 1965, and section 1844 of the Social Security Act, \$125,800,000, of which \$100,000,000 shall remain available through December 31, 1967, as authorized by section 1844.

## PAYMENT FOR MILITARY SERVICE CREDITS

For payment to the Federal Old-Age and Survivors Insurance, the Federal Disability Insurance, and the Federal Hospital Insurance trust funds, for benefit payments and other costs resulting from non-

contributory coverage extended certain veterans as provided under section 217(g) of the Social Security Act, as amended, \$105,000,000.

79 Stat. 396.  
42 USC 417.

## WELFARE ADMINISTRATION

### GRANTS TO STATES FOR PUBLIC ASSISTANCE

For an additional amount for "Grants to States for public assistance", \$381,000,000.

### SPECIAL INSTITUTIONS

#### GALLAUDET COLLEGE, SALARIES AND EXPENSES

For an additional amount for "Gallaudet College, salaries and expenses", \$24,000.

#### HOWARD UNIVERSITY, SALARIES AND EXPENSES

For an additional amount for "Howard University, salaries and expenses", \$216,000.

## OFFICE OF THE SECRETARY

### OFFICE OF FIELD ADMINISTRATION, SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses, Office of Field Administration", \$13,000, together with not to exceed \$53,000 to be transferred from the Federal old-age and survivors insurance trust fund.

## RAILROAD RETIREMENT BOARD

### LIMITATION ON SALARIES AND EXPENSES

For an additional amount for "Limitation on salaries and expenses", \$1,075,000, to be derived from the railroad retirement account.

## CHAPTER VII

## LEGISLATIVE BRANCH

### SENATE

For payment to Mary L. McNamara, widow of Patrick V. McNamara, late a Senator from the State of Michigan, \$30,000.

### CONTINGENT EXPENSES OF THE SENATE

#### INQUIRIES AND INVESTIGATIONS

For an additional amount for "Inquiries and investigations", \$200,000.

### HOUSE OF REPRESENTATIVES

For payment to Eva Hassell Bonner, widow of Herbert C. Bonner, late a Representative from the State of North Carolina, \$30,000.

For payment to Lera Millard Thomas, widow of Albert Thomas, late a Representative from the State of Texas, \$30,000.

For payment to Mary I. Baldwin, widow of John F. Baldwin, late a Representative from the State of California, \$30,000.

ARCHITECT OF THE CAPITOL  
CAPITOL BUILDINGS AND GROUNDS

CAPITOL GROUNDS

For an additional amount for "Capitol grounds", \$17,000.

CHAPTER VIII

PUBLIC WORKS

DEPARTMENT OF DEFENSE—CIVIL DEPARTMENT  
OF THE ARMY

CORPS OF ENGINEERS—CIVIL

OPERATION AND MAINTENANCE, GENERAL

For an additional amount for "Operation and maintenance, general", \$7,350,000, to remain available until expended.

FLOOD CONTROL, HURRICANE AND SHORE PROTECTION EMERGENCIES

For an additional amount for "Flood control, hurricane and shore protection emergencies", \$7,750,000, to remain available until expended.

THE PANAMA CANAL

CANAL ZONE GOVERNMENT

OPERATING EXPENSES

For an additional amount for "Operating expenses", \$300,000.

DEPARTMENT OF THE INTERIOR

SOUTHWESTERN POWER ADMINISTRATION

CONSTRUCTION

For an additional amount for "Construction", \$520,000, to remain available until expended.

BUREAU OF RECLAMATION

UPPER COLORADO RIVER STORAGE PROJECT

For an additional amount for "Upper Colorado River Basin fund", \$1,400,000, to remain available until expended, to be derived by transfer from the appropriation "Loan program", Bureau of Reclamation.

CHAPTER IX

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For an additional amount for "Emergencies in the diplomatic and consular service", \$450,000.

## PAYMENT TO FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the Foreign Service retirement and disability fund, \$45,000.

## DEPARTMENT OF JUSTICE

## LEGAL ACTIVITIES AND GENERAL ADMINISTRATION

## FEES AND EXPENSES OF WITNESSES

For an additional amount for "Fees and expenses", including not to exceed \$25,000 for compensation and expenses of witnesses (including expert witnesses), \$200,000, to be derived by transfer from the appropriation for "Salaries and expenses, general legal activities", fiscal year 1966.

## FEDERAL PRISON SYSTEM

## SUPPORT OF UNITED STATES PRISONERS

For an additional amount for "Support of United States prisoners", \$475,000.

## DEPARTMENT OF COMMERCE

## PATENT OFFICE

## SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", \$1,000,000.

## 1967 ALASKA CENTENNIAL

For expenses necessary to carry out the provisions of the Alaska Centennial Act of 1966, including administrative expenses, to remain available until June 30, 1968, \$4,600,000, of which not to exceed \$4,000,000 shall be available for grants to the State of Alaska, and not to exceed \$600,000 shall be available for appropriate participation by the United States in ceremonies and exhibits which are a part of the Centennial celebration.

*Ante*, p. 82.

## INTERNATIONAL ACTIVITIES

## INTER-AMERICAN CULTURAL AND TRADE CENTER

For expenses necessary to conduct the studies and submit the reports, and for related expenses, required by section 2(b) of the Act of February 19, 1966 (Public Law 89-355), as to the proposed participation by the United States, by foreign countries, and industry in Interama, \$160,000, to remain available until expended.

*Ante*, p. 6.

## THE JUDICIARY

## COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

## SALARIES OF JUDGES

For an additional amount for "Salaries of judges", \$200,000.

## FEES OF JURORS AND COMMISSIONERS

For an additional amount for "Fees of jurors and commissioners", \$1,165,000.

## RELATED AGENCIES

## COMMISSION ON CIVIL RIGHTS

## SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", \$425,000.

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

## OFFICE OF EDUCATION

## CIVIL RIGHTS EDUCATIONAL ACTIVITIES

For an additional amount for "Civil rights educational activities," including not to exceed \$225,000 for salaries and expenses, \$3,000,000.

## EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

## SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", \$500,000.

## CHAPTER X

## POST OFFICE DEPARTMENT

## (Out of the Postal Fund)

## OPERATIONS

For an additional amount for "Operations", \$294,904,000.

## TRANSPORTATION

For an additional amount for "Transportation", \$21,000,000.

## PLANT AND EQUIPMENT

For an additional amount for "Plant and equipment", \$3,106,000.

## CHAPTER XI

## CLAIMS AND JUDGMENTS

For payment of claims settled and determined by departments and agencies in accord with law and judgments rendered against the United States by the United States Court of Claims and United States district courts, as set forth in Senate Document Numbered 87 and House Document Numbered 414, Eighty-ninth Congress, \$10,828,683, together with such amounts as may be necessary to pay interest (as and when specified in said judgments or provided by law) and such additional sums due to increases in rates of exchange as may be necessary to pay claims in foreign currency: *Provided*, That no judgment herein appropriated for shall be paid until it shall become final and conclusive against the United States by failure of the parties to appeal or otherwise: *Provided further*, That unless otherwise specifically required by law or by the judgment, payment of interest wherever appropriated for herein shall not continue for more than thirty days after the date of approval of the Act.

## TITLE II

## INCREASED PAY COSTS

For additional amounts for appropriations for the fiscal year 1966, for increased pay costs authorized by or pursuant to law, as follows:

## LEGISLATIVE BRANCH

## Senate:

"Compensation of the Vice President and Senators", \$8,065;

"Salaries, officers and employees", \$543,105;

"Office of the Legislative Counsel of the Senate", \$7,425;

Contingent expenses of the Senate:

"Senate policy committees", \$9,940;

"Automobiles and maintenance", \$840;

"Inquiries and investigations", \$116,865, including \$3,460 for the Committee on Appropriations;

"Folding documents", \$945;

"Miscellaneous items", \$32,065, including \$16,200 for payment to the Architect of the Capitol in accordance with section 4 of Public Law 87-82, approved July 6, 1961;

## Joint Items:

"Joint Committee on Reduction of Nonessential Federal expenditures", \$945, to remain available until expended;

Contingent expenses of the Senate:

"Joint Economic Committee", \$9,000;

"Joint Committee on Atomic Energy", \$8,250;

"Joint Committee on Printing", \$3,750;

Contingent expenses of the House:

"Joint Committee on Internal Revenue Taxation", \$10,530;

"Joint Committee on Immigration and Nationality Policy", \$655;

"Joint Committee on Defense Production", \$2,160;

## House:

"Compensation of Members", \$7,500;

"Office of the Speaker", \$3,155;

"Office of the Parliamentarian", \$2,755;

"Compilation of Precedents", \$270;

"Office of the Chaplain", \$410;

"Office of the Clerk", \$41,230;

"Office of the Sergeant at Arms", \$28,205;

"Office of the Doorkeeper", \$43,745;

"Office of the Postmaster", \$13,825;

"Committee employees", \$103,000;

"Six minority employees", \$3,175;

"Majority floor leader", \$2,340;

"Minority floor leader", \$1,940;

"Majority whip", \$1,565;

"Minority whip", \$1,565;

"Printing clerks", \$430;

"Technical assistant to attending physician", \$385;

"Official reporters of debates", \$6,880;

"Official reporters to committees", \$6,940;

"Legislative counsel", \$7,970;

"Members' clerk hire", \$770,000;

"Special and select committees", \$100,000;

"Coordinator of information", \$3,675;

"Revision of the laws", \$730;

54 Stat. 1056.  
40 USC 174k.

"Speaker's auto", \$330;  
"Majority leader's auto", \$330;  
"Minority leader's auto", \$330;  
"Miscellaneous items", \$19,000, for payment to the Architect of the Capitol in accordance with section 208 of the Act approved October 9, 1940 (Public Law 812);

Architect of the Capitol:

Office of the Architect of the Capitol: "Salaries", \$13,900;

Capitol buildings and grounds:

"Capitol buildings", \$40,000;

"Capitol grounds", \$10,000;

"Senate office buildings", \$31,000;

"Senate garage", \$600;

"Capitol power plant", \$10,000;

"Library buildings and grounds, structural and mechanical care", \$13,000;

Botanic Garden: "Salaries and expenses", \$6,000;

Library of Congress:

"Salaries and expenses", \$256,700;

Copyright Office: "Salaries and expenses", \$51,500;

Legislative Reference Service: "Salaries and expenses", \$62,200;

Distribution of catalog cards: "Salaries and expenses", \$65,300;

Books for the Blind: "Salaries and expenses", \$6,600;

"Collection and distribution of library materials (special foreign currency program)", \$3,600;

Government Printing Office:

Office of Superintendent of Documents:

"Salaries and expenses": Not to exceed \$65,000 of the reserve fund under this head for the current fiscal year may be used for increased pay costs authorized by law.

#### THE JUDICIARY

Supreme Court of the United States:

"Salaries", \$41,000;

"Care of Buildings and Grounds", \$5,000;

Court of Customs and Patent Appeals: "Salaries and expenses", \$5,000;

Customs Court: "Salaries and expenses", \$19,000;

Court of Claims: "Salaries and expenses", \$13,300;

Court of appeals; district courts, and other judicial services:

"Salaries of supporting personnel", \$818,000;

"Administrative Office of the United States Courts", \$31,000;

"Expenses of referees", \$125,000, to be derived from the

"Referees' salary and expense fund".

#### EXECUTIVE OFFICE OF THE PRESIDENT

The White House Office:

"Salaries and expenses", \$85,000, to be derived by transfer from the appropriation for "Special projects", fiscal year 1966;

Bureau of the Budget: "Salaries and expenses", \$131,000;

Council of Economic Advisers: "Salaries and expenses", \$8,000;

National Security Council: "Salaries and expenses", \$15,000;

Office of Emergency Planning: "Civil defense and defense mobilization functions of Federal agencies", \$86,000, to be derived by transfer from the appropriation for "Salaries and expenses", fiscal year 1966;

Special Representative for Trade Negotiations: "Salaries and expenses", \$8,000.

#### FUNDS APPROPRIATED TO THE PRESIDENT

##### Economic assistance:

"Administrative expenses", Agency for International Development, \$980,000, to be derived by transfer from appropriations for "Economic assistance", fiscal year 1966;

"Administrative and other expenses", Department of State, \$42,000, to be derived by transfer from appropriations for "Economic assistance", fiscal year 1966.

#### DEPARTMENT OF AGRICULTURE

##### Agricultural Research Service:

"Salaries and expenses", as follows:

"Research", \$2,402,500; and

"Plant and animal disease and pest control", \$1,268,500;

Cooperative State Research Service: "Payments and expenses", \$32,000;

Extension Service: "Cooperative extension work, payments and expenses": Of the amount made available under this head in the Department of Agriculture and Related Agencies Appropriation Act, 1966, for "Payment to States and Puerto Rico", \$64,000 shall be transferred to the subappropriation for "Federal Extension Service";

79 Stat. 1167.

Farmer Cooperative Service: "Salaries and expenses", \$26,000;

##### Soil Conservation Service:

"Conservation operations", \$2,608,000;

"Watershed planning", \$140,000, to remain available until expended;

"Watershed protection", \$585,000, to remain available until expended;

"Flood prevention", \$160,000, to remain available until expended;

"Great Plains conservation program", \$82,000, to remain available until expended;

"Resource conservation and development", \$46,000, to remain available until expended;

Economic Research Service: "Salaries and expenses", \$246,000;

Statistical Reporting Service: "Salaries and expenses", \$250,000;

Consumer and Marketing Service: "Consumer protective, marketing, and regulatory programs", \$1,905,000;

Foreign Agricultural Service: "Salaries and expenses", \$178,000;

Commodity Exchange Authority: "Salaries and expenses", \$28,000;

Rural Electrification Administration: "Salaries and expenses", \$268,000;

Farmers Home Administration: "Salaries and expenses", \$1,200,000;

Federal Crop Insurance Corporation: "Administrative and operating expenses", \$202,000;

Rural Community Development Service: "Salaries and expenses", \$12,000;

Office of the Inspector General: "Salaries and expenses", \$145,000;

Office of the General Counsel: "Salaries and expenses", \$102,000;

Office of Information: "Salaries and expenses", \$26,000;

National Agricultural Library: "Salaries and expenses", \$36,000;

Office of Management Services: "Salaries and expenses", \$59,000;

General Administration: "Salaries and expenses", \$80,000;

Forest Service: "Forest roads and trails (liquidation of contract authorization)", \$964,000, to remain available until expended.

## DEPARTMENT OF COMMERCE

General Administration: "Salaries and expenses", \$89,000 to be derived by transfer from the appropriation for "Registration and voting statistics", Bureau of the Census, fiscal year 1966;

Office of Business Economics: "Salaries and expenses", \$50,000 to be derived by transfer from the appropriation for "Registration and voting statistics", Bureau of the Census, fiscal year 1966;

Bureau of the Census:

"Salaries and expenses", \$320,000 to be derived by transfer from the appropriation for "Registration and voting statistics", fiscal year 1966;

"1964 Census of Agriculture", \$110,000, to remain available until December 31, 1967, to be derived by transfer from the appropriation for "Registration and voting statistics", fiscal year 1966;

Business and Defense Services Administration: "Salaries and expenses", \$125,000 to be derived by transfer from the appropriation for "Registration and voting statistics", Bureau of the Census, fiscal year 1966;

International Activities:

"Salaries and expenses", \$160,000 to be derived by transfer from the appropriation for "Registration and voting statistics", Bureau of the Census, fiscal year 1966, of which \$23,000 shall remain available for trade and industrial exhibits until June 30, 1967;

"Export control", \$100,000 to be derived by transfer from the appropriation for "Registration and voting statistics", Bureau of the Census, fiscal year 1966, of which \$33,400 may be advanced to the Bureau of Customs;

Office of Field Services: "Salaries and expenses", \$90,000 to be derived by transfer from the appropriation for "Registration and voting statistics", Bureau of the Census, fiscal year 1966;

Coast and Geodetic Survey: "Salaries and expenses", \$510,000;

National Bureau of Standards: "Research and technical services", \$500,000 to be derived by transfer from the appropriation for "Registration and voting statistics", Bureau of the Census, fiscal year 1966;

Weather Bureau:

"Salaries and expenses", \$1,200,000 of which \$754,000 is to be derived by transfer from the appropriation for "Registration and voting statistics", Bureau of the Census, fiscal year 1966;

"Research and development", \$100,000, to remain available until June 30, 1968;

"Meteorological satellite operations", \$48,000, to remain available until expended;

Maritime Administration:

"Salaries and expenses", \$222,000 to be derived by transfer from the appropriation for "Registration and voting statistics", Bureau of the Census, fiscal year 1966, of which \$200,000 is for administrative expenses and \$22,000 is for reserve fleet expenses;

"Maritime training", \$38,000 to be derived by transfer from the appropriation for "Registration and voting statistics", Bureau of the Census, fiscal year 1966;

Bureau of Public Roads: "Limitation on general administrative expenses" (increase of \$950,000 in the limitation on the amount available for administration and research).

## DEPARTMENT OF DEFENSE—MILITARY

## Military personnel:

- “Military personnel, Army”, \$222,100,000;
- “Military personnel, Navy”, \$182,600,000;
- “Military personnel, Marine Corps”, \$42,400,000;
- “Military personnel, Air Force”, \$227,600,000;
- “Reserve personnel, Navy”, \$4,600,000;
- “Reserve personnel, Marine Corps”, \$1,600,000;
- “Reserve personnel, Air Force”, \$1,200,000;
- “National Guard personnel, Army”, \$4,500,000;
- “National Guard personnel, Air Force”, \$3,500,000;
- “Retired pay, Defense”, \$71,000,000;

## Operation and maintenance:

- “Operation and maintenance, Army”, \$33,400,000;
- “Operation and maintenance, Navy”, \$23,000,000;
- “Operation and maintenance, Marine Corps”, \$1,054,000;
- “Operation and maintenance, Air Force”, \$27,600,000;
- “Operation and maintenance, Defense agencies”, \$14,356,000;
- “Operation and maintenance, Army National Guard”, \$2,000,000;
- “Operation and maintenance, Air National Guard”, \$1,000,000;
- “Court of Military Appeals, Defense”, \$11,000.

## ADMINISTRATIVE PROVISION

The limitation contained in section 606 of the Department of Defense Appropriation Act, 1966, on the funds available for the operation of overseas dependents schools is hereby increased to the extent necessary to meet increased pay costs authorized by Public Law 89-391.

79 Stat. 873.

Ante, p. 117.

## DEPARTMENT OF DEFENSE—CIVIL

## Department of the Army:

- Cemeterial expenses: “Salaries and expenses”, \$67,000;
- Corps of Engineers—Civil: “General expenses”, \$385,000;
- Ryukyu Islands, Army: “Administration”, \$40,000;

## The Panama Canal:

Panama Canal Company: “Limitation on general and administrative expenses” (increase of \$137,000 in the limitation on the amount available for general and administrative expenses);

United States Soldiers' Home: “Limitation on operation and maintenance and capital outlay” (increase of \$146,000 in the amount available for maintenance and operation to be paid from the Soldiers' Home permanent fund).

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

## Public Health Service:

- “Hospitals and medical care”, \$770,000;
- “Foreign quarantine activities”, \$212,000;
- “Indian health activities”, \$1,355,000;

Saint Elizabeths Hospital: “Salaries and expenses”, the total amount available for “Salaries and expenses” in the “Department of Health, Education, and Welfare Appropriation Act, 1966”, is hereby increased from \$29,886,000 to \$30,613,000;

79 Stat. 603.

Social Security Administration: "Limitation on salaries and expenses, Social Security Administration" (increase of \$8,037,000 in the amount to be expended, as authorized by section 201(g)(1) of the Social Security Act, as amended, from any one or all of the trust funds referred to therein);

79 Stat. 338.  
42 USC 401.

Office of the Secretary:

"Salaries and expenses", \$18,000, to be transferred from the Federal old-age and survivors insurance trust fund;  
"Surplus property utilization", \$20,000.

#### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Federal Housing Administration: "Limitation on administrative and nonadministrative expenses, Federal Housing Administration" (increase of \$575,000 in the limitation for nonadministrative expenses);

Public Housing Administration:

"Administrative expenses", \$405,000;  
"Limitation on administrative and nonadministrative expenses, Public Housing Administration" (increase of \$405,000 in the limitation for administrative expenses).

#### DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs:

"Education and welfare services", \$1,202,400;  
"General administrative expenses", \$103,000;

Bureau of Outdoor Recreation: "Salaries and expenses", \$68,000;

Office of Territories: "Trust Territory of the Pacific Islands", \$102,600;

Mineral Resources:

Geological Survey: "Surveys, investigations, and research", \$1,510,000;

Bureau of Mines:

"Conservation and development of mineral resources", \$500,000;

"Health and safety", \$92,000;

"General administrative expenses", \$22,000;

Office of Oil and Gas: "Salaries and expenses", \$16,300;

Fish and Wildlife Service:

Office of the Commissioner of Fish and Wildlife: "Salaries and expenses", \$8,500;

Bureau of Commercial Fisheries:

"Management and investigation of resources", \$86,800, to be derived by transfer from the appropriation for "Federal aid for commercial fisheries, research and development", fiscal year 1966;

"General administrative expenses", \$15,000;

"Administration of Pribilof Islands", \$10,000, to be derived from the Pribilof Islands fund;

Bureau of Sport Fisheries and Wildlife: "General administrative expenses", \$34,300;

National Park Service: "General administrative expenses", \$57,000;

Bureau of Reclamation: "General administrative expenses", \$241,200, to be derived by transfer from the appropriation for "Operation and maintenance", fiscal year 1966;

Bonneville Power Administration: "Operation and maintenance", \$173,000;  
 Southwestern Power Administration: "Operation and maintenance", \$25,300;  
 Office of the Solicitor: "Salaries and expenses", \$109,800;  
 Office of the Secretary: "Salaries and expenses", \$105,000;  
 Office of Water Resources Research: "Salaries and expenses", \$6,000.

#### DEPARTMENT OF JUSTICE

Legal activities and general administration:

Alien property activities: "Limitation on general administrative expenses" (increase of \$7,000 in the amount for general administrative expenses);

"Salaries and expenses, antitrust division", \$45,000;

"Salaries and expenses, United States attorneys and marshals", \$647,000;

Federal Bureau of Investigation: "Salaries and expenses", \$3,735,000;

Immigration and Naturalization Service: "Salaries and expenses", \$1,782,000;

Federal Prison System: "Salaries and expenses", \$1,035,000.

#### DEPARTMENT OF LABOR

Manpower Administration:

Office of Manpower Administrator: "Salaries and expenses", \$66,000, to be derived by transfer from the appropriation for "Unemployment compensation for Federal employees and ex-servicemen", fiscal year 1966;

"Manpower development and training activities", \$25,000, to be derived by transfer from the appropriation for "Unemployment compensation for Federal employees and ex-servicemen", fiscal year 1966;

Bureau of Apprenticeship and Training: "Salaries and expenses", \$87,000, to be derived by transfer from the appropriation for "Unemployment compensation for Federal employees and ex-servicemen", fiscal year 1966;

Wage and Labor Standards:

Bureau of Labor Standards: "Salaries and expenses", \$39,000, to be derived by transfer from the appropriation for "Unemployment compensation for Federal employees and ex-servicemen", fiscal year 1966;

Women's Bureau: "Salaries and expenses", \$11,000, to be derived by transfer from the appropriation for "Unemployment compensation for Federal employees and ex-servicemen", fiscal year 1966;

Bureau of Employees' Compensation: "Salaries and expenses", \$58,000, to be derived by transfer from the appropriation for "Unemployment compensation for Federal employees and ex-servicemen", fiscal year 1966, together with not to exceed \$1,550 to be derived from the fund created by section 44 of the Longshoremen's and Harbor Workers' Compensation Act, as amended (33 U.S.C. 944);

Bureau of Labor Statistics: "Salaries and expenses", \$242,000, to be derived by transfer from the appropriation for "Unemployment compensation for Federal employees and ex-servicemen", fiscal year 1966;

44 Stat. 1444.

Bureau of International Labor Affairs: "Salaries and expenses", \$15,000, to be derived by transfer from the appropriation for "Unemployment compensation for Federal employees and ex-servicemen," fiscal year 1966;

Office of the Solicitor: "Salaries and expenses", \$68,000, to be derived by transfer from the appropriation for "Unemployment compensation for Federal employees and ex-servicemen", fiscal year 1966, together with not to exceed \$3,000 to be derived from the Employment Security Administration account, unemployment trust fund;

Office of the Secretary:

"Salaries and expenses", \$35,000, to be derived by transfer from the appropriation for "Unemployment compensation for Federal employees and ex-servicemen", fiscal year 1966;

"Federal contract compliance program", \$7,000, to be derived by transfer from the appropriation for "Unemployment compensation for Federal employees and ex-servicemen", fiscal year 1966.

#### POST OFFICE DEPARTMENT

(Out of the Postal Fund)

"Administration and regional operation", \$1,500,000.

#### DEPARTMENT OF STATE

Administration of foreign affairs: "Salaries and expenses", \$2,760,000, of which \$1,299,000 shall be derived by transfer from the appropriation for "Contributions to international organizations", fiscal year 1966, and \$123,600 shall be derived by transfer from the appropriation for "extension and remodeling, State Department Building";

International organizations and conferences: "Missions to international organizations", \$59,000, to be derived by transfer from the appropriation for "Contributions to international organizations", fiscal year 1966;

International commissions:

International Boundary and Water Commission, United States and Mexico: "Salaries and expenses", \$17,000, to be derived by transfer from the appropriation for "Contributions to international organizations", fiscal year 1966.

#### TREASURY DEPARTMENT

Office of the Secretary: "Salaries and expenses", \$138,000;

Bureau of Customs: "Salaries and expenses", \$2,043,000;

Bureau of Narcotics: "Salaries and expenses", \$80,000, to be derived by transfer from the appropriation for "Salaries and expenses, Bureau of the Mint", fiscal year 1966.

Bureau of the Public Debt: "Administering the public debt", \$360,000;

Coast Guard:

"Operating expenses", \$9,400,000, of which \$5,000,000 shall be derived by transfer from the appropriation for "Salaries and expenses, Bureau of the Mint", fiscal year 1966;

"Retired pay", \$1,000,000;

"Reserve training", \$1,050,000;

Internal Revenue Service:

"Salaries and expenses", \$381,000;

"Revenue accounting and processing", \$3,472,000;

"Compliance", \$9,305,000;

Office of the Treasurer: "Salaries and expenses", \$60,000, to be derived by transfer from the appropriation for "Salaries and expenses, Bureau of the Mint", fiscal year 1966.

United States Secret Service: "Salaries and expenses, guard force", \$11,000, to be derived by transfer from the appropriation for "Salaries and expenses, United States Secret Service", fiscal year 1966.

#### FEDERAL AVIATION AGENCY

"Operations", \$8,000,000;

"Operation and maintenance, Washington National Airport", \$54,000;

"Operation and maintenance, Dulles International Airport", \$62,000.

#### GENERAL SERVICES ADMINISTRATION

"Operating expenses, Public Buildings Service", \$4,600,000;

"Operating expenses, Federal Supply Service", \$861,000, of which \$55,000 shall be derived by transfer from the appropriation for "Expenses, United States court facilities", fiscal year 1966;

"Operating expenses, National Archives and Records Service", \$336,000;

"Operating expenses, Transportation and Communications Service", \$135,000, of which \$45,000 shall be derived by transfer from the appropriation for "Expenses, United States court facilities", fiscal year 1966, and \$90,000 shall be derived by transfer from the appropriation for "Operating expenses, Utilization and Disposal Service", fiscal year 1966;

"Salaries and expenses, Office of Administrator", \$33,000 to be derived by transfer from the appropriation for "Operating expenses, Utilization and Disposal Service", fiscal year 1966.

#### VETERANS ADMINISTRATION

"General operating expenses", \$1,000,000;

"Medical and prosthetic research", \$365,000;

"Medical care", \$17,456,000.

#### OTHER INDEPENDENT AGENCIES

Civil Aeronautics Board: "Salaries and expenses", \$240,000;

Civil Service Commission:

"Salaries and expenses", \$528,000, and in addition \$15,000 may be derived by transfer from the appropriation, "Investigation of United States citizens for employment by international organizations";

"Limitation on administrative expenses, employees life insurance fund" (increase of \$6,200 in the limitation on the amount available for administrative expenses);

Farm Credit Administration: "Limitation on administrative expenses" (increase of \$28,000 in the limitation on the amount available for administrative expenses);

Federal Coal Mine Safety Board of Review: "Salaries and expenses", \$1,500;

Federal Communications Commission: "Salaries and expenses", \$346,000;

**Federal Home Loan Bank Board :**

“Limitation on administrative and nonadministrative expenses, Federal Home Loan Bank Board” (increase of \$75,000 in the limitation on the amount available for administrative expenses) ;

“Limitation on administrative expenses, Federal Savings and Loan Insurance Corporation” (increase of \$6,000 in the limitation on the amount available for administrative expenses) ;

Federal Maritime Commission: “Salaries and expenses”, \$68,000 ;

Federal Mediation and Conciliation Service: “Salaries and expenses”, \$115,000 ;

Federal Power Commission: “Salaries and expenses”, \$300,000 ;

Federal Trade Commission: “Salaries and expenses”, \$312,500 ;

General Accounting Office: “Salaries and expenses”, \$535,000 ;

Intergovernmental commissions :

Advisory Commission on Intergovernmental Relations: “Salaries and expenses”, \$5,000 ;

Interstate Commerce Commission: “Salaries and expenses”, \$625,000 ;

National Labor Relations Board: “Salaries and expenses”, \$548,100 ;

National Mediation Board: “Salaries and expenses”, \$27,000 ;

Renegotiation Board: “Salaries and expenses”, \$30,000 ;

Small Business Administration: “Salaries and expenses”, \$150,000 ;

Smithsonian Institution :

“Salaries and expenses”, \$453,000 ;

“Salaries and expenses, National Gallery of Art”, \$66,000 ;

Tariff Commission: “Salaries and expenses”, \$46,000 ;

Tax Court of the United States: “Salaries and expenses”, \$12,000 ;

United States Information Agency: “Salaries and expenses”, \$1,005,000.

**DISTRICT OF COLUMBIA**

(Out of District of Columbia Funds)

**Operating expenses :**

“General operating expenses”, \$325,800, of which \$4,000 shall be payable from the highway fund (including \$1,400 from the motor vehicle parking account), \$800 from the water fund, and \$100 from the sanitary sewage works fund ;

“Health and welfare”, \$920,500 ;

“Highways and traffic”, \$95,900, of which \$78,000 shall be payable from the highway fund ;

“Sanitary engineering”, \$253,000, of which \$59,300 shall be payable from the water fund and \$20,700 from the sanitary sewage works fund.

**DIVISION OF EXPENSES**

The sums appropriated in this title for the District of Columbia shall, unless otherwise specifically provided for, be paid out of the general fund of the District of Columbia, as defined in the District of Columbia Appropriation Act, 1966.

79 Stat. 236.

**GENERAL PROVISION**

SEC. 202. Except where specifically increased or decreased elsewhere in this Act, the restrictions contained within appropriations, or provisions affecting appropriations or other funds, available during the

fiscal year 1966, limiting the amounts which may be expended for personal services, or for purposes involving personal services, or amounts which may be transferred between appropriations or authorizations available for or involving such services, are hereby increased to the extent necessary to meet increased pay costs authorized by or pursuant to law.

### TITLE III

#### GENERAL PROVISIONS

SEC. 301. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

Approved May 13, 1966.

Public Law 89-427

#### AN ACT

May 20, 1966  
[S. 1308]

To authorize revised procedures for the destruction of unfit Federal Reserve notes, and for other purposes.

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

SECTION 1. The first sentence of section 324 of the Revised Statutes (12 U.S.C. 1) is amended by inserting "except for the cancellation and destruction, and accounting with respect to such cancellation and destruction, of Federal Reserve notes unfit for circulation," immediately after "of all Federal Reserve notes,"

Unfit Federal Reserve notes. Destruction.

SEC. 2. Paragraph (d) of section 11 of the Federal Reserve Act (12 U.S.C. 248(d)) is amended by inserting "except for the cancellation and destruction, and accounting with respect to such cancellation and destruction, of notes unfit for circulation," immediately after "To supervise and regulate through the Bureau under the charge of the Comptroller of the Currency the issue and retirement of Federal Reserve notes,"

38 Stat. 262.

SEC. 3. The third paragraph of section 16 of the Federal Reserve Act (12 U.S.C. 413) is amended by striking the last sentence and inserting: "Federal Reserve notes unfit for circulation shall be canceled, destroyed, and accounted for under procedures prescribed and at locations designated by the Secretary of the Treasury. Upon destruction of such notes, credit with respect thereto shall be apportioned among the twelve Federal Reserve banks as determined by the Board of Governors of the Federal Reserve System."

40 Stat. 236.

SEC. 4. (a) The first section of the Act of June 13, 1933 (48 Stat. 127, 12 U.S.C. 121a), is amended by inserting "other than Federal Reserve notes," immediately before "so redeemed shall be forwarded to the Comptroller of the Currency for cancellation and destruction."

(b) Section 2 of such Act (12 U.S.C. 122a) is amended by changing "in proportion to the amount of Federal Reserve notes of each Federal Reserve bank in circulation on the 31st day of December of the year preceding the date of redemption, and the amount so apportioned to each bank shall be charged by the Treasurer of the United States against deposit in the gold-redemption fund made by such bank or its Federal Reserve agent" to read "as determined by the Board of Governors of the Federal Reserve System".

SEC. 5. The Comptroller General of the United States shall audit the cancellation and destruction, and the accounting with respect to such cancellation and destruction, of any currency of the United States

Audit by U.S. Comptroller General.

unfit for circulation, regardless of who is responsible for, and regardless of who performs, such cancellation, destruction, or accounting. The Comptroller General shall have access to any books, documents, papers, and records which he deems necessary to facilitate an effective audit pursuant to this section.

Approved May 20, 1966.

Public Law 89-428

AN ACT

May 21, 1966  
[H. R. 14732]

To authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

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

SEC. 101. There is hereby authorized to be appropriated to the Atomic Energy Commission in accordance with the provisions of section 261 of the Atomic Energy Act of 1954, as amended, the sum of \$2,210,658,000 as follows:

(a) For "Operating expenses", \$1,964,128,000.

(b) For "Plant and capital equipment", including construction, acquisition, or modification of facilities, including land acquisition; construction planning and design; and acquisition and fabrication of capital equipment not related to construction, \$246,530,000 as follows:

(1) SPECIAL NUCLEAR MATERIALS.—

Project 67-1-a, isotopes process development laboratory, Savannah River, South Carolina, \$2,000,000.

(2) ATOMIC WEAPONS.—

Project 67-2-a, diagnostic chemistry building addition, Lawrence Radiation Laboratory, Livermore, California, \$1,600,000.

Project 67-2-b, weapons production, development, and test installations, \$10,000,000.

(3) REACTOR DEVELOPMENT.—

Project 67-3-a, fast flux test facility (AE only), \$7,500,000.

Project 67-3-b, modifications and addition to S1W reactor facility, National Reactor Testing Station, Idaho, \$10,000,000.

Project 67-3-c, research and development test plants, Project Rover, Los Alamos Scientific Laboratory, New Mexico, and Nevada Test Site, Nevada, \$2,000,000.

Project 67-3-d, fast neutron generator, Argonne National Laboratory, Illinois, \$1,900,000.

Project 67-3-e, heavy water organic cooled reactor (AE only), \$2,000,000.

Project 67-3-f, modifications to reactors, \$3,000,000.

(4) PHYSICAL RESEARCH.—

Project 67-4-a, low energy accelerator improvements, Argonne National Laboratory, Illinois, \$400,000.

Project 67-4-b, accelerator improvements, zero gradient synchrotron, Argonne National Laboratory, Illinois, \$2,000,000.

Project 67-4-c, accelerator and reactor additions and modifications, Brookhaven National Laboratory, New York, \$800,000.

Project 67-4-d, accelerator improvements, Lawrence Radiation Laboratory, Berkeley, California, \$1,550,000.

Project 67-4-e, accelerator improvements, Cambridge and Princeton accelerators, \$1,850,000.

Project 67-4-f, accelerator improvements, Stanford Linear Accelerator Center, California, \$400,000.

Atomic Energy  
Commission.  
Appropriation  
authorization.

77 Stat. 88.  
42 USC 2017.

## (5) BIOLOGY AND MEDICINE.—

Project 67-5-a, biology laboratory, Pacific Northwest Laboratory, Richland, Washington, \$5,000,000.

## (6) ISOTOPES DEVELOPMENT.—

Project 67-6-a, alpha fuels environmental test facility, Mound Laboratory, Miamisburg, Ohio, \$3,000,000.

## (7) GENERAL PLANT PROJECTS.—\$39,325,000.

## (8) CONSTRUCTION PLANNING AND DESIGN.—\$2,000,000.

(9) CAPITAL EQUIPMENT.—Acquisition and fabrication of capital equipment not related to construction, \$150,205,000.

SEC. 102. LIMITATIONS.—(a) The Commission is authorized to start any project set forth in subsections 101(b) (1), (2), (3), (4), and (6) only if the currently estimated cost of that project does not exceed by more than 25 per centum the estimated cost set forth for that project.

(b) The Commission is authorized to start any project set forth in subsection 101(b) (5) only if the currently estimated cost of that project does not exceed by more than 10 per centum the estimated cost set forth for that project.

(c) The Commission is authorized to start a project under subsection 101(b) (7) only if it is in accordance with the following:

(1) For community operations, the maximum currently estimated cost of any project shall be \$100,000 and the maximum currently estimated cost of any building included in such project shall be \$10,000.

(2) For all other programs, the maximum currently estimated cost of any project shall be \$500,000 and the maximum currently estimated cost of any building included in such project shall be \$100,000.

(3) The total cost of all projects undertaken under subsection 101(b) (7) shall not exceed the estimated cost set forth in that subsection by more than 10 per centum.

SEC. 103. The Commission is authorized to perform construction design services for any Commission construction project whenever (1) such construction project has been included in a proposed authorization bill transmitted to the Congress by the Commission and (2) the Commission determines that the project is of such urgency that construction of the project should be initiated promptly upon enactment of legislation appropriating funds for its construction.

Construction design services.

SEC. 104. When so specified in an appropriation Act, transfers of amounts between "Operating expenses" and "Plant and capital equipment" may be made as provided in such appropriation Act.

Transfer of amounts.

SEC. 105. COOPERATIVE POWER REACTOR DEMONSTRATION PROGRAM.—Section 111 of Public Law 85-162, as amended, is further amended by striking out the date "June 30, 1966" in clause (3) of subsection (a) and inserting in lieu thereof the date "June 30, 1967".

71 Stat. 409;  
79 Stat. 122.

SEC. 106. AMENDMENT OF PRIOR YEAR ACT.—(a) Section 101 of Public Law 89-32 is amended by striking therefrom the figure "\$2,555,521,000" and substituting therefor the figure "\$2,604,821,000", and subsection (b) thereof is amended by striking therefrom the figure "\$294,745,000" and substituting therefor the figure "\$344,045,000".

(b) Section 101(b) (5) of Public Law 89-32 is amended by striking therefrom "Project 66-5-e, alternating gradient synchrotron conversion, Brookhaven National Laboratory, New York (AE only) \$2,000,000," and substituting therefor "Project 66-5-e, alternating gradient synchrotron conversion, Brookhaven National Laboratory, New York, \$47,800,000."

(c) Section 101(b) (5) of Public Law 89-32 is amended by striking therefrom the figure "\$1,200,000" for project 66-5-h, meson physics facility, Los Alamos Scientific Laboratory, New Mexico (AE only), and substituting therefor the figure "\$4,200,000".

79 Stat. 121.

(d) Section 101(b)(6) of Public Law 89-32 is amended by striking therefrom the figure "\$2,000,000" for project 66-6-c, land acquisition, Brookhaven National Laboratory, New York, and substituting therefor the figure "\$2,500,000".

SEC. 107. RESCISSION.—Section 106 of Public Law 89-32, except for funds heretofore obligated, is rescinded.

Approved May 21, 1966.

Public Law 89-429

AN ACT

May 24, 1966  
[S. 3283]

To promote private financing of credit needs and to provide for an efficient and orderly method of liquidating financial assets held by Federal credit agencies, and for other purposes.

Participation  
Sales Act of 1966.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Participation Sales Act of 1966".

78 Stat. 800.  
12 USC 1717.

SEC. 2. (a) Section 302(c) of the Federal National Mortgage Association Charter Act is amended—

(1) by inserting "(1)" immediately following "(c)";

(2) by inserting after "undertakings and activities" a comma and "hereinafter in this subsection called 'trusts'";

(3) by striking "obligations offered to it by the Housing and Home Finance Agency or its Administrator, or by such Agency's constituent units or agencies or the heads thereof, or any first mortgages in which the United States or any agency or instrumentality thereof" in the first sentence thereof and inserting "mortgages or other types of obligations in which any department or agency of the United States listed in paragraph (2) of this subsection";

(4) by striking out the third sentence thereof and substituting therefor the following: "Participations or other instruments issued by the Association pursuant to this subsection shall to the same extent as securities which are direct obligations of or obligations guaranteed as to principal or interest by the United States be deemed to be exempt securities within the meaning of laws administered by the Securities and Exchange Commission."; and

(5) by striking out the fourth sentence thereof.

(b) Section 302(c) of such Act is further amended by adding the following:

"(2) Subject to the limitations provided in paragraph (4) of this subsection, one or more trusts may be established as provided in this subsection by each of the following departments or agencies:

"(A) The Farmers Home Administration of the Department of Agriculture, but only with respect to operating loans, direct farm ownership loans, direct housing loans, and direct soil and water loans. Such trusts may not be established with respect to loans for housing for the elderly under sections 502 and 515(a) of the Housing Act of 1949, nor with respect to loans for nonfarm recreational development.

"(B) The Office of Education of the Department of Health, Education, and Welfare, but only with respect to loans for construction of academic facilities.

"(C) The Department of Housing and Urban Development, except that such authority may not be used with respect to secondary market operations of the Federal National Mortgage Association.

Post, p. 1236.

Establishment  
of trusts.

63 Stat. 433;  
76 Stat. 671.  
42 USC 1472,  
1485.

“(D) The Veterans’ Administration.

“(E) The Export-Import Bank.

“(F) The Small Business Administration.

The head of each such department or agency, hereinafter in this subsection called the ‘trustor’, is authorized to set aside a part or all of any obligations held by him and subject them to a trust or trusts and, incident thereto, shall guarantee to the trustee timely payment thereof. The trust instrument may provide for the issuance and sale of beneficial interests or participations, by the trustee, in such obligations or in the right to receive interest and principal collections therefrom; and may provide for the substitution or withdrawal of such obligations, or for the substitution of cash for obligations. The trust or trusts shall be exempt from all taxation. The trust instrument may also contain other appropriate provisions in keeping with the purposes of this subsection. The Association shall be named and shall act as trustee of any such trusts and, for the purposes thereof, the title to such obligations shall be deemed to have passed to the Association in trust. The trust instrument shall provide that custody, control, and administration of the obligations shall remain in the trustor subjecting the obligations to the trust, subject to transfer to the trustee in event of default or probable default, as determined by the trustee, in the payment of principal and interest of the beneficial interests or participations. Collections from obligations subject to the trust shall be dealt with as provided in the instrument creating the trust. The trust instrument shall provide that the trustee will promptly pay to the trustor the full net proceeds of any sale of beneficial interests or participations to the extent they are based upon such obligations or collections. Such proceeds shall be dealt with as otherwise provided by law for sales or repayment of such obligations. The effect of both past and future sales of any issue of beneficial interests or participations shall be the same, to the extent of the principal of such issue, as the direct sale with recourse of the obligations subject to the trust. Any trustor creating a trust or trusts hereunder is authorized to purchase, through the facilities of the trustee, outstanding beneficial interests or participations to the extent of the amount of his responsibility to the trustee on beneficial interests or participations outstanding, and to pay his proper share of the costs and expenses incurred by the Federal National Mortgage Association as trustee pursuant to the trust instrument.

“(3) When any trustor guarantees to the trustee the timely payment of obligations he subjects to a trust pursuant to this subsection, and it becomes necessary for such trustor to meet his responsibilities under such guaranty, he is authorized to fulfill such guaranty.

“(4) Beneficial interests or participations shall not be issued for the account of any trustor in an aggregate principal amount greater than is authorized with respect to such trustor in an appropriation Act. Any such authorization shall remain available only for the fiscal year for which it is granted and for the succeeding fiscal year.

“(5) The Association, as trustee, is authorized to issue and sell beneficial interests or participations under this subsection, notwithstanding that there may be an insufficiency in aggregate receipts from obligations subject to the related trust to provide for the payment by the trustee (on a timely basis out of current receipts or otherwise) of all interest or principal on such interests or participations (after provision for all costs and expenses incurred by the trustee, fairly prorated among trustors). There are authorized to be appropriated without fiscal year limitation such sums as may be necessary to enable any trustor to pay the trustee such insufficiency as the trustee may require on account of outstanding beneficial interests or participations

authorized to be issued pursuant to paragraph (4) of this subsection. Such trustor shall make timely payments to the trustee from such appropriations, subject to and in accord with the trust instrument."

SEC. 3. (a) Section 305(c) of the Federal National Mortgage Association Charter Act is amended by deleting "by \$450,000,000 on July 1, 1966,".

(b) Section 401(d) of the Housing Act of 1950 is amended by deleting "1968:" immediately preceding the first proviso and by substituting therefor "1965, and 1967 and 1968:".

SEC. 4. (a) Section 303(c) of title III of the Higher Education Facilities Act of 1963 is amended by striking out the first nine words in the second sentence and substituting therefor the following: "For the purpose of making payments into the fund established under section 305".

(b) Title III of the Higher Education Facilities Act of 1963 is further amended by adding after section 304 the following new section:

"REVOLVING LOAN FUND

"SEC. 305. (a) There is hereby created within the Treasury a separate fund for higher education academic facilities loans (hereafter in this section called 'the fund') which shall be available to the Commissioner without fiscal year limitation as a revolving fund for the purposes of this title. The total of any loans made from the fund in any fiscal year shall not exceed limitations specified in appropriation Acts. A business-type budget for the fund shall be prepared, transmitted to the Congress, considered, and enacted in the manner prescribed by law (sections 102, 103, and 104 of the Government Corporation Control Act (31 U.S.C. 847-849) for wholly owned Government corporations.

"(b) (1) The Commissioner, when authorized by an appropriation Act, may transfer to the fund available appropriations provided under section 303(c) to provide capital for the fund. All amounts received by the Commissioner as interest payments or repayments of principal on loans, and any other moneys, property, or assets derived by him from his operations in connection with this title, including any moneys derived directly or indirectly from the sale of assets, or beneficial interests or participations in assets, of the fund, shall be deposited in the fund.

"(2) All loans, expenses, and payments pursuant to operations of the Commissioner under this title shall be paid from the fund, including (but not limited to) expenses and payments of the Commissioner in connection with sale, under section 302(c) of the Federal National Mortgage Association Charter Act, of participations in obligations acquired under this title. From time to time, and at least at the close of each fiscal year, the Commissioner shall pay from the fund into the Treasury as miscellaneous receipts interest on the cumulative amount of appropriations paid out for loans under this title or available as capital to the fund, less the average undisbursed cash balance in the fund during the year. The rate of such interest shall be determined by the Secretary of the Treasury, taking into consideration the average market yield during the month preceding each fiscal year on outstanding Treasury obligations of maturity comparable to the average maturity of loans made from the fund. Interest payments may be deferred with the approval of the Secretary of the Treasury, but any

75 Stat. 175;  
79 Stat. 493.  
12 USC 1720.  
73 Stat. 681;  
79 Stat. 489.  
12 USC 1749.

77 Stat. 372.  
20 USC 743.

59 Stat. 598.

Ante, p. 164.

interest payments so deferred shall themselves bear interest. If at any time the Commissioner determines that moneys in the fund exceed the present and any reasonably prospective future requirements of the fund, such excess may be transferred to the general fund of the Treasury."

SEC. 5. Section 338(c) of the Consolidated Farmers Home Administration Act of 1961 is amended by striking in the second sentence "and (8)" and inserting in lieu thereof "(8) section 8 of the Watershed Protection and Flood Prevention Act, as amended (16 U.S.C. 1006a); (9) section 32(e) of the Bankhead-Jones Farm Tenant Act, as amended (7 U.S.C. 1011); and (10)"; and by inserting in the fifth sentence after "title," the following: "section 8 of the Watershed Protection and Flood Prevention Act, as amended, and section 32(e) of the Bankhead-Jones Farm Tenant Act, as amended."

SEC. 6. (a) Nothing in this Act shall be construed to repeal or modify the provisions of section 1820(e) of title 38, United States Code, respecting the authority of the Administrator of Veterans' Affairs.

(b) After June 30, 1966, no department or agency listed in section 302(c)(2) of the Federal National Mortgage Association Charter Act may sell any obligation held by it except as provided in section 302(c) of that Act, or as approved by the Secretary of the Treasury, except that this prohibition shall not apply to secondary market operations carried on by the Federal National Mortgage Association.

SEC. 7. Paragraph (7) of section 8 of the Federal Credit Union Act (12 U.S.C. 1757) is amended to read:

"(7) to invest its funds (A) in loans exclusively to members; (B) in obligations of the United States of America, or securities fully guaranteed as to principal and interest thereby; (C) in accordance with rules and regulations prescribed by the Director, in loans to other credit unions in the total amount not exceeding 25 per centum of its paid-in and unimpaired capital and surplus; (D) in shares or accounts of savings and loan associations, the accounts of which are insured by the Federal Savings and Loan Insurance Corporation; (E) in obligations issued by banks for cooperatives, Federal land banks, Federal intermediate credit banks, Federal home loan banks, the Federal Home Loan Bank Board, or any corporation designated in section 101 of the Government Corporation Control Act as a wholly owned Government corporation; or in obligations, participations, or other instruments of or issued by, or fully guaranteed as to principal and interest by, the Federal National Mortgage Association; or (F) in participation certificates evidencing beneficial interests in obligations, or in the right to receive interest and principal collections therefrom, which obligations have been subjected by one or more Government agencies to a trust or trusts for which any executive department, agency, or instrumentality of the United States (or the head thereof) has been named to act as trustee;"

SEC. 8. The Secretary of the Treasury, in consultation with heads of agencies of the United States carrying on direct loan programs, shall conduct a study, in such manner as he shall determine, on the feasibility, advantages, and disadvantages of direct loan programs compared to guaranteed or insured loan programs and shall report his findings together with specific legislative proposals to the Congress not later than six months after the effective date of this Act. There are authorized to be appropriated such sums as necessary for the purpose of this section.

75 Stat. 317.  
7 USC 1988.

70 Stat. 1090.

76 Stat. 607.

78 Stat. 800.

Ante, p. 164.

73 Stat. 630.

Report to Congress.

Appropriation.

SEC. 9. The Federal National Mortgage Association is authorized during the fiscal year 1966 to sell—

(1) additional participations in the Government Mortgage Liquidation Trust, and

(2) participations in a trust to be established by the Small Business Administration,

each without regard to the provisions of paragraph (4) of section 302(c) of the Federal National Mortgage Association Charter Act.

Approved May 24, 1966.

Ante, p. 165.

### Public Law 89-430

#### AN ACT

May 26, 1966  
[S. 1098]

To amend section 1(14) (a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 1(14) (a) of the Interstate Commerce Act is amended by adding at the end thereof the following: "In fixing such compensation to be paid for the use of any type of freight car, the Commission shall give consideration to the national level of ownership of such type of freight car and to other factors affecting the adequacy of the national freight car supply, and shall, on the basis of such consideration, determine whether compensation should be computed solely on the basis of elements of ownership expense involved in owning and maintaining such type of freight car, including a fair return on value, or whether such compensation should be increased by such incentive element or elements of compensation as in the Commission's judgment will provide just and reasonable compensation to freight car owners, contribute to sound car service practices (including efficient utilization and distribution of cars), and encourage the acquisition and maintenance of a car supply adequate to meet the needs of commerce and the national defense. The Commission shall not make any incentive element applicable to any type of freight car the supply of which the Commission finds to be adequate and may exempt from the compensation to be paid by any group of carriers such incentive element or elements if the Commission finds it to be in the national interest."

Railroad freight cars.  
54 Stat. 901.  
49 USC 1.

Effective date.

SEC. 2. Any compensation fixed pursuant to the amendment made to the Interstate Commerce Act by the first section of this Act shall not take effect before September 1, 1966.

Approved May 26, 1966.

### Public Law 89-431

#### AN ACT

May 26, 1966  
[H. R. 8376]

To amend title I of the Tariff Act of 1930 to make permanent the existing duty-free treatment for certain corkboard insulation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) item 220.30 of title I of the Tariff Act of 1930 (Tariff Schedules of the United States; 28 Fed. Reg., part II, page 93, Aug. 17, 1963; 77A Stat. 93; 19 U.S.C., sec. 1202) is amended by striking out "2.5¢ per board ft." each place it appears and inserting in lieu thereof "Free".

(b) Item 904.40 (77A Stat. 432) of such title I is repealed.

Corkboard insulation.  
Free entry.

Repeal.

SEC. 2. The amendments made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption after the date of the enactment of this Act.

Approved May 26, 1966.

Public Law 89-432

AN ACT

May 31, 1966  
[H. R. 10998]

To continue for a temporary period the existing suspension of duty on heptanoic acid.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That item 907.30 of the Tariff Schedules of the United States (19 U.S.C., sec. 1202, item 907.30) is amended by striking out "On or before 8/8/66" and inserting in lieu thereof "On or before 8/8/69".

Heptanoic acid.  
Duty suspension.  
77A Stat. 432.

Approved May 31, 1966.

Public Law 89-433

AN ACT

May 31, 1966  
[H. R. 11653]

To make permanent the existing suspension of duty on certain natural graphite.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) item 517.31 of the Tariff Schedules of the United States (19 U.S.C., sec. 1202, item 517.31) is repealed and there is inserted in lieu thereof the following:

Natural graphite.  
Duty suspension.  
77A Stat. 229.

" 

517.30	Other:	Free	10% ad val.
517.33	If valued \$50 per ton or less.....	0.5% ad val.	10% ad val.
	Other.....		

 "

(b) Item 909.20 of such Schedules (19 U.S.C., sec. 1202, item 909.20) is repealed.

77A Stat. 433.

(c) Subsections (a) and (b) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption, after June 30, 1966.

Approved May 31, 1966.

Public Law 89-434

AN ACT

May 31, 1966  
[H. R. 12997]

To extend until July 15, 1968, the suspension of duty on electrodes imported for use in producing aluminum.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the matter appearing in the effective period column for item 909.25 of the Tariff Schedules of the United States (19 U.S.C., sec. 1202, item 909.25) is amended by striking out "7/15/66" and inserting in lieu thereof "7/15/68".

Certain electrodes.  
Duty suspension.  
79 Stat. 950.

SEC. 2. The amendment made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption, after July 15, 1966.

Approved May 31, 1966.

## Public Law 89-435

May 31, 1966  
[H. R. 14215]

## AN ACT

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1967, and for other purposes.

Department of  
the Interior and  
Related Agencies  
Appropriation Act,  
1967.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending June 30, 1967, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR  
PUBLIC LAND MANAGEMENT

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, and performance of other functions, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, \$48,855,000.

CONSTRUCTION AND MAINTENANCE

For acquisition, construction and maintenance of buildings, appurtenant facilities, and other improvements, and maintenance of access roads, \$3,032,000, to remain available until expended.

PUBLIC LANDS DEVELOPMENT ROADS AND TRAILS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

For liquidation of obligations incurred pursuant to authority contained in title 23, United States Code, section 203, \$2,000,000, to remain available until expended.

72 Stat. 906.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of rights-of-way and of existing connecting roads on or adjacent to such lands; an amount equivalent to 25 per centum of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands, to remain available until expended: *Provided*, That the amount appropriated herein for the purposes of this appropriation on lands administered by the Forest Service shall be transferred to the Forest Service, Department of Agriculture: *Provided further*, That the amount appropriated herein for road construction on lands other than those administered by the Forest Service shall be transferred to the Bureau of Public Roads, Department of Commerce: *Provided further*, That the amount appropriated herein is hereby made a reimbursable charge against the Oregon and California land-grant fund and

shall be reimbursed to the general fund in the Treasury in accordance with the provisions of the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (50 Stat. 876).

43 USC 1181f.

#### RANGE IMPROVEMENTS

For construction, purchase, and maintenance of range improvements pursuant to the provisions of sections 3 and 10 of the Act of June 28, 1934, as amended (43 U.S.C. 315), sums equal to the aggregate of all moneys received, during the current fiscal year, as range improvements fees under section 3 of said Act, 25 per centum of all moneys received, during the current fiscal year, under section 15 of said Act, and the amount designated for range improvements from grazing fees from Bankhead-Jones lands transferred to the Department of the Interior by Executive Order 10787, dated November 6, 1958, to remain available until expended.

48 Stat. 1270;  
61 Stat. 790.

49 Stat. 1978.

3 CFR 1954-  
1958 Comp.,  
p. 424.

#### ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Land Management shall be available for purchase of one passenger motor vehicle for replacement only; purchase of one aircraft for replacement only; purchase, erection, and dismantlement of temporary structures; and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title: *Provided*, That of appropriations herein made for the Bureau of Land Management expenditures in connection with the reverted Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands (other than expenditures made under the appropriation "Oregon and California grant lands") shall be reimbursed from the 25 per centum referred to in subsection (c), title II, of the Act approved August 28, 1937 (50 Stat. 876), of the special fund designated the "Oregon and California land-grant fund" and section 4 of the Act approved May 24, 1939 (53 Stat. 754), of the special fund designated the "Coos Bay Wagon Road grant fund": *Provided further*, That appropriations herein made may be expended on a reimbursable basis for (1) surveys of lands other than those under the jurisdiction of the Bureau of Land Management and (2) protection and leasing of lands and mineral resources for the State of Alaska.

43 USC 1181f.

#### BUREAU OF INDIAN AFFAIRS

##### EDUCATION AND WELFARE SERVICES

For expenses necessary to provide education and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment (in advance or from date of admission), of care, tuition, assistance, and other expenses of Indians in boarding homes, institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order, and payment of rewards for information or evidence concerning violations of law on Indian reservations or lands; and operation of Indian arts and crafts shops; \$114,690,300: *Provided*, That not to exceed \$85,000 of this appropriation shall be made available to the San Carlos Apache Indian Tribe for maintenance of law and order.

##### RESOURCES MANAGEMENT

For expenses necessary for management, development, improvement, and protection of resources and appurtenant facilities under the juris-

diction of the Bureau of Indian Affairs, including payment of irrigation assessments and charges; acquisition of water rights; advances for Indian industrial and business enterprises; operation of Indian arts and crafts shops and museums; and development of Indian arts and crafts, as authorized by law; \$44,086,000.

#### CONSTRUCTION

For construction, major repair, and improvement of irrigation and power systems, buildings, utilities, and other facilities; acquisition of lands and interests in lands; preparation of lands for farming; and architectural and engineering services by contract; \$56,118,000, to remain available until expended: *Provided*, That no part of the sum herein appropriated shall be used for the acquisition of land within the States of Arizona, California, Colorado, New Mexico, South Dakota, and Utah outside of the boundaries of existing Indian reservations except lands authorized by law to be acquired for the Navajo Indian Irrigation Project: *Provided further*, That no part of this appropriation shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, and Washington either inside or outside the boundaries of existing reservations except such lands as may be required for replacement of the Wild Horse Dam in the State of Nevada: *Provided further*, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: *Provided further*, That not to exceed \$468,000 shall be for assistance to the Maddock, North Dakota, Public School District No. 9 for construction of a public high school.

#### ROAD CONSTRUCTION (LIQUIDATION OF CONTRACT AUTHORIZATION)

72 Stat. 906.

For liquidation of obligations incurred pursuant to authority contained in title 23, United States Code, section 203, \$16,889,000, to remain available until expended.

#### GENERAL ADMINISTRATIVE EXPENSES

For expenses necessary for the general administration of the Bureau of Indian Affairs, including such expenses in field offices, \$4,623,000.

#### TRIBAL FUNDS

In addition to the tribal funds authorized to be expended by existing law, there is hereby appropriated \$3,000,000 from tribal funds not otherwise available for expenditure for the benefit of Indians and Indian tribes, including pay and travel expenses of employees; care, tuition, and other assistance to Indian children attending public and private schools (which may be paid in advance or from date of admission); purchase of land and improvements on land, title to which shall be taken in the name of the United States in trust for the tribe for which purchased; lease of lands and water rights; compensation and expenses of attorneys and other persons employed by Indian tribes under approved contracts; pay, travel, and other expenses of tribal officers, councils, and committees thereof, or other tribal organizations, including mileage for use of privately owned automobiles and per diem in lieu of subsistence at rates established administratively but not to exceed those applicable to civilian employees of the Government; relief of Indians, without regard to section 7 of the Act of May 27, 1930 (46 Stat. 391), including cash grants; and employment of a curator for the Osage Museum, who shall be appointed with the

approval of the Osage Tribal Council and without regard to the classification laws: *Provided*, That in addition to the amount appropriated herein, tribal funds may be advanced to Indian tribes during the current fiscal year for such purposes as may be designated by the governing body of the particular tribe involved and approved by the Secretary: *Provided further*, That funds derived from appropriations in satisfaction of awards of the Indian Claims Commission and the Court of Claims shall not be available for advances, except for such amounts as may be necessary to pay attorney fees, expenses of litigation, and expenses of program planning, until after legislation has been enacted that sets forth the purposes for which said funds will be used: *Provided, however*, That no part of this appropriation or other tribal funds shall be used for the acquisition of land or water rights within the States of Nevada, Oregon, and Washington, either inside or outside the boundaries of existing Indian reservations, if such acquisition results in the property being exempted from local taxation, except as provided for by the Act of July 24, 1956 (70 Stat. 627).

#### ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans) shall be available for expenses of exhibits; purchase of not to exceed ninety-three passenger motor vehicles (including thirty-five for police-type use which may exceed by \$300 each the general purchase price limitation for the current fiscal year), of which seventy shall be for replacement only, which may be used for the transportation of Indians; advance payments for service (including services which may extend beyond the current fiscal year) under contracts executed pursuant to the Act of June 4, 1936 (25 U.S.C. 452), the Act of August 3, 1956 (70 Stat. 986), and legislation terminating Federal supervision over certain Indian tribes; and expenses required by continuing or permanent treaty provisions.

49 Stat. 1458.  
77 Stat. 471;  
79 Stat. 74.  
25 USC 309, 309a.

#### BUREAU OF OUTDOOR RECREATION

##### SALARIES AND EXPENSES

For necessary expenses of the Bureau of Outdoor Recreation, not otherwise provided for, \$3,910,000.

#### LAND AND WATER CONSERVATION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), including \$2,560,000 for administrative expenses of the Bureau of Outdoor Recreation during the current fiscal year, and acquisition of land or waters, or interests therein, in accordance with the statutory authority applicable to the State or Federal agency concerned, to be derived from the Land and Water Conservation Fund, established by section 2 of said Act, and to remain available until expended, not to exceed \$110,000,000 of which (1) not to exceed \$65,703,000 shall be available for payments to the States to be matched by the individual States with an equal amount; (2) not to exceed \$23,471,500 shall be available to the National Park Service; (3) not to exceed \$18,093,000 shall be available to the Forest Service; and (4) not to exceed \$172,500 shall be available to the Bureau of Sport Fisheries and Wildlife: *Provided*, That in the event the receipts available in the Land and Water Conservation Fund are insufficient to provide the full amounts specified herein, the amounts available under clauses (1) through (4) shall be reduced proportionately.

16 USC 4601-4  
note.

## OFFICE OF TERRITORIES

## ADMINISTRATION OF TERRITORIES

For expenses necessary for the administration of Territories and for the departmental administration of the Trust Territory of the Pacific Islands, under the jurisdiction of the Department of the Interior, including expenses of the offices of the Governors of Guam and American Samoa, as authorized by law (48 U.S.C., secs. 1422, 1661(c)); salaries of the Governor of the Virgin Islands, the Government Secretary, the Government Comptroller, and the members of the immediate staffs as authorized by law (48 U.S.C. 1591, 72 Stat. 1095); compensation and mileage of members of the legislature in American Samoa as authorized by law (48 U.S.C. sec. 1661(c)); compensation and expenses of the judiciary in American Samoa as authorized by law (48 U.S.C. 1661(c)); grants to American Samoa, in addition to current local revenues, for support of governmental functions; loans and grants to Guam, as authorized by law (Public Law 88-170); and personal services, household equipment and furnishings, and utilities necessary in the operation of the houses of the Governors of Guam and American Samoa; \$10,513,000, to remain available until expended: *Provided*, That the Territorial and local governments herein provided for are authorized to make purchases through the General Services Administration: *Provided further*, That appropriations available for the administration of Territories may be expended for the purchase, charter, maintenance, and operation of aircraft and surface vessels for official purposes and for commercial transportation purposes found by the Secretary to be necessary.

64 Stat. 386;  
45 Stat. 1253.

68 Stat. 503.

77 Stat. 302.

## TRUST TERRITORY OF THE PACIFIC ISLANDS

For expenses necessary for the Department of the Interior in administration of the Trust Territory of the Pacific Islands pursuant to the Trusteeship Agreement approved by joint resolution of July 18, 1947 (61 Stat. 397), and the Act of June 30, 1954 (68 Stat. 330), as amended (76 Stat. 171), including the expenses of the High Commissioner of the Trust Territory of the Pacific Islands; compensation and expenses of the Judiciary of the Trust Territory of the Pacific Islands; grants to the Trust Territory of the Pacific Islands in addition to local revenues, for support of governmental functions; \$17,494,000, to remain available until expended: *Provided*, That all financial transactions of the Trust Territory, including such transactions of all agencies or instrumentalities established or utilized by such Trust Territory, shall be audited by the General Accounting Office in accordance with the provisions of the Budget and Accounting Act, 1921 (42 Stat. 23), as amended, and the Accounting and Auditing Act of 1950 (64 Stat. 834): *Provided further*, That the government of the Trust Territory of the Pacific Islands is authorized to make purchases through the General Services Administration: *Provided further*, That appropriations available for the administration of the Trust Territory of the Pacific Islands may be expended for the purchase, charter, maintenance, and operation of aircraft and surface vessels for official purposes and for commercial transportation purposes found by the Secretary to be necessary in carrying out the provisions of article 6(2) of the Trusteeship Agreement approved by Congress.

61 Stat. 3301.

78 Stat. 601.  
48 USC 1681 and  
notes.

31 USC 1.

31 USC 65 note.

## ALASKA RAILROAD

## ALASKA RAILROAD REVOLVING FUND

The Alaska Railroad Revolving Fund shall continue available until expended for the work authorized by law, including operation and maintenance of oceangoing or coastwise vessels by ownership, charter, or arrangement with other branches of the Government service, for the purpose of providing additional facilities for transportation of freight, passengers, or mail, when deemed necessary for the benefit and development of industries or travel in the area served; and payment of compensation and expenses as authorized by section 42 of the Act of September 7, 1916 (5 U.S.C. 793), to be reimbursed as therein provided: *Provided*, That no employee shall be paid an annual salary out of said fund in excess of the salaries prescribed by the Classification Act of 1949, as amended, for grade GS-15, except the general manager of said railroad, one assistant general manager at not to exceed the salaries prescribed by said Act for GS-17, and five officers at not to exceed the salaries prescribed by said Act for grade GS-16.

39 Stat. 750.

Post, p. 288.

## MINERAL RESOURCES

## GEOLOGICAL SURVEY

## SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the Geological Survey to perform surveys, investigations, and research covering topography, geology, and the mineral and water resources of the United States, its Territories and possessions, and other areas as authorized by law (72 Stat. 837 and 76 Stat. 427); classify lands as to mineral character and water and power resources; give engineering supervision to power permits and Federal Power Commission licenses; enforce departmental regulations applicable to oil, gas, and other mining leases, permits, licenses, and operating contracts; control the interstate shipment of contraband oil as required by law (15 U.S.C. 715); administer the minerals exploration program (30 U.S.C. 641); and publish and disseminate data relative to the foregoing activities; \$80,032,000, of which \$12,950,000 shall be available only for cooperation with States or municipalities for water resources investigations, and \$216,000 shall remain available until expended, to provide financial assistance to participants in minerals exploration projects, as authorized by law (30 U.S.C. 641-646), including administration of contracts entered into prior to June 30, 1958, under section 303 of the Defense Production Act of 1950, as amended: *Provided*, That no part of this appropriation shall be used to pay more than one-half the cost of any topographic mapping or water resources investigations carried on in cooperation with any State, or municipality.

5 USC 485 note;  
43 USC 31.49 Stat. 30.  
72 Stat. 700.65 Stat. 133.  
50 USC app.  
2093.

## ADMINISTRATIVE PROVISIONS

The amount appropriated for the Geological Survey shall be available for purchase of not to exceed forty-six passenger motor vehicles, for replacement only; reimbursement of the General Services Administration for security guard service for protection of confidential files; contracting for the furnishing of topographic maps and for the

making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gaging stations and observation wells; expenses of U.S. National Committee on Geology; and payment of compensation and expenses of persons on the rolls of the Geological Survey appointed, as authorized by law, to represent the United States in the negotiation and administration of interstate compacts.

## BUREAU OF MINES

### CONSERVATION AND DEVELOPMENT OF MINERAL RESOURCES

For expenses necessary for promoting the conservation, exploration, development, production, and utilization of mineral resources, including fuels, in the United States, its Territories, and possessions; and developing synthetics and substitutes; \$34,740,000.

### HEALTH AND SAFETY

For expenses necessary for promotion of health and safety in mines and in the minerals industries, and controlling fires in coal deposits, as authorized by law; \$9,390,000.

### SOLID WASTE DISPOSAL

For expenses necessary to carry out the functions of the Secretary of the Interior under the Solid Waste Disposal Act, \$4,300,000, to remain available until expended.

79 Stat. 997.  
42 USC 3251  
note.

### APPALACHIAN REGION MINING AREA RESTORATION

For expenses necessary in carrying out a nationwide study of strip and surface mine rehabilitation and reclamation, and a program of mining area restoration, as authorized by section 205 of the Appalachian Regional Development Act of 1965, \$7,000,000, to remain available until expended: *Provided*, That this appropriation shall not be available for the purchase, or for sharing in the cost of purchase, of lands or interests therein.

79 Stat. 13.  
40 USC app.  
205.

### GENERAL ADMINISTRATIVE EXPENSES

For expenses necessary for general administration of the Bureau of Mines; \$1,556,000.

### ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the Bureau of Mines may be expended for purchase of not to exceed seventy-five passenger motor vehicles for replacement only; purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work: *Provided*, That the Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private: *Provided further*, That the Bureau of Mines is authorized, during the current fiscal year, to sell directly or through any Government agency, including corporations, any metal or mineral product that may be manufactured in pilot plants operated by the Bureau of Mines, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts.

## HELIUM FUND

The Secretary is authorized to borrow from the Treasury for payment to the helium production fund pursuant to section 12(a) of the Helium Act Amendments of 1960 to carry out the provisions of the Act and contractual obligations thereunder, including helium purchases, to remain available without fiscal year limitation, \$26,000,000, in addition to amounts heretofore authorized to be borrowed.

74 Stat. 923.  
50 USC 167j.

## OFFICE OF COAL RESEARCH

## SALARIES AND EXPENSES

For necessary expenses to encourage and stimulate the production and conservation of coal in the United States through research and development, as authorized by law (74 Stat. 337), \$8,220,000 to remain available until expended, of which not to exceed \$367,000 shall be available for administration and supervision.

30 USC 661-668.

## OFFICE OF OIL AND GAS

## SALARIES AND EXPENSES

For necessary expenses to enable the Secretary to discharge his responsibilities with respect to oil and gas, including cooperation with the petroleum industry and State authorities in the production, processing, and utilization of petroleum and its products, and natural gas, \$722,000.

## BUREAU OF COMMERCIAL FISHERIES

## MANAGEMENT AND INVESTIGATIONS OF RESOURCES

For expenses necessary for scientific and economic studies, conservation, management, investigation, protection, and utilization of commercial fishery resources, including whales, sea lions, and related aquatic plants and products; collection, compilation, and publication of information concerning such resources; promotion of education and training of fishery personnel; and the performance of other functions related thereto, as authorized by law; \$20,701,000, and in addition, \$1,000,000 to be derived from the Pribilof Islands fund.

## MANAGEMENT AND INVESTIGATIONS OF RESOURCES

## (SPECIAL FOREIGN CURRENCY PROGRAM)

For payments in foreign currencies which the Treasury Department shall determine to be excess to the normal requirements of the United States, for necessary expenses of the Bureau of Commercial Fisheries, as authorized by law, \$500,000, to remain available until expended: *Provided*, That this appropriation shall be available, in addition to other appropriations to such agency, for payments in the foregoing currencies.

## CONSTRUCTION

For construction and acquisition of buildings and other facilities required for the conservation, management, investigation, protection, and utilization of commercial fishery resources and the acquisition of lands and interests therein, \$1,245,000, to remain available until expended.

## CONSTRUCTION OF FISHING VESSELS

For expenses necessary to carry out the provisions of the Act of June 12, 1960 (74 Stat. 212), as amended by the Act of August 30, 1964 (78 Stat. 614), to assist in the construction of fishing vessels, \$3,000,000, to remain available until expended.

46 USC 1401-1413.

## FEDERAL AID FOR COMMERCIAL FISHERIES

## RESEARCH AND DEVELOPMENT

For expenses necessary to carry out the provisions of the Commercial Fisheries Research and Development Act of 1964 (78 Stat. 197), \$4,710,000, of which not to exceed \$210,000 shall be available for program administration and \$400,000 shall be available until expended pursuant to the provisions of section 4(b) of the Act: *Provided*, That the sum of \$4,100,000 available for apportionment to the States pursuant to section 5(a) of the Act shall remain available until the close of the fiscal year following the year for which appropriated.

16 USC 779 note.

## ANADROMOUS AND GREAT LAKES FISHERIES CONSERVATION

For expenses necessary to carry out the provisions of the Act of October 30, 1965 (79 Stat. 1125), \$2,675,000.

16 USC 757a-757f.

## GENERAL ADMINISTRATIVE EXPENSES

For expenses necessary for general administration of the Bureau of Commercial Fisheries, including such expenses in the regional offices, \$739,000.

## ADMINISTRATION OF PRIBILOF ISLANDS

For carrying out the provisions of the Act of February 26, 1944, as amended (16 U.S.C. 631a-631q), there are appropriated amounts not to exceed \$2,468,000, to be derived from the Pribilof Islands fund.

58 Stat. 100.

## LIMITATION ON ADMINISTRATIVE EXPENSES, FISHERIES LOAN FUND

During the current fiscal year not to exceed \$309,000 of the Fisheries loan fund shall be available for administrative expenses.

## ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the Bureau of Commercial Fisheries shall be available for purchase of not to exceed twenty passenger motor vehicles, of which seventeen shall be for replacement only (including one for police-type use which may exceed by \$300 the general purchase price limitation for the current fiscal year); purchase of one replacement aircraft; publication and distribution of bulletins as authorized by law (7 U.S.C. 417); rations or commutation of rations for officers and crews of vessels at rates not to exceed \$3 per man per day; options for the purchase of land at not to exceed \$1 for each option; and maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Bureau of Commercial Fisheries to which the United States has title, and which are utilized pursuant to law in connection with management and investigations of fishery resources.

34 Stat. 690.

## BUREAU OF SPORT FISHERIES AND WILDLIFE

## MANAGEMENT AND INVESTIGATIONS OF RESOURCES

For expenses necessary for scientific and economic studies, conservation, management, investigation, protection, and utilization of sport fishery and wildlife resources, except whales, seals, and sea lions, and for the performance of other authorized functions related to such resources; operation of the industrial properties within the Crab Orchard National Wildlife Refuge (61 Stat. 770); and maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge; \$38,145,800.

## CONSTRUCTION

For construction and acquisition of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of sport fishery and wildlife resources, and the acquisition of lands and interests therein, \$7,118,600, to remain available until expended: *Provided*, That the unobligated balance remaining on June 30, 1966, of the appropriation granted under this head in the Department of the Interior and Related Agencies Appropriation Act, 1966, shall remain available until expended.

79 Stat. 184.

## MIGRATORY BIRD CONSERVATION ACCOUNT

For an advance to the migratory bird conservation account, as authorized by the Act of October 4, 1961 (16 U.S.C. 715k-3, 5), \$6,000,000, to remain available until expended.

75 Stat. 813.

## APPALACHIAN REGION FISH AND WILDLIFE RESTORATION PROJECTS

For expenses necessary in carrying out a fish and wildlife restoration program, as authorized by section 205 of the Appalachian Regional Development Act of 1965, \$500,000, to remain available until expended: *Provided*, That this appropriation shall not be available for the purchase, or for sharing in the cost of purchase, of lands or interests therein.

79 Stat. 13.  
40 USC app.  
205.

## ANADROMOUS AND GREAT LAKES FISHERIES CONSERVATION

For expenses necessary to carry out the provisions of the Act of October 30, 1965 (79 Stat. 1125), \$2,675,000.

16 USC 757a-  
757f.

## GENERAL ADMINISTRATIVE EXPENSES

For expenses necessary for general administration of the Bureau of Sport Fisheries and Wildlife, including such expenses in the regional offices, \$1,549,000.

## ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the Bureau of Sport Fisheries and Wildlife shall be available for purchase of not to exceed one hundred and twenty-three passenger motor vehicles, of which one hundred and thirteen are for replacement only (including sixty-three for police-type use which may exceed by \$300 each the general purchase price limitation for the current fiscal year); purchase of not to exceed five aircraft, for replacement only; not to exceed \$50,000 for

34 Stat. 690.

payment, in the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau of Sport Fisheries and Wildlife; publication and distribution of bulletins as authorized by law (7 U.S.C. 417); rations or commutation of rations for officers and crews of vessels at rates not to exceed \$3 per man per day; insurance on official motor vehicles, aircraft and boats operated by the Bureau of Sport Fisheries and Wildlife in foreign countries; repair of damage to public roads within and adjacent to reservation areas caused by operations of the Bureau of Sport Fisheries and Wildlife, options for the purchase of land at not to exceed \$1 for each option; facilities incident to such public recreational uses on conservation areas as are not inconsistent with their primary purposes; and the maintenance and improvement of aquaria, buildings and other facilities under the jurisdiction of the Bureau of Sport Fisheries and Wildlife and to which the United States has title, and which are utilized pursuant to law in connection with management and investigation of fish and wildlife resources.

#### NATIONAL PARK SERVICE

##### MANAGEMENT AND PROTECTION

For expenses necessary for the management and protection of the areas and facilities administered by the National Park Service, including protection of lands in process of condemnation; plans, investigations, and studies of the recreational resources (exclusive of preparation of detail plans and working drawings) and archeological values in river basins of the United States (except the Missouri River Basin); and not to exceed \$88,000 for the Roosevelt Campobello International Park Commission, \$35,932,800.

##### MAINTENANCE AND REHABILITATION OF PHYSICAL FACILITIES

For expenses necessary for the operation, maintenance, and rehabilitation of roads (including furnishing special road maintenance service to trucking permittees on a reimbursable basis), trails, buildings, utilities, and other physical facilities essential to the operation of areas administered pursuant to law by the National Park Service, \$26,680,000.

##### CONSTRUCTION

37 Stat. 460;  
54 Stat. 36.

For construction and improvement, without regard to the Act of August 24, 1912, as amended (16 U.S.C. 451), of buildings, utilities, and other physical facilities; the repair or replacement of roads, trails, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, or storm, or the construction of projects deferred by reason of the use of funds for such purposes; and the acquisition of water rights; \$22,894,000, to remain available until expended.

##### PARKWAY AND ROAD CONSTRUCTION (LIQUIDATION OF CONTRACT AUTHORIZATION)

72 Stat. 906.

For liquidation of obligations incurred pursuant to authority contained in title 23, United States Code, section 203, \$30,000,000, to remain available until expended: *Provided*, That none of the funds herein

provided shall be expended for planning or construction on the following: Fort Washington and Greenbelt Park, Maryland, and Great Falls Park, Virginia, except minor roads and trails; and Daingerfield Island Marina, Virginia, and extension of the George Washington Memorial Parkway from vicinity of Brickyard Road to Great Falls, Maryland, or in Prince Georges County, Maryland.

#### GENERAL ADMINISTRATIVE EXPENSES

For expenses necessary for general administration of the National Park Service, including such expenses in the regional offices, \$2,562,000.

#### ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed one hundred and forty-one passenger motor vehicles of which one hundred and five shall be for replacement only, including not to exceed seventy-seven for police-type use which may exceed by \$300 each the general purchase price limitation for the current fiscal year.

#### OFFICE OF SALINE WATER

##### SALARIES AND EXPENSES

For expenses necessary to carry out provisions of the Act of July 3, 1952, as amended (42 U.S.C. 1951-1958), authorizing studies of the conversion of saline water for beneficial consumptive uses, to remain available until expended, \$27,500,000, of which not to exceed \$1,445,000, shall be available for administration and coordination during the current fiscal year.

75 Stat. 628.

#### OPERATION AND MAINTENANCE

For operation and maintenance of demonstration plants for the production of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses, as authorized by the Act of September 2, 1958, as amended, (42 U.S.C. 1958a-1958g), \$2,351,000, of which not to exceed \$206,000 shall be available for administration.

72 Stat. 1706.

#### OFFICE OF WATER RESOURCES RESEARCH

##### SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Water Resources Research Act of 1964 (78 Stat. 329), \$6,894,000, of which not to exceed \$431,000 shall be available for administrative expenses.

42 USC 1961  
note.

#### OFFICE OF THE SOLICITOR

##### SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, \$4,704,000, and in addition, not to exceed \$152,000 may be reimbursed or transferred to this appropriation from other accounts available to the Department of the Interior: *Provided*, That hereafter hearing officers appointed for Indian probate work need not be appointed pursuant to the Administrative Procedures Act (60 Stat. 237), as amended.

5 USC 1001  
note.

## OFFICE OF THE SECRETARY

## SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary of the Interior, including teletype rentals and service, and not to exceed \$2,000 for official reception and representation expenses, \$4,998,900.

## GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

Emergency re-  
construction.

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided*, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted.

Forest or range  
fires.

SEC. 102. The Secretary may authorize the expenditure or transfer (within each bureau or office) of any appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of forest or range fires on or threatening lands under jurisdiction of the Department of the Interior: *Provided*, That appropriations made in this title for fire suppression purposes shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft or other equipment in connection with their use for fire suppression purposes, such reimbursement to be credited to appropriations currently available at the time of receipt thereof.

Operation of  
warehouses, etc.

SEC. 103. Appropriations made in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency or economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by the Act of June 30, 1932 (31 U.S.C. 686): *Provided*, That reimbursements for costs of supplies, materials and equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

47 Stat. 417.

Employment of  
experts, etc.

SEC. 104. Appropriations made to the Department of the Interior in this title or in the Public Works Appropriations Act, 1967, shall be available for services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), when authorized by the Secretary, in total amount not to exceed \$200,000; hire, maintenance and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

60 Stat. 810.

Uniforms or al-  
lowances.

SEC. 105. Appropriations available to the Department of the Interior for salaries and expenses shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 2131 and D.C. Code 4-204).

68 Stat. 1114;  
79 Stat. 1122;  
43 Stat. 175.

## TITLE II—RELATED AGENCIES

## DEPARTMENT OF AGRICULTURE

## FOREST SERVICE

## FOREST PROTECTION AND UTILIZATION

For expenses necessary for forest protection and utilization, as follows:

Forest land management: For necessary expenses of the Forest Service, not otherwise provided for, including the administration, improvement, development, and management of lands under Forest Service administration, fighting and preventing forest fires on or threatening such lands and for liquidation of obligations incurred in the preceding fiscal year for such purposes, control of white pine blister rust and other forest diseases and insects on Federal and non-Federal lands; \$173,850,000, of which \$5,000,000 for fighting and preventing forest fires and \$1,910,000 for insect and disease control shall be apportioned for use, pursuant to section 3679 of the Revised Statutes, as amended, to the extent necessary under the then existing conditions: *Provided*, That not more than \$2,480,000 of this appropriation may be used for acquisition of land under the Act of March 1, 1911, as amended (16 U.S.C. 513-519): *Provided further*, That funds appropriated for "Cooperative range improvements", pursuant to section 12 of the Act of April 24, 1950 (16 U.S.C. 580h), may be advanced to this appropriation.

31 USC 665.

36 Stat. 962.

64 Stat. 85.

Forest research: For forest research at forest and range experiment stations, the Forest Products Laboratory, or elsewhere, as authorized by law; \$37,821,000.

State and private forestry cooperation: For cooperation with States in forest-fire prevention and suppression, in forest tree planting on non-Federal public and private lands, and in forest management and processing, and for advising timberland owners, associations, wood-using industries, and others in the application of forest management principles and processing of forest products, as authorized by law; \$17,897,000.

## FOREST ROADS AND TRAILS (LIQUIDATION OF CONTRACT AUTHORIZATION)

For expenses necessary for carrying out the provisions of title 23, United States Code, sections 203 and 205, relating to the construction and maintenance of forest development roads and trails, \$101,230,000, to remain available until expended, for liquidation of obligations incurred pursuant to authority contained in title 23, United States Code, section 203: *Provided*, That funds available under the Act of March 4, 1913 (16 U.S.C. 501), shall be merged with and made a part of this appropriation: *Provided further*, That not less than the amount made available under the provisions of the Act of March 4, 1913, shall be expended under the provisions of such Act.

72 Stat. 906.

37 Stat. 843.

## ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of land to facilitate the control of soil erosion and flood damage originating within the exterior boundaries of the following national forests, in accordance with the provisions of the following Acts, authorizing annual appropriations of forest receipts for such purposes, and in not to exceed the following amounts from

58 Stat. 227.

such receipts, Cache National Forest, Utah, Act of May 11, 1938 (52 Stat. 347), as amended, \$20,000; Uinta and Wasatch National Forests, Utah, Act of August 26, 1935 (49 Stat. 866), as amended, \$20,000; Toiyabe National Forest, Nevada, Act of June 25, 1938 (52 Stat. 1205), as amended, \$8,000; Sequoia National Forest, California, Act of June 17, 1940 (54 Stat. 402), \$32,000; in all, \$80,000: *Provided*, That no part of this appropriation shall be used for acquisition of any land which is not within the boundaries of the national forests and/or for the acquisition of any land without the approval of the local government concerned.

## ACQUISITION OF LANDS FOR UINTA NATIONAL FOREST

For the acquisition of land in the Uinta National Forest, Utah, in accordance with the Act of October 1, 1965 (79 Stat. 899), \$300,000, to remain available until expended.

## COOPERATIVE RANGE IMPROVEMENTS

64 Stat. 85.

For artificial revegetation, construction, and maintenance of range improvements, control of rodents, and eradication of poisonous and noxious plants on national forests in accordance with section 12 of the Act of April 24, 1950 (16 U.S.C. 580h), to be derived from grazing fees as authorized by said section, \$700,000, to remain available until expended.

## ASSISTANCE TO STATES FOR TREE PLANTING

70 Stat. 207.

For expenses necessary to carry out section 401 of the Agricultural Act of 1956, approved May 28, 1956 (16 U.S.C. 568e), \$1,000,000, to remain available until expended.

## ADMINISTRATIVE PROVISIONS, FOREST SERVICE

Passenger motor  
vehicles, etc.,  
funds available.

58 Stat. 742.

60 Stat. 810.

68 Stat. 1114;

79 Stat. 1122.

58 Stat. 742.

36 Stat. 963.

70 Stat. 1034.

Appropriations to the Forest Service for the current fiscal year shall be available for: (a) purchase of not to exceed one hundred and sixty-five passenger motor vehicles of which one hundred and fifteen shall be for replacement only, and hire of such vehicles; operation and maintenance of aircraft and the purchase of not to exceed four for replacement only; (b) employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (5 U.S.C. 574), and not to exceed \$25,000 for employment under section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); (c) uniforms, or allowances therefor, as authorized by the Act of September 1, 1954, as amended (5 U.S.C. 2131); (d) purchase, erection, and alteration of buildings and other public improvements (5 U.S.C. 565a); (e) expenses of the National Forest Reservation Commission as authorized by section 14 of the Act of March 1, 1911 (16 U.S.C. 514); and (f) acquisition of land and interests therein for sites for administrative purposes, pursuant to the Act of August 3, 1956 (7 U.S.C. 428a).

Except to provide materials required in or incident to research or experimental work where no suitable domestic product is available, no part of the funds appropriated to the Forest Service shall be expended in the purchase of twine manufactured from commodities or materials produced outside of the United States.

Funds appropriated under this Act shall not be used for acquisition of forest lands under the provisions of the Act approved March 1,

1911, as amended (16 U.S.C. 513-519, 521), where such land is not within the boundaries of an established national forest or purchase unit.

36 Stat. 962.

#### FEDERAL COAL MINE SAFETY BOARD OF REVIEW

##### SALARIES AND EXPENSES

For necessary expenses of the Federal Coal Mine Safety Board of Review, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), \$61,400.

60 Stat. 810.

#### COMMISSION OF FINE ARTS

##### SALARIES AND EXPENSES

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), including payment of actual traveling expenses of the members and secretary of the Commission in attending meetings and Committee meetings of the Commission either within or outside the District of Columbia, to be disbursed on vouchers approved by the Commission, \$115,000.

36 Stat. 371.

#### DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

##### PUBLIC HEALTH SERVICE

##### INDIAN HEALTH ACTIVITIES

For expenses necessary to enable the Surgeon General to carry out the purposes of the Act of August 5, 1954 (68 Stat. 674), as amended; purchase of not to exceed sixteen passenger motor vehicles, of which twelve shall be for replacement only; hire of passenger motor vehicles and aircraft; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the purposes set forth in sections 301 (with respect to research conducted at facilities financed by this appropriation), 321, 322(d), 324, and 509 of the Public Health Service Act; \$73,671,000.

42 USC 2001-2004a.

42 USC 241, 248, 249, 251, 227.

##### CONSTRUCTION OF INDIAN HEALTH FACILITIES

For construction, major repair, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites; purchase and erection of portable buildings; purchase of trailers; and provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a); \$13,464,000, to remain available until expended: *Provided*, That such expenditures during the current or any subsequent fiscal year may, at the option of the Department of Health, Education, and Welfare, be made by the Department of the Interior as contracting agent.

73 Stat. 267.

##### OFFICE OF EDUCATION

##### ARTS AND HUMANITIES EDUCATIONAL ACTIVITIES

For carrying out sections 12 and 13 of the National Foundation on the Arts and the Humanities Act of 1965, \$1,000,000.

79 Stat. 854.  
20 USC 961, 962.

## ADMINISTRATIVE PROVISIONS, PUBLIC HEALTH SERVICE

Employment of  
experts.

60 Stat. 810.

Uniforms or al-  
lowances.

68 Stat. 1114;

79 Stat. 1122.

Attendance at  
meetings.

Appropriations contained in this Act, available for salaries and expenses, shall be available for services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a).

Appropriations contained in this Act available for salaries and expenses shall be available for uniforms or allowances therefor as authorized by the Act of September 1, 1954, as amended (5 U.S.C. 2131).

Appropriations contained in this Act available for salaries and expenses shall be available for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities.

## INDIAN CLAIMS COMMISSION

## SALARIES AND EXPENSES

60 Stat. 1049.

For expenses necessary to carry out the purposes of the Act of August 13, 1946 (25 U.S.C. 70), creating an Indian Claims Commission, \$382,000, of which not to exceed \$10,000 shall be available for expenses of travel.

## NATIONAL CAPITAL PLANNING COMMISSION

## SALARIES AND EXPENSES

66 Stat. 781.

For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C. 71-71i), including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); and uniforms or allowances therefor, as authorized by law (5 U.S.C. 2131); \$1,005,000.

## NATIONAL CAPITAL TRANSPORTATION AGENCY

## SALARIES AND EXPENSES

40 USC 661-665.

For expenses necessary to carry out the provisions of title II of the Act of July 14, 1960 (74 Stat. 537), including payment in advance for membership in societies whose publications or services are available to members only or to members at a price lower than to the general public; hire of passenger motor vehicles; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 2131); \$1,400,000.

## CONSTRUCTION, RAIL RAPID TRANSIT SYSTEM

79 Stat. 663.

40 USC 681 note.

For expenses necessary to design, engineer, construct, and equip a rail rapid transit system, as authorized by the National Capital Transportation Act of 1965, including acquisition of rights of way, land and interests therein, \$9,055,000, to remain available until expended.

## NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

## SALARIES AND EXPENSES

79 Stat. 845.

20 USC 951 note.

78 Stat. 905.

20 USC 781 note.

For expenses necessary to carry out the National Foundation on the Arts and the Humanities Act of 1965, including functions under Public Law 88-579, to remain available until expended, \$9,000,000, of which \$4,000,000 shall be available for carrying out section 5(c); \$2,000,000 for carrying out section 7(c); and \$2,000,000 for carrying

out section 5(h) of the Act: *Provided*, That, in addition, there is appropriated for the purposes of section 11(b) of the Act, an amount equal to the total amounts of gifts, bequests and devises of money, and other property received by the Endowments, during the current fiscal year, under the provisions of section 10(a)(2) of the Act, but not to exceed \$2,000,000 for the Endowment for the Arts, and \$3,000,000 for the Endowment for the Humanities, less the amounts respectively appropriated to such Endowments for the purposes of section 11(b) in the Supplemental Appropriation Act, 1966: *Provided further*, That no funds appropriated pursuant to this paragraph may be used for any grant or other payment which is to be used directly or indirectly for the destruction of the Metropolitan Opera House in New York City.

79 Stat. 847.  
20 USC 954.

79 Stat. 1140.

#### PUBLIC LAND LAW REVIEW COMMISSION

##### SALARIES AND EXPENSES

For necessary expenses of the Public Land Law Review Commission, established by Public Law 88-606, approved September 19, 1964, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), and not to exceed \$750 for official reception and representation expenses, \$907,000, to remain available until expended.

78 Stat. 982.  
43 USC 1391-  
1400.  
60 Stat. 810.

#### SMITHSONIAN INSTITUTION

##### SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, including research; preservation, exhibition, and increase of collections from Government and other sources; international exchanges; anthropological researches; maintenance of the Astrophysical Observatory and making necessary observations in high altitudes; administration of the National Collection of Fine Arts and the National Portrait Gallery; including not to exceed \$35,000 for services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); purchase, repair, and cleaning of uniforms for guards and elevator operators, and uniforms or allowances therefor, as authorized by law (5 U.S.C. 2131), for other employees; repairs and alterations of buildings and approaches; and preparation of manuscripts, drawings, and illustrations for publications; \$22,523,000.

68 Stat. 1114;  
79 Stat. 1122.

#### ARCHEOLOGICAL RESEARCH AND EXCAVATION (SPECIAL FOREIGN CURRENCY PROGRAM)

For payments in foreign currencies which the Treasury Department shall determine to be excess to the normal requirements of the United States, for necessary expenses for carrying out museum programs and related research in the natural sciences and cultural history under the provisions of section 104(k) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704k), \$2,316,000, to remain available until expended and to be available only to United States institutions: *Provided*, That this appropriation shall be available, in addition to other appropriations to Smithsonian Institution, for payments in the foregoing currencies.

72 Stat. 275.  
7 USC 1704.

## CONSTRUCTION AND IMPROVEMENTS, NATIONAL ZOOLOGICAL PARK

For necessary expenses of planning, construction, remodeling, and equipping of buildings and facilities at the National Zoological Park, \$1,589,000, to remain available until expended: *Provided*, That such portion of this amount as may be necessary may be transferred to the District of Columbia (20 U.S.C. 81-84; 75 Stat. 779).

26 Stat. 78;  
28 Stat. 384;  
37 Stat. 437.

## RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of restoration and renovation of buildings owned or occupied by the Smithsonian Institution, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), including not to exceed \$10,000 for services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), \$2,300,000, to remain available until expended.

20 USC 53a.  
60 Stat. 810.

## SALARIES AND EXPENSES, NATIONAL GALLERY OF ART

For the upkeep and operation of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards and elevator operators and uniforms, or allowances therefor for other employees as authorized by law (5 U.S.C. 2131); purchase, or rental of devices and services for protecting buildings and contents thereof, and maintenance and repair of buildings, approaches, and grounds; and not to exceed \$15,000 for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper; \$2,718,000.

53 Stat. 577.  
20 USC 71-75.

68 Stat. 1114;  
79 Stat. 1122.

## CORREGIDOR-BATAAN MEMORIAL COMMISSION

## SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Act of August 5, 1953 (67 Stat. 366), as amended, \$25,000.

36 USC 426.

## LEWIS AND CLARK TRAIL COMMISSION

## SALARIES AND EXPENSES

For necessary expenses of the Lewis and Clark Trail Commission, established by Public Law 88-630, approved October 6, 1964, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), \$25,000.

78 Stat. 1005.

FEDERAL DEVELOPMENT PLANNING COMMITTEES FOR ALASKA

For necessary expenses of the Federal Development Planning Committees for Alaska, established by Executive Order 11182 of October 2, 1964, including hire of passenger motor vehicles, and services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), \$190,000.

3 CFR 1964  
Supp., p. 194.  
60 Stat. 810.

FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

For necessary expenses of the Franklin Delano Roosevelt Memorial Commission, established by the Act of August 11, 1955 (69 Stat. 694), \$80,000, to remain available until expended.

GENERAL PROVISIONS, RELATED AGENCIES

SEC. 202. The per diem rate paid from appropriations made available under this title for services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a) or other law, shall not exceed \$83.

TITLE III—GENERAL PROVISIONS

SEC. 301. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

This Act may be cited as the "Department of the Interior and Related Agencies Appropriation Act, 1967."

Short title.

Approved May 31, 1966.

Public Law 89-436

AN ACT

To make permanent the existing duty-free treatment of personal and household effects brought into the United States under Government orders.

May 31, 1966  
[H. R. 12864]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subpart B of part 2 of schedule 8 of the Tariff Schedules of the United States (19 U.S.C., sec. 1202) is amended to read as follows:

U.S. personnel.  
Personal and household effects, free entry.  
77A Stat. 414.

SUBPART B.—UNITED STATES PERSONNEL AND EVACUEES	
817.00	The personal and household effects (with such limitation on the importation of alcoholic beverages and tobacco products as the Secretary of the Treasury may prescribe) of any person in the service of the United States who returns to the United States upon the termination of assignment to extended duty (as defined in regulations issued in connection with this provision) at a post or station outside the customs territory of the United States, or of returning members of his family who have resided with him at such post or station, or of any person evacuated to the United States under Government orders or instructions. . . .
	Free      Free

(b) Subpart B of part 1 of the appendix to the Tariff Schedules of the United States is amended by striking out headnote 2 and item 915.20.

77A Stat. 434.

(c) The amendments made by subsections (a) and (b) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption, after June 30, 1966.

Approved May 31, 1966.

## Public Law 89-437

May 31, 1966  
[H. R. 12262]

## AN ACT

To continue until the close of June 30, 1969, the existing suspension of duty on certain copying shoe lathes.

Shoe lathes.  
Duty suspen-  
sion.  
77A Stat. 434;  
78 Stat. 231.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) item 911.70 of the Tariff Schedules of the United States (19 U.S.C., sec. 1202, item 911.70) is amended by striking out "On or before 6/30/66" and inserting in lieu thereof "On or before 6/30/69".

(b) The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption, after June 30, 1966.

Approved May 31, 1966.

## Public Law 89-438

May 31, 1966  
[H. R. 10366]

## AN ACT

To establish the Mount Rogers National Recreation Area in the Jefferson National Forest in Virginia, and for other purposes.

Mount Rogers  
National Recrea-  
tion Area, Va.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in order to provide for the public outdoor recreation use and enjoyment of the area in the vicinity of Mount Rogers, the highest mountain in the State of Virginia, and to the extent feasible the conservation of scenic, scientific, historic, and other values of the area, the Secretary of Agriculture shall establish the Mount Rogers National Recreation Area in the Jefferson National Forest in the State of Virginia.

SEC. 2. The Secretary of Agriculture (hereinafter called the "Secretary") shall—

(1) designate as soon as practicable after this Act takes effect the Mount Rogers National Recreation Area within and adjacent to, and as a part of, the Jefferson National Forest in Virginia comprised of the area the boundaries of which shall be those shown on the map entitled "Proposed Mount Rogers National Recreation Area", dated 1965, which is on file and available for public inspection in the office of the Chief, Forest Service, Department of Agriculture; and

(2) publish notice of the designation in the Federal Register, together with a map showing the boundaries of the recreation area.

Publication in  
Federal Register.

Acquisition of  
lands, etc.

SEC. 3. (a) The Secretary shall acquire by purchase with donated or appropriated funds, by gift, exchange, condemnation, transfer from any Federal agency, or otherwise, such lands, waters, or interests therein, including scenic or other easements within the boundaries of the recreation area as he determines to be needed or desirable for the purposes of this Act. Lands, waters, or interests therein owned by the State of Virginia or any political subdivision of that State may be acquired only with the concurrence of such owner.

(b) Notwithstanding any other provision of law, any Federal property located within the boundaries of the recreation area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in implementing the purposes of this Act.

(c) In exercising his authority to acquire lands by exchange the Secretary may accept title to non-Federal property within the recreation area and convey to the grantor of such property any federally owned property in the State of Virginia under his jurisdiction.

SEC. 4. (a) After the Secretary acquires an acreage within the area designated pursuant to section 2 of this Act that is in his opinion efficiently administrable to carry out the purposes of this Act, he shall institute an accelerated program of development of facilities for outdoor recreation. Said facilities shall be so devised to take advantage of the topography and geographical location of the lands in relation to the growing recreation needs of the people of the United States.

Outdoor recreation facilities.

(b) The Secretary may cooperate with all Federal and State authorities and agencies that have programs which will hasten completion of the recreation area and render services which will aid him in evaluating and effectuating the establishment of adequate summer and winter outdoor recreation facilities.

SEC. 5. The administration, protection, and development of the recreation area shall be by the Secretary of Agriculture in accordance with the laws, rules, and regulations applicable to national forests, in such manner as in his judgment will best provide for (1) public outdoor recreation benefits; (2) conservation of scenic, scientific, historic, and other values contributing to public enjoyment; and (3) such management, utilization, and disposal of natural resources as in his judgment will promote, or is compatible with, and does not significantly impair the purposes for which the recreation area is established.

Administration, etc. of area.

SEC. 6. The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the Mount Rogers National Recreation Area in accordance with applicable Federal and State laws. The Secretary may designate zones where, and establish periods when, no hunting shall be permitted for reasons of public safety, administration, or public use and enjoyment, and shall issue regulations after consultation with the Commission of Game and Inland Fisheries of the State of Virginia.

Hunting and fishing.

Approved May 31, 1966.

## Public Law 89-439

### AN ACT

To extend until June 30, 1969, the suspension of duty on crude chicory and the reduction in duty on ground chicory.

May 31, 1966  
[H. R. 12463]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) the matter appearing in the effective period column for items 903.20 and 903.21 of the Tariff Schedules of the United States (19 U.S.C., sec. 1202, items 903.20 and 903.21) is amended by striking out "On or before 6/30/66" and inserting in lieu thereof "On or before 6/30/69".

Crude and ground chicory. Duty suspension and reduction. 77A Stat. 432.

(b) The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption, after June 30, 1966.

Approved May 31, 1966.

## Public Law 89-440

## AN ACT

May 31, 1966  
[H. R. 12657]

To continue the suspension of duty on certain alumina and bauxite.

Alumina and  
bauxite.  
Duty suspen-  
sion.  
77A Stat. 432,  
433.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) items 907.15, 909.30, and 911.05 of the Tariff Schedules of the United States (19 U.S.C., sec. 1202) are each amended by striking out "On or before 7/15/66" and inserting in lieu thereof "On or before 7/15/68".

(b) The amendments made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption, after July 15, 1966.

Approved May 31, 1966.

## Public Law 89-441

## AN ACT

June 3, 1966  
[S. 265]

To authorize conveyance of certain lands to the State of Utah based upon fair market value.

Great Salt Lake,  
Utah.  
Relict lands,  
conveyance.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior shall within six months of the date of the passage of this Act complete the public land survey around the Great Salt Lake in the State of Utah by closing the meander line of that Lake, following as accurately as possible the mean high water mark of the Great Salt Lake used in fixing the meander line on either side of the unsurveyed area.

SEC. 2. Subject to the other provisions of this Act, the Secretary of the Interior shall by quitclaim deed convey to the State of Utah all right, title, and interest of the United States in lands including brines and minerals in solution in the brines or precipitated or extracted therefrom, lying below the meander line of the Great Salt Lake in such State, as duly surveyed heretofore or in accordance with section 1 of this Act, whether such lands now are or in the future may become uncovered by the recession of the waters of said lake: *Provided, however,* That the provisions of this Act shall not affect (1) any valid existing rights or interests, if any, of any person, partnership, association, corporation, or other nongovernmental entity, in or to any of the lands within and below said meander line, or (2) any lands within the Bear River Migratory Bird Refuge and the Weber Basin Federal reclamation project. Such conveyance shall be made when the survey required by section 1 has been completed and the agreement required by section 6 has been made.

U. S. mineral  
rights.

SEC. 3. The conveyance authorized by this Act shall contain an express reservation to the United States of all minerals, except brines and minerals in solution in the brines, or precipitated or extracted therefrom in whatever Federal lands there may be below the meander line of Great Salt Lake, together with the right to prospect for, mine, and remove the same. The minerals thus reserved shall thereupon be withdrawn from appropriation under the public land laws of the United States, including the mining laws, but said minerals, in the discretion of the Secretary of the Interior, may be disposed of under any of the provisions of the mineral leasing laws that he deems appropriate: *Provided,* That any such lease shall not be inconsistent, as

determined by the Secretary of the Interior, with the other uses of said lands by the State of Utah, its grantees, lessees, or permittees.

SEC. 4. As a condition of the conveyance authorized in this Act, and in consideration thereof, the State of Utah shall, (a) upon the express authority of an Act of its legislature, convey to the United States by quitclaim deed all of its rights, title, and interest in lands upland from the meander line, which lands the State may claim against the United States by reason of said lands having been, or hereafter becoming, submerged by the waters of Great Salt Lake, and (b) pay to the Secretary of the Interior the fair market value, as determined by the Secretary, of the lands (including any minerals) conveyed to it pursuant to section 2 of this Act. The Secretary of the Interior, after consultation with the State of Utah, may accept in payment in behalf of the United States, in lieu of money only, interests in lands, interests in mineral rights, including those beneath the lakebed, the relinquishment of land selection rights, or any combination thereof equal to the fair market value.

Relinquishment  
of State's claims.

SEC. 5. Within nine months after the date of enactment of this Act the State of Utah shall elect one of the alternatives set out in subsection (a) or subsection (b) of this section, and a failure so to elect shall render null and void any conveyance pursuant to this Act. The State—

Fair market  
value.  
Determination.

(a) may request the Secretary of the Interior to determine the fair market value of the lands as of the date of the completed survey:

(1) In reaching a determination of the fair market value as of that time, the Secretary shall make a comprehensive study of the lands and minerals which are the subject of this Act;

(2) Nothing in this section shall be deemed to limit or prevent the Secretary from giving consideration to all factors he deems pertinent to an equitable resolution of the question of the proper consideration to be paid by the State of Utah to the United States for such lands;

(3) The Secretary shall transmit his value determination to the Governor of the State of Utah not later than two years after he receives the request referred to above in this subsection. If payment by the State of Utah of the fair market value is not made within two years after the receipt of the Secretary's value determination, the conveyance authorized by section 2 of this Act shall be null and void; or

(b) may maintain an action in the Supreme Court of the United States to secure a judicial determination of the right, title and interest of the United States in the lands conveyed to the State of Utah pursuant to section 2 of this Act. Consent to join the United States as a defendant to such an action is hereby given. Within two years from the completion of the action, the Secretary of the Interior shall determine the fair market value, as of the date of the decision of the court, of such lands (including minerals) conveyed to the State pursuant to section 2 of this Act as may be found by the court to have been the property of the United States prior to the conveyance. If payment by the State of Utah of the fair market value is not made within two years after the receipt of the Secretary's value determination, the conveyance authorized by section 2 of this Act shall be null and void.

SEC. 6. Pending resolution of the amount and manner of compensation to be paid by the State of Utah to the United States as provided herein, the State of Utah is authorized after making the agreement

State issuance  
of permits, etc.

required by this section to issue permits, licenses, and leases covering such of these lands as the State deems necessary or appropriate to further the development of the water and mineral resources of the Great Salt Lake, or for other purposes. The State of Utah, by or pursuant to an express act of its legislature, shall agree to assume the obligation to administer the lands, for the purposes set forth above, in the manner of a trustee and any proceeds derived by the State of Utah therefrom shall be paid to the United States, until compensation for the full value of said lands as herein provided is made. Such proceeds paid to the United States shall be to the credit of the State of Utah as part of the compensation for which provision is made herein. If the question of the title to the United States is litigated as authorized by section 5(b) of this Act, and it is determined that the United States has no right, title, or interest in lands from which revenues have been derived and paid to the United States pursuant to this section, the revenues paid to the United States shall be returned to the State of Utah without interest.

Administration.

Title litigation.

In the event the conveyance authorized by section 2 of this Act becomes null and void, then any valid permits, licenses, and leases issued by the State under authority of this section, shall be deemed permits, licenses, and leases of the United States and shall be administered by the Secretary in accordance with the terms and provisions thereof.

Approved June 3, 1966.

Public Law 89-442

AN ACT

To retrocede to the State of Kansas concurrent jurisdiction over Haskell Institute.

June 8, 1966  
[H. R. 10476]

Haskell Institute, Kansas.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby retroceded to the State of Kansas by the United States concurrent jurisdiction over the site of Haskell Institute, at Lawrence, Kansas.  
Approved June 8, 1966.

Public Law 89-443

JOINT RESOLUTION

Authorizing the President to proclaim the week in which June 14 occurs as National Flag Week.

June 9, 1966  
[H. J. Res. 763]

National Flag Week. Proclamation.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President is authorized and requested to issue annually a proclamation designating the week in which June 14 occurs as National Flag Week, and calling upon all citizens to display the flag of the United States on those days.  
Approved June 9, 1966.

## Public Law 89-444

## AN ACT

To improve and clarify certain laws of the Coast Guard.

June 9, 1966  
[S. 2471]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That title 14, United States Code, is amended as follows:

(1) Section 4 is amended—

(A) by inserting the word “and” at the end of clause (d); and

(B) by striking out “; and” at the end of clause (e) and inserting a period in place thereof.

(2) Subsection (a) of section 42 is amended by striking out “three thousand five hundred” and inserting “four thousand” in place thereof so that the subsection will read as follows:

“(a) The total number of commissioned officers, excluding commissioned warrant officers, on active duty in the Coast Guard shall not exceed four thousand.”

(3) Section 44 is amended by striking out “The position vacated by an officer appointed Commandant shall be filled by promotion according to law.”

(4) Subsection (c) of section 46 is amended to read as follows:

“(c) An officer who is retired prior to the expiration of his term, while serving as Commandant, may, in the discretion of the President, be retired with the grade of admiral and retired pay computed at the highest rates of basic pay applicable to him while he served as Commandant.”

(5) Subsection (d) of section 46 is repealed.

(6) Subsection (c) of section 47 is amended to read as follows:

“(c) An officer who is retired while serving as Assistant Commandant, or who, after serving at least two and one-half years as Assistant Commandant, is retired after completion of that service while serving in a lower rank or grade, may, in the discretion of the President, be retired with the grade and retired pay of vice admiral.”

(7) Subsection (d) of section 47 is amended to read as follows:

“(d) An officer who, after serving less than two and one-half years as Assistant Commandant, is retired after completion of that service while serving in a lower rank or grade, shall be retired in his permanent grade and with the retired pay of that grade.”

(8) Section 182 is amended by striking out “three” in the first sentence and inserting “four” in place thereof so that the sentence will read as follows:

“The number of cadets appointed annually to the Academy shall be as determined by the Secretary but the number appointed in any one year shall not exceed four hundred.”

(9) Section 186 is amended—

(A) by striking the words “of the teaching staff” and the words “whose compensation shall be fixed in accordance with the Classification Act of 1949, as amended” in the first sentence, by inserting the word “faculty” between “civilian” and “members” in the first sentence, and by inserting a period after the word “require” so that the first sentence will read as follows: “The Secretary may appoint in the Coast Guard such number of civilian faculty members at the Academy as the needs of the Service may require.”

(B) by redesignating the amended section as subsection (a).

(C) by adding a new subsection (b) as follows:

“(b) The compensation of persons employed under this section is as prescribed by the Secretary.”

Coast Guard.  
Laws, improve-  
ment and clarifica-  
tion.  
63 Stat. 497.

77 Stat. 174.

74 Stat. 144.

Repeal.

63 Stat. 508;  
78 Stat. 153.

74 Stat. 145.

63 Stat. 954.  
5 USC 1071  
note.

63 Stat. 509;  
74 Stat. 145;  
77 Stat. 175.

(10) Section 190 is amended by inserting the following after the first sentence: "The Secretary may retire any member of the permanent commissioned teaching staff who has completed thirty years' active service."

77 Stat. 177.

(11) Subsection (a) of section 211 is amended by striking out "four" in paragraph (4) and inserting "two" in place thereof so that the paragraph will read as follows:

"(4) licensed officers of the United States merchant marine who have served two or more years aboard a vessel of the United States in the capacity of a licensed officer."

(12) Subsection (a) of section 214 is amended by striking out the period at the end of the sentence and adding ", and from licensed officers of the United States merchant marine."

(13) Subsection (b) of section 214 is amended by striking out the period at the end of the sentence and adding ", and from licensed officers of the United States merchant marine."

(14) Subsection (c) of section 214 is amended by striking out the period at the end of the sentence and adding ", and from licensed officers of the United States merchant marine."

(15) Subsection (a) of section 253 is amended by inserting "the officers eligible for consideration," after "to be considered,".

(16) Subsection (a) of section 256 is amended by inserting the words "who are eligible for consideration for promotion to the next higher grade and" before the words "who have not" in the second sentence.

(17) Clause (2) of section 258 is amended to read as follows: "the names and records of all officers who are eligible for consideration for promotion to the grade to which the board will recommend officers for promotion, with identification of those officers who are in the promotion zone."

(18) Subsection (b) of section 332 is amended by inserting the following sentence at the end thereof: "However, this limitation does not apply to retired officers of these grades recalled to serve as members of courts, boards, panels, surveys, or special projects for periods not to exceed one year."

(19) The catchline of section 334 is amended to read as follows: "**§ 334. Grade on retirement**".

69 Stat. 88.

(20) By adding the following new sections after section 370:

**§ 371. Aviation cadets; procurement; transfer**

"(a) The grade of aviation cadet is established as a special enlisted grade in the Coast Guard. Under such regulations as the Secretary prescribes, male citizens in civil life may be enlisted as, and male enlisted members of the Coast Guard with their consent may be designated as, aviation cadets.

"(b) Except in time of war or national emergency declared by Congress, not less than 20 per centum of the aviation cadets procured in each fiscal year shall be procured from qualified enlisted members of the Coast Guard.

"(c) No persons may be enlisted or designated as an aviation cadet unless—

"(1) he agrees in writing that, upon his successful completion of the course of training as an aviation cadet, he will accept a commission as an ensign in the Coast Guard Reserve and will serve on active duty as such for at least three years, unless sooner released; and

"(2) if under twenty-one years of age, he has the consent of his parent or guardian to his agreement.

“(d) Under such regulations as the Secretary prescribes, an aviation cadet may be transferred to another enlisted grade or rating in the Coast Guard, released from active duty, or discharged.

**“§ 372. Aviation cadets; benefits**

“Except as provided in section 402(c) of title 37, aviation cadets or their beneficiaries are entitled to the same allowances, pensions, gratuities, and other benefits as are provided for enlisted members in pay grade E-4. While on active duty, an aviation cadet is entitled to uniforms, clothing, and equipment at the expense of the United States.

76 Stat. 470.

**“§ 373. Aviation cadets; appointment as Reserve officers**

“(a) An aviation cadet who fulfills the eligibility requirements of section 6023(b) of title 10 for designation as a naval aviator may be appointed an ensign in the Coast Guard Reserve and designated a Coast Guard aviator.

70A Stat. 376.

“(b) Aviation cadets who complete their training at approximately the same time are considered for all purposes to have begun their commissioned service on the same date, and the decision of the Secretary in this regard is conclusive.”

(21) Section 438 is amended by striking out “and section 438 of this title.”

70A Stat. 623.

(22) Section 654 is amended by inserting the following catchline immediately after the section number:

73 Stat. 357.

**“Public and commercial vessels and other watercraft; sale of fuel, supplies, and services”.**

(23) Subsection (b) of section 755 is amended to read as follows:

63 Stat. 522.

“(b) The provisions of chapter 13 of this title, except for section 461, apply to members of the Reserve under the same conditions and limitations as are applicable to officers and enlisted men of the Regular Coast Guard.”

14 USC 461-511.

(24) Section 771 is amended to read as follows:

72 Stat. 1543.

**“§ 771. Applicability of this subchapter**

“(a) This subchapter applies—

“(1) only to the Coast Guard Reserve;

“(2) equally to women members of the Reserve except where the context indicates otherwise.

“(b) This subchapter does not apply to temporary members of the Coast Guard Reserve.”

(25) The analysis of chapter 11 is amended—

14 USC 211-438.

(A) by striking out—

“334. Retirement in cases where higher grade has been held.”

and inserting in place thereof:

“334. Grade on retirement.”

(B) by inserting the following new items:

“371. Aviation cadets; procurement; transfer.

“372. Aviation cadets; benefits.

“373. Aviation cadets; appointment as Reserve officers.”

(26) The analysis of chapter 13 is amended by striking out the following items:

“462. Pay and allowances of rear admirals.

“464. Allotment of pay.

“465. Advance to officers ordered to and from sea or shore duty beyond the seas.

“466. Settlement of accounts of deceased officers and men.

“474. Compensation for travel tolls and fares.

“504. Disposition of remains of personnel.

“505. Escorts for deceased officers and enlisted men.

“506. Issue of national flag free of cost.”

SEC. 2. Title 37, United States Code, is amended as follows:

76 Stat. 477.

(1) Subsection (e) of section 415 is amended by striking out "435" and inserting "214" in place thereof.

(2) The second sentence of section 402(c) is amended by deleting "or" between Air Force and Marine Corps in both places that it appears and by inserting ", or Coast Guard" after "Marine Corps" in both places where the latter appears so that the sentence will read as follows: "An aviation cadet of the Navy, Air Force, Marine Corps, or Coast Guard is entitled to the same basic allowance for subsistence as is provided for an officer of the Navy, Air Force, Marine Corps, or Coast Guard, respectively."

14 USC 211 note.

SEC. 3. Subsection (e) of section 5 of the Act of September 24, 1963 (77 Stat. 193), is amended by adding the following at the end thereof: "An officer of the Regular Coast Guard who was appointed as a permanent commissioned officer under any provision of law in effect prior to the effective date of this Act and who is serving on active duty shall be considered to have been appointed under section 211 of title 14, United States Code, and subject to the provisions thereof."

77 Stat. 177.

63 Stat. 954;  
74 Stat. 912.

SEC. 4. Section 202 of the Classification Act of 1949, as amended (5 U.S.C. 1082), is further amended by adding the following paragraph:

74 Stat. 145.

"(36) civilian members of the faculty of the Coast Guard Academy whose compensation is fixed under section 186 of title 14, United States Code."

Approved June 9, 1966.

## Public Law 89-445

### AN ACT

June 9, 1966  
[H. R. 12264]

To declare that 99.84 acres of Government-owned land acquired for Indian administrative purposes is held by the United States in trust for the Apache Tribe of the Mescalero Reservation.

Indians.  
Apache Tribe.  
Lands in trust.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all of the right, title, and interest of the United States in and to a tract of land situated in sections 27 and 28, township 13 south, range 12 east, New Mexico principal meridian, and improvements thereon, formerly used for Indian administrative purposes, are hereby declared to be held by the United States in trust for the Apache Tribe of the Mescalero Reservation, New Mexico, subject to valid existing rights, and subject to the right of the United States to use any of said land and improvements for governmental purposes for the benefit of the Indians. The land is within the Mescalero Reservation and is commonly known as small holding claim numbered 485, United States Land Office serial numbered Las Cruces 07366, containing approximately 99.84 acres. It is identified on supplemental plats of survey of sections 27 and 28, township 13 south, range 12 east, New Mexico principal meridian, New Mexico, accepted April 30, 1936, as "Private Claim 485".

25 USC 70a.

SEC. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission.

Approved June 9, 1966.

## Public Law 89-446

## AN ACT

June 11, 1966  
[H. R. 10451]

To authorize the Secretary of the Interior to transfer certain lands in the State of Colorado to the Department of Agriculture for recreation development, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is hereby authorized to transfer to the Department of Agriculture lands under his jurisdiction that are needed in connection with the development and management of the recreation resources of the Dillon Reservoir, and the exterior boundaries of the Arapaho National Forest in Colorado are extended to include all of the lands not presently within such boundaries lying in township 5 south, range 77 west; township 6 south, range 77 west; township 7 south, range 77 west; township 5 south, range 78 west; township 6 south, range 78 west; and township 7 south, range 78 west, all of the sixth principal meridian.

Colorado.  
Land transfer.

SEC. 2. Subject to valid, existing rights so long as the same are maintained there are hereby added to the Arapaho National Forest all lands of the United States within the area described in section 1, except the following, known as the Dillon small tract site:

## SIXTH PRINCIPAL MERIDIAN

Township 5 south, range 77 west: section 6, lots 13 to 63, inclusive; section 7, lots 10 to 150, inclusive. Township 5 south, range 78 west: section 1, lots 18 to 67, inclusive; section 12, lots 14 to 62, inclusive.

SEC. 3. The Secretary of Agriculture is hereby authorized to make such cooperative arrangements as he may deem appropriate with the Board of Water Commissioners of the City and County of Denver for the development and management of the recreation resources of the Dillon Reservoir and adjacent lands within the Arapaho National Forest and funds hereafter appropriated and available to the Forest Service for forest land management shall be available for the construction, operation, and maintenance on lands of the water board of structures, improvements, and facilities for such purposes provided the Secretary obtains the right to use such land for the estimated life of or need for such structures and improvements, including the right to remove the same within a reasonable time after the termination of the right to use the land.

Approved June 11, 1966.

## Public Law 89-447

## AN ACT

June 13, 1966  
[S. 2267]

To extend the provisions of title XIII of the Federal Aviation Act of 1958, relating to war risk insurance.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 1312 of title XIII of the Federal Aviation Act of 1958 (49 U.S.C. 1542) is hereby amended by striking out "June 13, 1966" and inserting "September 7, 1970" in lieu thereof.

Federal aviation.  
War risk insurance.  
72 Stat. 806;  
75 Stat. 210.

Approved June 13, 1966.

## Public Law 89-448

## AN ACT

June 14, 1966  
[S. 1761]

To authorize the Secretary of the Interior to construct, operate, and maintain a third powerplant at the Grand Coulee Dam, Columbia Basin project, Washington, and for other purposes.

Columbia Basin  
project, Washing-  
ton.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) the Secretary of the Interior is hereby authorized to construct, operate, and maintain a third powerplant with a rated capacity of approximately three million six hundred thousand kilowatts, and necessary appurtenant works, including a visitor center, at Grand Coulee Dam as an addition to and an integral part of the Columbia Basin Federal reclamation project. The construction cost of the third powerplant allocated to power and associated with each stage of development shall be repaid with interest within fifty years from the time that stage becomes revenue producing. The interest rate used for computing interest during construction and interest on the unpaid balance of the cost allocated to power shall be determined by the Secretary of the Treasury as of the beginning of the fiscal year in which the initial request for appropriations for the construction of the third powerplant is made, by computing the average interest rate payable by the Treasury on all interest-bearing marketable public debt obligations of the United States then outstanding which, upon original issue, had terms to maturity of fifteen years or more, and by adjusting such average rate to the next lowest multiple of one-eighth of one per centum.

(b) Construction of the third powerplant may be undertaken in such stages as in the determination of the Secretary will effectuate the fullest, most beneficial, and most economic utilization of the waters of the Columbia River.

Report to Presi-  
dent and Congress.

SEC. 2. The Secretary of the Interior shall prepare, maintain, and present annually to the President and the Congress a consolidated financial statement for all projects heretofore or hereafter authorized, including the third powerplant at Grand Coulee Dam, from or by means of which commercial power and energy is marketed through the facilities of the Federal Columbia River power system and for all other projects associated therewith to the extent that the costs of these projects are required by law to be charged to and returned from net revenues derived from the power and energy, or any power and energy, so marketed, and he shall, if said consolidated statement indicates that the reimbursable construction costs of the projects, or any of the projects, covered thereby which are chargeable to and returnable from the commercial power and energy so marketed are likely not to be returned within the period prescribed by law, take prompt action to adjust the rates charged for such power and energy to the extent necessary to assure such return. Section 9, subsection (c) of the Act of August 20, 1937 (50 Stat. 736), as amended (16 U.S.C. 832h) is hereby repealed.

Repeal.

That portion of the construction cost of any project hereafter authorized to be constructed, operated, and maintained by the Secretary of the Interior under the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto) within the Pacific Northwest which, though allocated to irrigation, is beyond the ability of the irrigation water users to repay within the repayment period prescribed by law for that project and cannot be returned within the same period from other project sources of revenue shall be charged to and returned within that period from net revenues derived from the marketing of commercial power and energy through

43 USC 391  
et seq.

the Federal Columbia River power system, unless otherwise provided by law. As used in this Act, the term "Pacific Northwest" has the meaning ascribed to it in section 1 of the Act of August 31, 1964 (78 Stat. 756).

SEC. 3. There is hereby authorized to be appropriated, for construction of the third powerplant and necessary appurtenant works including a visitor center at Grand Coulee Dam, the sum of \$390,000,000, based on estimated costs as of April 1966, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the types of construction involved herein.

Approved June 14, 1966.

"Pacific Northwest."

16 USC 837.

Appropriation.

### Public Law 89-449

#### JOINT RESOLUTION

June 15, 1966  
[S. J. Res. 160]

To designate the period beginning June 13, 1966, and ending June 19, 1966, as "Gas Industry Week".

Whereas the first gas company in the United States was founded in Baltimore, Maryland, on June 13, 1816; and

Whereas June 13, 1966, marks the one hundred and fiftieth anniversary of the founding of the gas industry in this Nation; and

Whereas the gas industry is the sixth largest industry in the United States, with thirty-six million six hundred thousand customers served by one thousand four hundred and forty utility companies throughout the fifty States of the Union and other areas of our Nation; and

Whereas the gas industry is making a major contribution to the health and well-being of millions of Americans: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the period beginning June 13, 1966, and ending June 19, 1966, is hereby designated as "Gas Industry Week". The President is authorized and requested to issue a proclamation inviting the governments of States and communities and the people of the United States to join in the observance of such week with appropriate ceremonies and activities.

Approved June 15, 1966.

Gas Industry  
Week.  
Designation.

### Public Law 89-450

#### JOINT RESOLUTION

To designate the third Sunday in June 1966 as Father's Day.

June 15, 1966  
[S. J. Res. 161]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the third Sunday in June of 1966 is hereby designated as "Father's Day". The President is authorized and requested to issue a proclamation calling on the appropriate Government officials to display the flag of the United States on all Government buildings on such day, inviting the governments of the States and communities and the people of the United States to observe such day with appropriate ceremonies, and urging our people to offer public and private expressions on such day to the abiding love and gratitude which they bear for their fathers.

Approved June 15, 1966.

Father's Day.  
Designation.

## Public Law 89-451

## AN ACT

June 17, 1966  
[H. R. 15151]

To permit the planting of alternate crops on acreage which is unplanted because of a natural disaster.

Agriculture.  
Alternative  
crops.  
79 Stat. 1194.  
7 USC 1444.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 103(d) of the Agricultural Act of 1949, as amended, is amended by striking out of the last sentence in paragraph (3) thereof the words "income producing crop in such year." and inserting "crop for which there are marketing quotas or voluntary adjustment programs in effect."

7 USC 1441  
note.

SEC. 2. Section 105(e) of the Agricultural Act of 1949, as amended, is amended by striking out the sentence "an acreage on the farm which the Secretary finds was not planted to feed grains because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of feed grains planted for harvest for purposes of such payments provided such acreage is not subsequently planted to any other income-producing crop during such year." and inserting in lieu thereof the sentence "an acreage on the farm which the Secretary finds was not planted to feed grains because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of feed grains planted for harvest for purposes of such payments provided such acreage is not subsequently planted to any other crop for which there are marketing quotas or voluntary adjustment programs in effect."

79 Stat. 1204.  
7 USC 1379c.

SEC. 3. Section 379c(a) of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out the sentence reading "an acreage on the farm not planted to wheat because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of wheat planted for harvest for purposes of this subsection provided such acreage is not subsequently planted to any other income-producing crops during such year." and inserting in lieu thereof the sentence "an acreage on the farm not planted to wheat because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of wheat planted for harvest for purposes of this subsection provided such acreage is not subsequently planted to any crop for which there are marketing quotas or voluntary adjustment programs in effect."

Approved June 17, 1966.

## Public Law 89-452

## AN ACT

June 17, 1966  
[S. 2421]

To authorize the adjustment of the legislative jurisdiction exercised by the United States over lands within the Columbia River at the mouth project in the States of Washington and Oregon.

Columbia River.  
Federal juris-  
diction over cer-  
tain lands, retro-  
cession.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding any other provision of law, the head or other authorized officer of any department or agency of the Government may, at such times as he may deem desirable, relinquish to the States in which the land is situated all, or such portion as he may deem desirable for relinquishment, of the jurisdiction heretofore acquired by the United States over any lands within the Columbia River at the mouth project in the States of Washington and Oregon which are under his immediate jurisdiction and control, reserving to the United States such concurrent or partial jurisdiction as he may deem necessary. Relinquishment of jurisdiction under the authority of this Act may be made by

filing with the Governor of the State where the land is situated a notice of such relinquishment, which shall take effect upon acceptance thereof by the State in such manner as its laws may prescribe.

Approved June 17, 1966.

Public Law 89-453

AN ACT

June 17, 1966  
[S. 2469]

Amending sections 2 and 4 of the Act approved September 22, 1964 (78 Stat. 990), providing for an investigation and study to determine a site for the construction of a new sea level canal connecting the Atlantic and Pacific Oceans.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, the Act approved September 22, 1964 (78 Stat. 990), is hereby amended as follows:

Atlantic-Pacific  
Interoceanic Canal  
Study Commis-  
sion.  
Funds.

(1) delete section 2 in its entirety and substitute the following therefor:

“SEC. 2. (a) In order to carry out the purposes of this Act, the Commission may—

“(1) utilize the facilities of any department, agency, or instrumentality of the executive branch of the United States Government;

“(2) employ services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), at rates for individuals not in excess of \$100 per diem;

60 Stat. 810.

“(b) The members of the Commission, including the Chairman, shall receive compensation at the rate of \$100 per diem. The members of the Commission, including the Chairman, shall receive travel expenses as authorized by law (5 U.S.C. 73b-2) for persons employed intermittently.”

60 Stat. 808;  
75 Stat. 339.

(2) The following is added after the word “appropriated” in section 4: “, without fiscal year limitation.”

Approved June 17, 1966.

Public Law 89-454

AN ACT

June 17, 1966  
[S. 944]

To provide for a comprehensive, long-range, and coordinated national program in marine science, to establish a National Council on Marine Resources and Engineering Development, and a Commission on Marine Science, Engineering and Resources, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That this Act may be cited as the “Marine Resources and Engineering Development Act of 1966”.

Marine Re-  
sources and En-  
gineering Develop-  
ment Act of 1966.

DECLARATION OF POLICY AND OBJECTIVES

SEC. 2. (a) It is hereby declared to be the policy of the United States to develop, encourage, and maintain a coordinated, comprehensive, and long-range national program in marine science for the benefit of mankind to assist in protection of health and property, enhancement of commerce, transportation, and national security, rehabilitation of our commercial fisheries, and increased utilization of these and other resources.

(b) The marine science activities of the United States should be conducted so as to contribute to the following objectives:

(1) The accelerated development of the resources of the marine environment.

(2) The expansion of human knowledge of the marine environment.

(3) The encouragement of private investment enterprise in exploration, technological development, marine commerce, and economic utilization of the resources of the marine environment.

(4) The preservation of the role of the United States as a leader in marine science and resource development.

(5) The advancement of education and training in marine science.

(6) The development and improvement of the capabilities, performance, use, and efficiency of vehicles, equipment, and instruments for use in exploration, research, surveys, the recovery of resources, and the transmission of energy in the marine environment.

(7) The effective utilization of the scientific and engineering resources of the Nation, with close cooperation among all interested agencies, public and private, in order to avoid unnecessary duplication of effort, facilities, and equipment, or waste.

(8) The cooperation by the United States with other nations and groups of nations and international organizations in marine science activities when such cooperation is in the national interest.

THE NATIONAL COUNCIL ON MARINE RESOURCES AND ENGINEERING  
DEVELOPMENT

SEC. 3. (a) There is hereby established, in the Executive Office of the President, the National Council on Marine Resources and Engineering Development (hereinafter called the "Council") which shall be composed of—

(1) The Vice President, who shall be Chairman of the Council.

(2) The Secretary of State.

(3) The Secretary of the Navy.

(4) The Secretary of the Interior.

(5) The Secretary of Commerce.

(6) The Chairman of the Atomic Energy Commission.

(7) The Director of the National Science Foundation.

(8) The Secretary of Health, Education, and Welfare.

(9) The Secretary of the Treasury.

(b) The President may name to the Council such other officers and officials as he deems advisable.

(c) The President shall from time to time designate one of the members of the Council to preside over meetings of the Council during the absence, disability, or unavailability of the Chairman.

(d) Each member of the Council, except those designated pursuant to subsection (b), may designate any officer of his department or agency appointed with the advice and consent of the Senate to serve on the Council as his alternate in his unavoidable absence.

(e) The Council may employ a staff to be headed by a civilian executive secretary who shall be appointed by the President and shall receive compensation at a rate established by the President at not to exceed that of level II of the Federal Executive Salary Schedule. The executive secretary, subject to the direction of the Council, is authorized to

appoint and fix the compensation of such personnel, including not more than seven persons who may be appointed without regard to civil service laws or the Classification Act of 1949 and compensated at not to exceed the highest rate of grade 18 of the General Schedule of the Classification Act of 1949, as amended, as may be necessary to perform such duties as may be prescribed by the President.

63 Stat. 954.  
5 USC 1071  
note.  
Post, p. 288

(f) The provisions of this Act with respect to the Council shall expire one hundred and twenty days after the submission of the final report of the Commission pursuant to section 5(h).

#### RESPONSIBILITIES

SEC. 4. (a) In conformity with the provisions of section 2 of this Act, it shall be the duty of the President with the advice and assistance of the Council to—

(1) survey all significant marine science activities, including the policies, plans, programs, and accomplishments of all departments and agencies of the United States engaged in such activities;

(2) develop a comprehensive program of marine science activities, including, but not limited to, exploration, description and prediction of the marine environment, exploitation and conservation of the resources of the marine environment, marine engineering, studies of air-sea interaction, transmission of energy, and communications, to be conducted by departments and agencies of the United States, independently or in cooperation with such non-Federal organizations as States, institutions and industry;

(3) designate and fix responsibility for the conduct of the foregoing marine science activities by departments and agencies of the United States;

(4) insure cooperation and resolve differences arising among departments and agencies of the United States with respect to marine science activities under this Act, including differences as to whether a particular project is a marine science activity;

(5) undertake a comprehensive study, by contract or otherwise, of the legal problems arising out of the management, use, development, recovery, and control of the resources of the marine environment;

(6) establish long-range studies of the potential benefits to the United States economy, security, health, and welfare to be gained from marine resources, engineering, and science, and the costs involved in obtaining such benefits; and

(7) review annually all marine science activities conducted by departments and agencies of the United States in light of the policies, plans, programs, and priorities developed pursuant to this Act.

(b) In the planning and conduct of a coordinated Federal program the President and the Council shall utilize such staff, inter-agency, and non-Government advisory arrangements as they may find necessary and appropriate and shall consult with departments and agencies concerned with marine science activities and solicit the views of non-Federal organizations and individuals with capabilities in marine sciences.

#### COMMISSION ON MARINE SCIENCE, ENGINEERING, AND RESOURCES

SEC. 5. (a) The President shall establish a Commission on Marine Science, Engineering, and Resources (in this Act referred to as the "Commission"). The Commission shall be composed of fifteen mem-

bers appointed by the President, including individuals drawn from Federal and State governments, industry, universities, laboratories and other institutions engaged in marine scientific or technological pursuits, but not more than five members shall be from the Federal Government. In addition the Commission shall have four advisory members appointed by the President from among the Members of the Senate and the House of Representatives. Such advisory members shall not participate, except in an advisory capacity, in the formulation of the findings and recommendations of the Commission. The President shall select a Chairman and Vice Chairman from among such fifteen members. The Vice Chairman shall act as Chairman in the latter's absence.

(b) The Commission shall make a comprehensive investigation and study of all aspects of marine science in order to recommend an overall plan for an adequate national oceanographic program that will meet the present and future national needs. The Commission shall undertake a review of existing and planned marine science activities of the United States in order to assess their adequacy in meeting the objectives set forth under section 2(b), including but not limited to the following:

- (1) Review the known and contemplated needs for natural resources from the marine environment to maintain our expanding national economy.
- (2) Review the surveys, applied research programs, and ocean engineering projects required to obtain the needed resources from the marine environment.
- (3) Review the existing national research programs to insure realistic and adequate support for basic oceanographic research that will enhance human welfare and scientific knowledge.
- (4) Review the existing oceanographic and ocean engineering programs, including education and technical training, to determine which programs are required to advance our national oceanographic competence and stature and which are not adequately supported.
- (5) Analyze the findings of the above reviews, including the economic factors involved, and recommend an adequate national marine science program that will meet the present and future national needs without unnecessary duplication of effort.
- (6) Recommend a Governmental organizational plan with estimated cost.

(c) Members of the Commission appointed from outside the Government shall each receive \$100 per diem when engaged in the actual performance of duties of the Commission and reimbursement of travel expenses, including per diem in lieu of subsistence, as authorized in section 5 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 73b-2), for persons employed intermittently. Members of the Commission appointed from within the Government shall serve without additional compensation to that received for their services to the Government but shall be reimbursed for travel expenses, including per diem in lieu of subsistence, as authorized in the Act of June 9, 1949, as amended (5 U.S.C. 835-842).

(d) The Commission shall appoint and fix the compensation of such personnel as it deems advisable in accordance with the civil service laws and the Classification Act of 1949, as amended. In addition, the Commission may secure temporary and intermittent services to the same extent as is authorized for the departments by section 15 of the Administrative Expenses Act of 1946 (60 Stat. 810) but at rates not to exceed \$100 per diem for individuals.

60 Stat. 808;  
75 Stat. 339, 340.

63 Stat. 166.

63 Stat. 954.  
5 USC 1071  
note.

5 USC 55a.

(e) The Chairman of the Commission shall be responsible for (1) the assignment of duties and responsibilities among such personnel and their continuing supervision, and (2) the use and expenditures of funds available to the Commission. In carrying out the provisions of this subsection, the Chairman shall be governed by the general policies of the Commission with respect to the work to be accomplished by it and the timing thereof.

(f) Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel, and procurement) may be provided the Commission by the General Services Administration, for which payment shall be made in advance, or by reimbursement from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator of General Services: *Provided*, That the regulations of the General Services Administration for the collection of indebtedness of personnel resulting from erroneous payments (5 U.S.C. 46d) shall apply to the collection of erroneous payments made to or on behalf of a Commission employee, and regulations of said Administrator for the administrative control of funds (31 U.S.C. 665(g)) shall apply to appropriations of the Commission: *And provided further*, That the Commission shall not be required to prescribe such regulations.

68 Stat. 482.

64 Stat. 767.

(g) The Commission is authorized to secure directly from any executive 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 authorized 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.

(h) The Commission shall submit to the President, via the Council, and to the Congress not later than eighteen months after the establishment of the Commission as provided in subsection (a) of this section, a final report of its findings and recommendations. The Commission shall cease to exist thirty days after it has submitted its final report.

Report to President and Congress.

#### INTERNATIONAL COOPERATION

SEC. 6. The Council, under the foreign policy guidance of the President and as he may request, shall coordinate a program of international cooperation in work done pursuant to this Act, pursuant to agreements made by the President with the advice and consent of the Senate.

#### REPORTS

SEC. 7. (a) The President shall transmit to the Congress in January of each year a report, which shall include (1) a comprehensive description of the activities and the accomplishments of all agencies and departments of the United States in the field of marine science during the preceding fiscal year, and (2) an evaluation of such activities and accomplishments in terms of the objectives set forth pursuant to this Act.

(b) Reports made under this section shall contain such recommendations for legislation as the President may consider necessary or desirable for the attainment of the objectives of this Act, and shall contain an estimate of funding requirements of each agency and department of the United States for marine science activities during the succeeding fiscal year.

## DEFINITIONS

SEC. 8. For the purposes of this Act the term "marine science" shall be deemed to apply to oceanographic and scientific endeavors and disciplines, and engineering and technology in and with relation to the marine environment; and the term "marine environment" shall be deemed to include (a) the oceans, (b) the Continental Shelf of the United States, (c) the Great Lakes, (d) seabed and subsoil of the submarine areas adjacent to the coasts of the United States to the depth of two hundred meters, or beyond that limit, to where the depths of the superjacent waters admit of the exploitation of the natural resources of such areas, (e) the seabed and subsoil of similar submarine areas adjacent to the coasts of islands which comprise United States territory, and (f) the resources thereof.

## AUTHORIZATION

SEC. 9. There are hereby authorized to be appropriated such sums as may be necessary to carry out this Act, but sums appropriated for any one fiscal year shall not exceed \$1,500,000.

Approved June 17, 1966.

## Public Law 89-455

June 18, 1966  
[H. R. 11748]

## AN ACT

To amend section 111 of title 38, United States Code, to authorize the prepayment of certain expenses associated with the travel of veterans to or from a Veterans' Administration facility or other place, in connection with vocational rehabilitation or counseling, or for the purpose of examination, treatment, or care.

Veterans.  
Travel allow-  
ances.  
72 Stat. 1113.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subsection 111(b) of title 38, United States Code, is amended to read as follows:

"(b) Payment of the following expenses or allowances in connection with vocational rehabilitation, counseling, or upon termination of examination, treatment, or care, may be made before the completion of travel:

"(1) the mileage allowance authorized by subsection (a) hereof;

"(2) actual local travel expenses;

"(3) the expense of hiring an automobile or ambulance, or the fee authorized for the services of a nonemployee attendant."

Approved June 18, 1966.

## Public Law 89-456

June 20, 1966  
[H. R. 706]

## AN ACT

To amend the Railway Labor Act in order to provide for establishment of special adjustment boards upon the request either of representatives of employees or of carriers to resolve disputes otherwise referable to the National Railroad Adjustment Board, and to make all awards of such Board final.

Railway labor.  
Special adjust-  
ment boards.  
48 Stat. 1193.  
45 USC 153.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 3, Second, of the Railway Labor Act is amended by adding at the end thereof the following:

"If written request is made upon any individual carrier by the representative of any craft or class of employees of such carrier for the establishment of a special board of adjustment to resolve disputes otherwise referable to the Adjustment Board, or any dispute which

has been pending before the Adjustment Board for twelve months from the date the dispute (claim) is received by the Board, or if any carrier makes such a request upon any such representative, the carrier or the representative upon whom such request is made shall join in an agreement establishing such a board within thirty days from the date such request is made. The cases which may be considered by such board shall be defined in the agreement establishing it. Such board shall consist of one person designated by the carrier and one person designated by the representative of the employees. If such carrier or such representative fails to agree upon the establishment of such a board as provided herein, or to exercise its rights to designate a member of the board, the carrier or representative making the request for the establishment of the special board may request the Mediation Board to designate a member of the special board on behalf of the carrier or representative upon whom such request was made. Upon receipt of a request for such designation the Mediation Board shall promptly make such designation and shall select an individual associated in interest with the carrier or representative he is to represent, who, with the member appointed by the carrier or representative requesting the establishment of the special board, shall constitute the board. Each member of the board shall be compensated by the party he is to represent. The members of the board so designated shall determine all matters not previously agreed upon by the carrier and the representative of the employees with respect to the establishment and jurisdiction of the board. If they are unable to agree such matters shall be determined by a neutral member of the board selected or appointed and compensated in the same manner as is hereinafter provided with respect to situations where the members of the board are unable to agree upon an award. Such neutral member shall cease to be a member of the board when he has determined such matters. If with respect to any dispute or group of disputes the members of the board designated by the carrier and the representative are unable to agree upon an award disposing of the dispute or group of disputes they shall by mutual agreement select a neutral person to be a member of the board for the consideration and disposition of such dispute or group of disputes. In the event the members of the board designated by the parties are unable, within ten days after their failure to agree upon an award, to agree upon the selection of such neutral person, either member of the board may request the Mediation Board to appoint such neutral person and upon receipt of such request the Mediation Board shall promptly make such appointment. The neutral person so selected or appointed shall be compensated and reimbursed for expenses by the Mediation Board. Any two members of the board shall be competent to render an award. Such awards shall be final and binding upon both parties to the dispute and if in favor of the petitioner, shall direct the other party to comply therewith on or before the day named. Compliance with such awards shall be enforceable by proceedings in the United States district courts in the same manner and subject to the same provisions that apply to proceedings for enforcement of compliance with awards of the Adjustment Board."

SEC. 2. (a) The second sentence of section 3, First, (m), of the Railway Labor Act is amended by striking out "except insofar as they shall contain a money award".

(b) Section 3, First, (o), of the Railway Labor Act is amended by adding at the end thereof the following new sentence: "In the event any division determines that an award favorable to the petitioner

Compensation of members.

48 Stat. 1191  
45 USC 153.

should not be made in any dispute referred to it, the division shall make an order to the petitioner stating such determination."

(c) The second sentence of section 3, First, (p), of such Act is amended by striking out "shall be prima facie evidence of the facts therein stated" and inserting in lieu thereof "shall be conclusive on the parties".

(d) The last sentence of section 3, First, (p), of such Act is amended by inserting before the period at the end thereof the following: "Provided, however, That such order may not be set aside except for failure of the division to comply with the requirements of this Act, for failure of the order to conform, or confine itself, to matters within the scope of the division's jurisdiction, or for fraud or corruption by a member of the division making the order".

(e) Section 3, First, of such Act is further amended by redesignating paragraphs (q) through (w) thereof as paragraphs (r) through (x), respectively, and by inserting after paragraph (p) the following new paragraph:

Judicial review.

"(q) If any employee or group of employees, or any carrier, is aggrieved by the failure of any division of the Adjustment Board to make an award in a dispute referred to it, or is aggrieved by any of the terms of an award or by the failure of the division to include certain terms in such award, then such employee or group of employees or carrier may file in any United States district court in which a petition under paragraph (p) could be filed, a petition for review of the division's order. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Adjustment Board. The Adjustment Board shall file in the court the record of the proceedings on which it based its action. The court shall have jurisdiction to affirm the order of the division or to set it aside, in whole or in part, or it may remand the proceeding to the division for such further action as it may direct. On such review, the findings and order of the division shall be conclusive on the parties, except that the order of the division may be set aside, in whole or in part, or remanded to the division, for failure of the division to comply with the requirements of this Act, for failure of the order to conform, or confine itself, to matters within the scope of the division's jurisdiction, or for fraud or corruption by a member of the division making the order. The judgment of the court shall be subject to review as provided in sections 1291 and 1254 of title 28, United States Code."

62 Stat. 929.

Approved June 20, 1966.

Public Law 89-457

AN ACT

June 20, 1966  
[H. R. 6646]

To amend the Recreation and Public Purposes Act pertaining to the leasing of public lands to States and their political subdivisions.

Recreation and  
Public Purposes  
Act, amendment.  
68 Stat. 174.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 2(b) of the Act of June 14, 1926 (44 Stat. 741), as amended (43 U.S.C. 869-1 (b)), is further amended by substituting "twenty-five" for "twenty".

SEC. 2. Upon application by a lessee holding a lease under the Recreation and Public Purposes Act the Secretary of the Interior may enter into a new lease for a term not to exceed twenty-five years from the date of the new lease.

Approved June 20, 1966.

## Public Law 89-458

## AN ACT

To authorize establishment of the Fort Union Trading Post National Historic Site, North Dakota and Montana, and for other purposes.

June 20, 1966  
[H. R. 3957]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in order to commemorate the significant role played by Fort Union as a fur trading post on the upper Missouri River, the Secretary of the Interior may acquire by donation, purchase with donated or appropriated funds, or otherwise, the historic remains of Fort Union located in Williams County, North Dakota, and such additional lands and interests in land in Williams County, North Dakota, and Roosevelt County, Montana, as he may deem necessary to accomplish the purposes of this Act: *Provided*, That the total area so acquired shall not exceed 400 acres.

Fort Union Trading Post National Historic Site.

SEC. 2. When the site of historic Fort Union and other required lands and interests in lands have been acquired by the United States as provided in section 1 of this Act, the Secretary of the Interior shall establish such area or areas as the Fort Union Trading Post National Historic Site, by publication of notice thereof in the Federal Register.

Publication in Federal Register.

SEC. 3. The Secretary of the Interior shall administer, protect, develop, and maintain the Fort Union Trading Post National Historic Site subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535), as amended and supplemented, and the provisions of the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935 (49 Stat. 666).

Administration.

16 USC 1.

SEC. 4. There are hereby authorized to be appropriated not more than \$613,000 for the acquisition of lands and interests in land and for the development of the Fort Union Trading Post National Historic Site, as provided in this Act.

16 USC 461-467.

Appropriation.

Approved June 20, 1966.

## Public Law 89-459

## AN ACT

To declare that certain federally owned land is held by the United States in trust for the Minnesota Chippewa Tribe.

June 20, 1966  
[H. R. 10431]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all right, title, and interest of the United States in land heretofore used in connection with the White Earth Indian Boarding School described as the southwest quarter northeast quarter section 23, township 142 north, range 41 west, fifth principal meridian, Becker County, Minnesota, comprising 40 acres, excepting all improvements thereon that are the property of individual tribal members, are hereby declared to be held by the United States in trust for the Minnesota Chippewa Tribe.

Indians.  
Chippewa Tribe,  
lands in trust.

SEC. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission.

25 USC 70a.

Approved June 20, 1966.

## Public Law 89-460

June 21, 1966  
[H. R. 13366]

## AN ACT

To authorize the disposal of aluminum from the national stockpile.

Aluminum.  
Disposal.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding any other provision of law, the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately nine hundred and twenty thousand short tons of aluminum now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98-98h). The time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

60 Stat. 596.

SEC. 2. No disposal shall be made pursuant to the authority of this Act if such disposal would reduce the aggregate quantity of aluminum in the national stockpile and the inventory maintained under the Defense Production Act of 1950, as amended (50 U.S.C. App. 2061-2166), below the present aluminum stockpile objective of four hundred and fifty thousand short tons.

64 Stat. 798.

Approved June 21, 1966.

## Public Law 89-461

June 21, 1966  
[H. R. 13768]

## AN ACT

To authorize the disposal of celestite from the supplemental stockpile.

Celestite.  
Disposal.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately nine thousand eight hundred and sixty-five short tons of celestite now held in the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(b)). Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b): *Provided,* That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

73 Stat. 607.

60 Stat. 597.

Approved June 21, 1966.

## Public Law 89-462

June 21, 1966  
[H. R. 13769]

## AN ACT

To authorize the disposal of cordage fiber (sisal) from the national stockpile.

Cordage fiber.  
Disposal.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately one hundred million pounds

of cordage fiber (sisal) now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98-98h). Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided*, That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

Approved June 21, 1966.

60 Stat. 597.

Public Law 89-463

AN ACT

To authorize the disposal of crocidolite asbestos (harsh) from the supplemental stockpile.

June 21, 1966  
[H. R. 13770]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately forty-five thousand nine hundred and ninety-two short tons of crocidolite asbestos (harsh) now held in the supplemental stockpile established pursuant to section 104 (b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(b)). Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b): *Provided*, That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

Crocidolite as-  
bestos.  
Disposal.

73 Stat. 607.

60 Stat. 597.

Approved June 21, 1966.

Public Law 89-464

AN ACT

To authorize the disposal of opium from the national stockpile.

June 21, 1966  
[H. R. 13773]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately thirty-seven thousand two hundred and ninety pounds (morphine content) of stockpile grade gum opium and approximately two thousand two hundred pounds (morphine content) of nonstockpile grade material in various dosage forms now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98-98h). Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided*, That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

Opium.  
Disposal.

60 Stat. 597.

Approved June 21, 1966.

## Public Law 89-465

June 22, 1966  
[S. 1357]

## AN ACT

To revise existing bail practices in courts of the United States, and for other purposes.

Bail Reform Act  
of 1966.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Bail Reform Act of 1966".

SEC. 2. The purpose of this Act is to revise the practices relating to bail to assure that all persons, regardless of their financial status, shall not needlessly be detained pending their appearance to answer charges, to testify, or pending appeal, when detention serves neither the ends of justice nor the public interest.

62 Stat. 821;  
68 Stat. 747.

SEC. 3. (a) Chapter 207 of title 18, United States Code, is amended by striking out section 3146 and inserting in lieu thereof the following new sections:

**"§ 3146. Release in noncapital cases prior to trial**

"(a) Any person charged with an offense, other than an offense punishable by death, shall, at his appearance before a judicial officer, be ordered released pending trial on his personal recognizance or upon the execution of an unsecured appearance bond in an amount specified by the judicial officer, unless the officer determines, in the exercise of his discretion, that such a release will not reasonably assure the appearance of the person as required. When such a determination is made, the judicial officer shall, either in lieu of or in addition to the above methods of release, impose the first of the following conditions of release which will reasonably assure the appearance of the person for trial or, if no single condition gives that assurance, any combination of the following conditions:

"(1) place the person in the custody of a designated person or organization agreeing to supervise him;

"(2) place restrictions on the travel, association, or place of abode of the person during the period of release;

"(3) require the execution of an appearance bond in a specified amount and the deposit in the registry of the court, in cash or other security as directed, of a sum not to exceed 10 per centum of the amount of the bond, such deposit to be returned upon the performance of the conditions of release;

"(4) require the execution of a bail bond with sufficient solvent sureties, or the deposit of cash in lieu thereof; or

"(5) impose any other condition deemed reasonably necessary to assure appearance as required, including a condition requiring that the person return to custody after specified hours.

"(b) In determining which conditions of release will reasonably assure appearance, the judicial officer shall, on the basis of available information, take into account the nature and circumstances of the offense charged, the weight of the evidence against the accused, the accused's family ties, employment, financial resources, character and mental condition, the length of his residence in the community, his record of convictions, and his record of appearance at court proceedings or of flight to avoid prosecution or failure to appear at court proceedings.

"(c) A judicial officer authorizing the release of a person under this section shall issue an appropriate order containing a statement of the conditions imposed, if any, shall inform such person of the penalties applicable to violations of the conditions of his release and shall advise him that a warrant for his arrest will be issued immediately upon any such violation.

“(d) A person for whom conditions of release are imposed and who after twenty-four hours from the time of the release hearing continues to be detained as a result of his inability to meet the conditions of release, shall, upon application, be entitled to have the conditions reviewed by the judicial officer who imposed them. Unless the conditions of release are amended and the person is thereupon released, the judicial officer shall set forth in writing the reasons for requiring the conditions imposed. A person who is ordered released on a condition which requires that he return to custody after specified hours shall, upon application, be entitled to a review by the judicial officer who imposed the condition. Unless the requirement is removed and the person is thereupon released on another condition, the judicial officer shall set forth in writing the reasons for continuing the requirement. In the event that the judicial officer who imposed conditions of release is not available, any other judicial officer in the district may review such conditions.

“(e) A judicial officer ordering the release of a person on any condition specified in this section may at any time amend his order to impose additional or different conditions of release: *Provided*, That, if the imposition of such additional or different conditions results in the detention of the person as a result of his inability to meet such conditions or in the release of the person on a condition requiring him to return to custody after specified hours, the provisions of subsection (d) shall apply.

“(f) Information stated in, or offered in connection with, any order entered pursuant to this section need not conform to the rules pertaining to the admissibility of evidence in a court of law.

“(g) Nothing contained in this section shall be construed to prevent the disposition of any case or class of cases by forfeiture of collateral security where such disposition is authorized by the court.

#### “§ 3147. Appeal from conditions of release

“(a) A person who is detained, or whose release on a condition requiring him to return to custody after specified hours is continued, after review of his application pursuant to section 3146(d) or section 3146(e) by a judicial officer, other than a judge of the court having original jurisdiction over the offense with which he is charged or a judge of a United States court of appeals or a Justice of the Supreme Court, may move the court having original jurisdiction over the offense with which he is charged to amend the order. Said motion shall be determined promptly.

“(b) In any case in which a person is detained after (1) a court denies a motion under subsection (a) to amend an order imposing conditions of release, or (2) conditions of release have been imposed or amended by a judge of the court having original jurisdiction over the offense charged, an appeal may be taken to the court having appellate jurisdiction over such court. Any order so appealed shall be affirmed if it is supported by the proceedings below. If the order is not so supported, the court may remand the case for a further hearing, or may, with or without additional evidence, order the person released pursuant to section 3146(a). The appeal shall be determined promptly.

#### “§ 3148. Release in capital cases or after conviction

“A person (1) who is charged with an offense punishable by death, or (2) who has been convicted of an offense and is either awaiting sentence or has filed an appeal or a petition for a writ of certiorari, shall be treated in accordance with the provisions of section 3146 unless the court or judge has reason to believe that no one or more conditions of release will reasonably assure that the person will not flee or pose

a danger to any other person or to the community. If such a risk of flight or danger is believed to exist, or if it appears that an appeal is frivolous or taken for delay, the person may be ordered detained. The provisions of section 3147 shall not apply to persons described in this section: *Provided*, That other rights to judicial review of conditions of release or orders of detention shall not be affected.

**“§ 3149. Release of material witnesses**

“If it appears by affidavit that the testimony of a person is material in any criminal proceeding, and if it is shown that it may become impracticable to secure his presence by subpoena, a judicial officer shall impose conditions of release pursuant to section 3146. No material witness shall be detained because of inability to comply with any condition of release if the testimony of such witness can adequately be secured by deposition, and further detention is not necessary to prevent a failure of justice. Release may be delayed for a reasonable period of time until the deposition of the witness can be taken pursuant to the Federal Rules of Criminal Procedure.

**“§ 3150. Penalties for failure to appear**

“Whoever, having been released pursuant to this chapter, willfully fails to appear before any court or judicial officer as required, shall, subject to the provisions of the Federal Rules of Criminal Procedure, incur a forfeiture of any security which was given or pledged for his release, and, in addition, shall, (1) if he was released in connection with a charge of felony, or while awaiting sentence or pending appeal or certiorari after conviction of any offense, be fined not more than \$5,000 or imprisoned not more than five years, or both, or (2) if he was released in connection with a charge of misdemeanor, be fined not more than the maximum provided for such misdemeanor or imprisoned for not more than one year, or both, or (3) if he was released for appearance as a material witness, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both.

**“§ 3151. Contempt**

“Nothing in this chapter shall interfere with or prevent the exercise by any court of the United States of its power to punish for contempt.

**“§ 3152. Definitions**

“As used in sections 3146–3150 of this chapter—

“(1) The term ‘judicial officer’ means, unless otherwise indicated, any person or court authorized pursuant to section 3041 of this title, or the Federal Rules of Criminal Procedure, to bail or otherwise release a person before trial or sentencing or pending appeal in a court of the United States, and any judge of the District of Columbia Court of General Sessions; and

“(2) The term ‘offense’ means any criminal offense, other than an offense triable by court-martial, military commission, provost court, or other military tribunal, which is in violation of an Act of Congress and is triable in any court established by Act of Congress.”

(b) The analysis of chapter 207 of title 18, United States Code, is amended by striking out the last item and inserting in lieu thereof the following:

“3146. Release in noncapital cases prior to trial.

“3147. Appeal from conditions of release.

“3148. Release in capital cases or after conviction.

“3149. Release of material witnesses.

“3150. Penalties for failure to appear.

“3151. Contempt.

“3152. Definitions.”

SEC. 4. The first paragraph of section 3568 of title 18, United States Code, is amended to read as follows:

74 Stat. 738.

"The sentence of imprisonment of any person convicted of an offense shall commence to run from the date on which such person is received at the penitentiary, reformatory, or jail for service of such sentence. The Attorney General shall give any such person credit toward service of his sentence for any days spent in custody in connection with the offense or acts for which sentence was imposed. As used in this section, the term 'offense' means any criminal offense, other than an offense triable by court-martial, military commission, provost court, or other military tribunal, which is in violation of an Act of Congress and is triable in any court established by Act of Congress."

SEC. 5. (a) The first sentence of section 3041 of title 18, United States Code, is amended by striking out "or bailed" and inserting in lieu thereof "or released as provided in chapter 207 of this title".

62 Stat. 815.

(b) Section 3141 of such title is amended by striking out all that follows "offenders," and inserting in lieu thereof the following: "but only a court of the United States having original jurisdiction in criminal cases, or a justice or judge thereof, may admit to bail or otherwise release a person charged with an offense punishable by death."

(c) Section 3142 of such title is amended by striking out "and admitted to bail" and inserting in lieu thereof "who is released on the execution of an appearance bail bond with one or more sureties".

(d) Section 3143 of such title is amended by striking out "admitted to bail" and inserting in lieu thereof "released on the execution of an appearance bail bond with one or more sureties".

(e) (1) The heading to chapter 207 of such title is amended by striking out "BAIL" and inserting in lieu thereof "RELEASE".

(2) The table of contents to part II of such title is amended by striking out "207. Bail" and inserting in lieu thereof "207. Release".

SEC. 6. This Act shall take effect ninety days after the date on which it is enacted: *Provided*, That the provisions of section 4 shall be applicable only to sentences imposed on or after the effective date.

Effective date.

Approved June 22, 1966.

Public Law 89-466

AN ACT

To amend title 38, United States Code, to increase dependency and indemnity compensation in certain cases.

June 22, 1966  
[H. R. 3177]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That subsection 412(b), title 38, United States Code, is amended to read as follows:

Veterans.  
Dependency and  
indemnity compensation.  
75 Stat. 566.

"(b) In any case where the amount of dependency and indemnity compensation payable under this chapter to a widow who has children is less than the amount of pension which would be payable to (1) such widow, or (2) such children if the widow were not entitled, under chapter 15 of this title had the death occurred under circumstances authorizing payment of death pension, the Administrator shall pay dependency and indemnity compensation to such widow in an amount equal to such amount of pension."

38 USC 501 et  
seq.

Approved June 22, 1966.

Public Law 89-467

AN ACT

June 22, 1966  
[H. R. 9961]

To amend chapter 15 of title 38, United States Code, to provide that where a veteran receiving pension under this chapter disappears, the Administrator may pay the pension otherwise payable to the wife and children.

Veterans.  
Pensions.  
72 Stat. 1134.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) subchapter I of chapter 15 of title 38, United States Code, be amended by adding at the end thereof the following new section:

**“§ 507. Disappearance**

“Where a veteran receiving pension under subchapter II of this chapter disappears, the Administrator, in his discretion, may pay the pension otherwise payable to his wife and children. In applying the provisions of this section, the Administrator may presume, without reports pursuant to section 506(a) of this title, that the status of the veteran at the time of disappearance, with respect to permanent and total disability, income, and net worth, continues unchanged. Payments made to a wife or child under this section shall not exceed the amount to which each would be entitled if the veteran died of a non-service-connected disability.”

(b) The table of sections at the head of subchapter I of chapter 15 of title 38, United States Code, is amended by adding at the end thereof the following:

“507. Disappearance.”  
Approved June 22, 1966.

Public Law 89-468

AN ACT

June 23, 1966  
[H. R. 12676]

To amend the Tariff Schedules of the United States to provide that certain forms of copper be admitted free of duty.

Copper.  
Duty suspension.  
77A Stat. 433;  
78 Stat. 222.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subpart B of part 1 of the appendix to the Tariff Schedules of the United States (19 U.S.C., sec. 1202) is amended by—

(a) amending items 911.10, 911.11, and 911.12 to read as follows:

Item	Articles	Rates of duty			Effective period
		1-a	1-b	2	
911.10	Copper waste and scrap.....	Free	No change	No change	On or before 6/30/68
911.11	Articles of copper.....	Free	No change	No change	On or before 6/30/68
911.12	Other.....	Free	Free	Free	On or before 6/30/67”;

(b) deleting the effective period accompanying the descriptive material preceding items 911.10, 911.11, and 911.12; and

(c) inserting immediately following item 911.12 the following new items:

Item	Articles	Rates of duty		Effective Period	
		1	2		
911.13	Copper bearing ores and materials (provided for in items 602.30 or 603.50, part 1, schedule 6).	Free of duty imposed on copper content under items 602.30 or 603.50	No change	On or before 6/30/68 when headnote 5, part 1, schedule 6 is in-applicable	
		Rates of duty			Effective Period
		1-a	1-b	2	
911.14	Cement copper and copper precipitates (provided for in item 612.02, part 2C, schedule 6).	Free	No change	No change	On or before 6/30/68
911.15	Black copper, blister copper, anode copper (provided for in item 612.03, part 2C, schedule 6).	Free	No change	No change	On or before 6/30/68
911.16	Other unwrought copper (provided for in item 612.06, part 2C, schedule 6).	Free	No change	No change	On or before 6/30/68"

SEC. 2. The amendments made by the first section of this Act shall apply to articles entered, or withdrawn from warehouse, for consumption after February 8, 1966.

Approved June 23, 1966.

Effective date.

Public Law 89-469

AN ACT

To provide for the striking of medals in commemoration of the one hundredth anniversary of the founding of the United States Secret Service.

June 24, 1966  
[H. R. 10357]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in commemoration of the one hundredth anniversary of the founding of the United States Secret Service, the Secretary of the Treasury (hereinafter referred to as the "Secretary") is authorized and directed to strike bronze medals of a suitable size, and with suitable emblems, devices, and inscriptions to be determined solely by the Secretary.*

U.S. Secret  
Service.  
Anniversary.

SEC. 2. The Secretary shall cause such medals to be struck and sold by the mint, as a list medal, under such regulations as he may prescribe, at a price sufficient to cover the cost thereof, including labor, materials, dies, use of machinery, and overhead expenses.

Approved June 24, 1966.

## Public Law 89-470

June 24, 1966  
[H. R. 5984]

## AN ACT

To amend sections 2275 and 2276 of the Revised Statutes, as amended, with respect to certain lands granted to the States.

Public lands.  
Grants to States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 2275 of the Revised Statutes, as amended (43 U.S.C. 851), is further amended by—

(a) Deleting the words “or Territory” wherever they appear in that section;

(b) Deleting the words “prior to survey” wherever they appear in that section and substituting therefor the words “before title could pass to the State”.

SEC. 2. Section 2276 of the Revised Statutes, as amended (43 U.S.C. 852), is further amended by—

(a) Deleting the words “or Territory” and “or Territories” wherever they appear in that section;

(b) Deleting the words “prior to survey” wherever they appear in that section and substituting therefor the words “before title could pass to the State”.

(c) Adding the words “or unsurveyed” after the word “surveyed” in subparagraph (a).

SEC. 3. The Secretary of the Interior may issue regulations governing applications for unsurveyed lands. If he establishes any minimum acreage requirements, they shall provide for selection of tracts of reasonable size, taking into consideration location, terrain, and adjacent land ownership and uses.

SEC. 4. Prior to issuance of an instrument of transfer, lands must be surveyed. The Secretary of the Interior shall within five years, subject to the availability of funds, survey the exterior boundaries of lands approved as suitable for transfer to the State.

Approved June 24, 1966.

## Public Law 89-471

June 24, 1966  
[H. R. 15124]

## AN ACT

To amend section 316 of the Agricultural Adjustment Act of 1938, as amended.

Tobacco allotments.  
Lease filing, extension.  
75 Stat. 469.  
7 USC 1314b.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 316(c) of the Agricultural Adjustment Act of 1938, as amended, is amended by changing the period at the end of the second sentence to a colon and adding the following proviso: “*Provided*, That any lease and transfer of an allotment shall be effective, notwithstanding the failure to file a copy of the lease with the county committee prior to such closing date, if (1) the Secretary finds that a lease in compliance with the provisions of this section was agreed upon prior to such closing date, and (2) the terms of the lease are reduced to writing and filed in the county office in which the farms involved are located not later than the 31st day of July of the crop year to which the lease relates.”

Approved June 24, 1966.

## Public Law 89-472

## AN ACT

June 24, 1966  
[H. R. 15202]

To provide, for the period beginning on July 1, 1966, and ending on June 30, 1967, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, during the period beginning on July 1, 1966, and ending on June 30, 1967, the public debt limit set forth in the first sentence of section 21 of the Second Liberty Bond Act, as amended (31 U.S.C. 757b), shall be temporarily increased to \$330,000,000,000.

Approved June 24, 1966.

Public debt  
limit.

79 Stat. 172.

## Public Law 89-473

## AN ACT

June 29, 1966  
[H. R. 6438]

To authorize any executive department or independent establishment of the Government, or any bureau or office thereof, to make appropriate accounting adjustment or reimbursement between the respective appropriations available to such departments and establishments, or any bureau or office thereof.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, subject to limitations applicable with respect to each appropriation concerned, each appropriation available to any executive department or independent establishment of the Government, or any bureau or office thereof, may be charged, at any time during a fiscal year, for the benefit of any other appropriation available to such executive department or independent establishment, or any bureau or office thereof, for the purpose of financing the procurement of materials and services, or financing other costs, for which funds are available both in the financing appropriation to be charged and in the appropriation so benefited. Such expenses so financed shall be charged on a final basis during, or as of the close of, such fiscal year to the appropriation so benefited, with appropriate credit to the financing appropriation.

SEC. 2. (a) Section 14 of title 13, United States Code, is hereby repealed.

(b) The table of contents of subchapter I of chapter 1 of such title 13 is amended by striking out

"14. Reimbursement between appropriations."

SEC. 3. Nothing contained in this Act shall be construed as affecting in any manner the provisions of section 632(g) of the Foreign Assistance Act of 1961, approved September 4, 1961 (75 Stat. 454).

Approved June 29, 1966.

Federal agen-  
cies.  
Accounting ad-  
justments between  
appropriations.Repeal.  
76 Stat. 104.

22 USC 2392.

## Public Law 89-474

June 29, 1966  
[H. R. 14266]

## AN ACT

Making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending June 30, 1967, and for other purposes.

Treasury, Post  
Office, and Ex-  
ecutive Office  
Appropriation Act,  
1967.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Treasury and Post Office Departments, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending June 30, 1967, and for other purposes, namely:

## TITLE I—TREASURY DEPARTMENT

## OFFICE OF THE SECRETARY

## SALARIES AND EXPENSES

60 Stat. 810.

For necessary expenses in the Office of the Secretary, including the operation and maintenance of the Treasury Building and Annex thereof; services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); the purchase of uniforms for elevator operators; and not to exceed \$5,000 for official reception and representation expenses; \$6,900,000.

## BUREAU OF ACCOUNTS

## SALARIES AND EXPENSES

For necessary expenses of the Bureau of Accounts, \$32,988,000.

## BUREAU OF CUSTOMS

## SALARIES AND EXPENSES

68 Stat. 1114;  
79 Stat. 1122.

For necessary expenses of the Bureau of Customs, including purchase of sixty-eight passenger motor vehicles (of which sixty shall be for replacement only) including fifty-eight for police-type use which may exceed by \$300 each the general purchase price limitation for the current fiscal year; uniforms or allowances therefor, as authorized by the Act of September 1, 1954, as amended (5 U.S.C. 2131); services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); and awards of compensation to informers as authorized by the Act of August 13, 1953 (22 U.S.C. 401); \$85,793,000.

67 Stat. 577.

## BUREAU OF THE MINT

## SALARIES AND EXPENSES

For necessary expenses of the Bureau of the Mint, including purchase and maintenance of uniforms and accessories for guards; purchase of one passenger motor vehicle for replacement only; services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); and not to exceed \$1,000 for the expenses of the annual assay commission; \$26,500,000.

## BUREAU OF NARCOTICS

## SALARIES AND EXPENSES

For necessary expenses of the Bureau of Narcotics, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); and hire of passenger motor vehicles; \$6,138,000.

60 Stat. 810.

## BUREAU OF THE PUBLIC DEBT

## ADMINISTERING THE PUBLIC DEBT

For necessary expenses connected with any public-debt issues of the United States, \$51,894,000.

## COAST GUARD

## OPERATING EXPENSES

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for, including hire of passenger motor vehicles; services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); purchase of not to exceed sixteen passenger motor vehicles for replacement only; maintenance, operation, and repair of aircraft; recreation and welfare; and uniforms or allowances therefor, as authorized by the Act of September 1, 1954, as amended (5 U.S.C. 2131); \$321,400,000: *Provided*, That the number of aircraft on hand at any one time shall not exceed one hundred and sixty-eight exclusive of planes and parts stored to meet future attrition: *Provided further*, That, without regard to any provisions of law or Executive order prescribing minimum flight requirements, Coast Guard regulations which establish proficiency standards and maximum and minimum flying hours for this purpose may provide for the payment of flight pay at the rates prescribed in section 301 of title 37, United States Code, to certain members of the Coast Guard otherwise entitled to receive flight pay during the current fiscal year (1) who have held aeronautical ratings or designations for not less than fifteen years, or (2) whose particular assignment outside the United States or in Alaska, makes it impractical to participate in regular aerial flights: *Provided further*, That amounts equal to the obligated balances against the appropriations for "Operating expenses" for the two preceding years, shall be transferred to and merged with this appropriation, and such merged appropriation shall be available as one fund, except for accounting purposes of the Coast Guard, for the payment of obligations properly incurred against such prior year appropriations and against this appropriation: *Provided further*, That, except as otherwise authorized by the Act of September 30, 1950 (20 U.S.C. 236-244), this appropriation shall be available for expenses of primary and secondary schooling for dependents of Coast Guard personnel stationed outside the continental United States at costs for any given area not in excess of those of the Department of Defense for the same area, when it is determined by the Secretary that the schools, if any, available in the locality are unable to provide adequately for the education of such dependents, and the Coast Guard may provide for the transportation of said dependents between such schools and their places of residence when the schools are not accessible to such dependents by regular means of transportation.

68 Stat. 1114;  
79 Stat. 1122.

76 Stat. 461.

64 Stat. 1100;  
79 Stat. 27.

## ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

60 Stat. 810.

For necessary expenses of acquisition, construction, rebuilding, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto; and services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); \$103,000,000, to remain available until expended: *Provided*, That repayment may be made to other Coast Guard appropriations for expenses incurred in support of activities carried out under this appropriation.

## RETIRED PAY

70A Stat. 108.  
10 USC 1431-  
1446.

For retired pay, including the payment of obligations therefor otherwise chargeable to lapsed appropriations for this purpose, and payments under the Retired Serviceman's Family Protection Plan, \$44,250,000.

## RESERVE TRAINING

For all necessary expenses for the Coast Guard Reserve, as authorized by law, including repayment to other Coast Guard appropriations for indirect expenses, for regular personnel, or reserve personnel while on active duty, engaged primarily in administration and operation of the reserve program; maintenance and operation of facilities; supplies, equipment, and services; and the maintenance, operation, and repair of aircraft; \$24,031,000: *Provided*, That amounts equal to the obligated balances against the appropriations for "Reserve training" for the two preceding years shall be transferred to and merged with this appropriation, and such merged appropriation shall be available as one fund, except for accounting purposes of the Coast Guard, for the payment of obligations properly incurred against such prior year appropriations and against this appropriation.

## INTERNAL REVENUE SERVICE

## SALARIES AND EXPENSES

For necessary expenses of the Internal Revenue Service, not otherwise provided for, including executive direction, administrative support, and internal audit and security; hire of passenger motor vehicles; and services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), and of expert witnesses at such rates as may be determined by the Commissioner; \$18,600,000.

## REVENUE ACCOUNTING AND PROCESSING

For necessary expenses of the Internal Revenue Service for processing tax returns, and revenue accounting; hire of passenger motor vehicles; and services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), and of expert witnesses at such rates as may be determined by the Commissioner, including not to exceed \$28,200,000 for temporary employment and not to exceed \$77,000 for salaries of personnel engaged in pre-employment training of card punch operator applicants; \$169,529,000.

## COMPLIANCE

For necessary expenses of the Internal Revenue Service for determining and establishing tax liabilities, and for investigation and enforcement activities, including purchase (not to exceed two hundred

and forty-six for replacement only, for police-type use which may exceed by \$300 each the general purchase price limitation for the current fiscal year) and hire of passenger motor vehicles; and services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), and of expert witnesses at such rates as may be determined by the Commissioner; \$462,100,000.

60 Stat. 810.

## OFFICE OF THE TREASURER

## SALARIES AND EXPENSES

For necessary expenses of the Office of the Treasurer, \$6,348,000.

## UNITED STATES SECRET SERVICE

## SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Secret Service, including purchase (not to exceed thirty-one for police-type use which may exceed by \$300 each the general purchase price limitation for the current fiscal year, for replacement only), and hire of passenger motor vehicles, services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), and purchase, repair and cleaning of uniforms; \$14,628,000.

This title may be cited as the "Treasury Department Appropriation Act, 1967".

Citation of title.

## TITLE II—POST OFFICE DEPARTMENT

## CURRENT AUTHORIZATIONS OUT OF GENERAL FUND

## CONTRIBUTION TO THE POSTAL FUND

For administration and operation of the Post Office Department and the postal service, there is hereby appropriated the aggregate amount of postal revenues for the current fiscal year, as authorized by law (39 U.S.C. 2201-2202), together with an amount equal to the difference between such revenues and the total of the appropriations hereinafter specified and the sum needed may be advanced to the Post Office Department upon requisition of the Postmaster General, for the following purposes, namely:

74 Stat. 594.

## CURRENT AUTHORIZATIONS OUT OF POSTAL FUND

## ADMINISTRATION AND REGIONAL OPERATION

For expenses necessary for administration of the postal service, operation of the inspection service and regional offices, uniforms or allowances therefor, as authorized by the Act of September 1, 1954, as amended (5 U.S.C. 2131), including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); management studies; not to exceed \$25,000 for miscellaneous and emergency expenses (including not to exceed \$6,000 for official reception and representation expenses upon approval by the Postmaster General); rewards for information and services concerning violations of postal laws and regulations, current and prior fiscal years, in accordance with regulations of the Postmaster General in effect at the time the services are rendered or information furnished, of which not to exceed \$25,000 for confidential information and services shall be paid in the

68 Stat. 1114;  
79 Stat. 1122.

discretion of the Postmaster General and accounted for solely on his certificate; and expenses of delegates designated by the Postmaster General to attend meetings and congresses for the purpose of making postal arrangements with foreign governments pursuant to law, and not to exceed \$20,000 of such expenses to be accounted for solely on the certificate of the Postmaster General; \$93,559,000.

#### RESEARCH, DEVELOPMENT, AND ENGINEERING

60 Stat. 810.

For expenses necessary for administration and conduct of a research, development, and engineering program, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), \$16,152,000, to remain available until expended.

#### OPERATIONS

68 Stat. 1114;  
79 Stat. 1122.

For expenses necessary for postal operations, including uniforms or allowances therefor, as authorized by the Act of September 1, 1954, as amended (5 U.S.C. 2131); for repair of vehicles owned by, or under control of, units of the National Guard and departments and agencies of the Federal Government where repairs are made necessary because of utilization of such vehicles in the postal service, and for other activities conducted by the Post Office Department pursuant to law; \$4,710,000,000: *Provided*, That functions financed by the appropriations available to the Post Office Department for the current fiscal year and the amounts appropriated therefor, may be transferred, in addition to the appropriation transfers otherwise authorized in this Act and with the approval of the Bureau of the Budget, between such appropriations to the extent necessary to improve administration and operations: *Provided further*, That Federal Reserve banks and branches may be reimbursed for expenditures as fiscal agents of the United States on account of Post Office Department operations.

#### TRANSPORTATION

For payments for transportation of domestic and foreign mails by air, land, and water transportation facilities, including current and prior fiscal years settlements with foreign countries for handling of mail, \$605,000,000.

#### BUILDING OCCUPANCY AND POSTAL SUPPLIES

For expenses necessary for the operation of postal facilities, buildings, and postal communication service; uniforms or allowances therefor, as authorized by the Act of September 1, 1954, as amended (5 U.S.C. 2131); procurement of stamps and accountable paper, and postal supplies; and storage of vehicles owned by, or under control of, units of the National Guard and departments and agencies of the Federal Government; \$239,822,000.

#### PLANT AND EQUIPMENT

For expenses necessary for modernization and acquisition of equipment and facilities for postal purposes, including not to exceed \$2,000,000 for increases in prior year orders placed with other Government agencies in addition to current increases in prior year orders or contracts made as a result of changes in plans, \$138,000,000: *Provided*, That the funds herein appropriated shall be available for repair,

alteration, and improvement of the mail equipment shops at Washington, District of Columbia, and for payment to the General Services Administration for the repair, alteration, preservation, renovation, improvement, and equipment of federally owned property used for postal purposes, including improved lighting, color, and ventilation for the specialized conditions in space occupied for postal purposes.

This title may be cited as the "Post Office Department Appropriation Act, 1967".

Citation of title.

## TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT

### COMPENSATION OF THE PRESIDENT

For compensation of the President, including an expense allowance at the rate of \$50,000 per annum as authorized by the Act of January 19, 1949 (3 U.S.C. 102), \$150,000.

63 Stat. 4.

### THE WHITE HOUSE OFFICE

#### SALARIES AND EXPENSES

For expenses necessary for the White House Office, including not to exceed \$215,000 for services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), at such per diem rates for individuals as the President may specify, and other personal services without regard to the provisions of law regulating the employment and compensation of persons in the Government service; newspapers, periodicals, teletype news service, and travel, and official entertainment expenses of the President, to be accounted for solely on his certificate; \$2,955,000.

60 Stat. 810.

#### SPECIAL PROJECTS

For expenses necessary to provide staff assistance for the President in connection with special projects, to be expended in his discretion and without regard to such provisions of law regarding the expenditure of Government funds or the compensation and employment of persons in the Government service as he may specify, \$1,500,000: *Provided*, That not to exceed 20 per centum of this appropriation may be used to reimburse the appropriation for "Salaries and expenses, The White House Office", for administrative services: *Provided further*, That not to exceed \$10,000 shall be available for allocation within the Executive Office of the President for official reception and representation expenses.

#### OPERATING EXPENSES, EXECUTIVE MANSION

For the care, maintenance, repair and alteration, refurnishing, improvement, heating and lighting, including electric power and fixtures, of the Executive Mansion, and traveling expenses, to be expended as the President may determine, notwithstanding the provisions of this or any other Act, and official entertainment expenses of the President, to be accounted for solely on his certificate; \$692,000.

### BUREAU OF THE BUDGET

#### SALARIES AND EXPENSES

For expenses necessary for the Bureau of the Budget, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), \$8,913,135.

## COUNCIL OF ECONOMIC ADVISERS

## SALARIES AND EXPENSES

60 Stat. 23.

For necessary expenses of the Council in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021), \$790,000.

## NATIONAL SECURITY COUNCIL

## SALARIES AND EXPENSES

60 Stat. 810.

For expenses necessary for the National Security Council, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), and acceptance and utilization of voluntary and uncompensated services, \$664,000.

## EMERGENCY FUND FOR THE PRESIDENT

For expenses necessary to enable the President, through such officers or agencies of the Government as he may designate, and without regard to such provisions of law regarding the expenditure of Government funds or the compensation and employment of persons in the Government service as he may specify, to provide in his discretion for emergencies affecting the national interest, security, or defense which may arise at home or abroad during the current fiscal year, \$1,000,000: *Provided*, That no part of this appropriation shall be available for allocation to finance a function or project for which function or project a budget estimate of appropriation was transmitted pursuant to law during the Eighty-ninth Congress or the first session of the Ninetieth Congress, and such appropriation denied after consideration thereof by the Senate or House of Representatives or by the Committee on Appropriations of either body.

## EXPENSES OF MANAGEMENT IMPROVEMENT

For expenses necessary to assist the President in improving the management of executive agencies and in obtaining greater economy and efficiency through the establishment of more efficient business methods in Government operations, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), by allocation to any agency or office in the executive branch for the conduct, under the general direction of the Bureau of the Budget, of examinations and appraisals of, and the development and installation of improvements in, the organization and operations of such agency or of other agencies in the executive branch, \$350,000, to remain available until expended, and to be available without regard to the provisions of subsection (c) of section 3679 of the Revised Statutes, as amended.

31 USC 665.

Citation of title.

This title may be cited as the "Executive Office Appropriation Act, 1967".

## TITLE IV—INDEPENDENT AGENCIES

## TAX COURT OF THE UNITED STATES

## SALARIES AND EXPENSES

For necessary expenses, including contract stenographic reporting services, \$2,355,000: *Provided*, That travel expenses of the judges shall be paid upon the written certificate of the judge.

## ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

## SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Act of September 24, 1959 (73 Stat. 703-706), \$428,000.

5 USC 2371-  
2378.

## TITLE V—GENERAL PROVISIONS

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

This Act may be cited as the "Treasury, Post Office, and Executive Office Appropriation Act, 1967".

Short title.

Approved June 29, 1966.

Public Law 89-475

## AN ACT

To supplement the Act of October 6, 1964, establishing the Lewis and Clark Trail Commission, and for other purposes.

June 29, 1966  
[H. R. 6515]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in furtherance of the purposes of the Act of October 6, 1964 (78 Stat. 1005), establishing the Lewis and Clark Trail Commission, the Commission shall give appropriate consideration and recognition to the fact that the Lewis and Clark Expedition's headquarters and training camp, during the winter of 1803, were located near Wood River, Illinois. In addition, the State membership of the Commission, as set forth in section 3(a) of the Act, is hereby increased to eleven members in order to include a member from the State of Illinois who shall be the Governor or his designated representative.

Lewis and Clark  
Trail Commission.

SEC. 2. The Act of October 6, 1964 (78 Stat. 1005), is amended by revising section 9 to read:

"SEC. 9. There is authorized to be appropriated annually, through the Department of the Interior and related agencies appropriation Acts, not to exceed the sum of \$35,000 to carry out the provisions of this Act."

Appropriation.

Approved June 29, 1966.

Public Law 89-476

## AN ACT

To simplify the admeasurement of small vessels.

June 29, 1966  
[S. 2142]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 4148 of the Revised Statutes (46 U.S.C. 71) is amended to read as follows:

Small vessels.  
Admeasurement  
simplification.

"SEC. 4148. (a) Before a vessel is documented under the laws of the United States or issued a certificate of record she shall be admeasured by the Secretary of the Treasury as provided in subsection (b) or (c) of this section. A vessel which has been admeasured need not be readmeasured solely to obtain another document, unless it is a vessel admeasured under subsection (b) which is required to be readmeasured under subsection (c); but a vessel which is intended to be used exclusively as a pleasure vessel may at the owner's option be readmeasured under subsection (b).

Gross and net tonnages.

“(b) Subject to the owner’s option to have his vessel admeasured under subsection (c) of this section, a vessel which is intended to be used exclusively as a pleasure vessel shall be assigned gross and net tonnages which are the product of its length, breadth, and depth in feet and appropriate coefficients. The Secretary of the Treasury shall prescribe the manner in which the length, breadth, and depth shall be measured and the appropriate coefficients to be applied, taking due account of variations in vessel construction, to the end that, taken as a group and so far as practicable, the resulting gross tonnages shall reasonably reflect the relative internal volumes of the vessels admeasured and the resulting net tonnages shall be in the same ratio to the corresponding gross tonnages as the net and gross tonnages of comparable vessels if admeasured under subsection (c) of this section.

“(c) A vessel not admeasured under subsection (b) of this section, or a vessel admeasured under subsection (b) which is thereafter to be documented for use other than exclusively as a pleasure vessel, shall be admeasured as prescribed in sections 4150, 4151, and 4153 of the Revised Statutes, as amended (46 U.S.C. 74, 75, 77).

“(d) Whenever a vessel documented under the laws of the United States undergoes a change affecting tonnage, or its owner or the Secretary of the Treasury alleges error in its tonnage, it shall be readmeasured to the extent necessary and its tonnage redetermined under this section.

“(e) The tonnage of a vessel for which a document or certificate of record has been issued before the effective date of this subsection need not be redetermined solely because of amendments to Federal law enacted at the same time as this subsection; but if it is eligible for admeasurement under subsection (b) of this section its owner shall have the option of having it readmeasured under that subsection.

“(f) The Secretary of the Treasury shall make such regulations as may be necessary to carry out the provisions and intent of this section and of sections 4149, 4150, 4151, and 4153 of the Revised Statutes, as amended (46 U.S.C. 72, 74, 75, 77).”

Repeals.

SEC. 2. The following statutes and parts of statutes are repealed:

(a) Section 4152 of the Revised Statutes (46 U.S.C. 76).

(b) The second and third paragraphs following paragraph (i), and the first sentence of the last paragraph, reading “The register of the vessel shall express the number of decks, the tonnage under the tonnage deck, that of the between decks, above the tonnage decks; also that of the poop or other enclosed spaces above the deck, each separately.”, of section 4153 of the Revised Statutes, as amended (46 U.S.C. 77).

(c) Section 4181 of the Revised Statutes (46 U.S.C. 73).

(d) Section 4331 of the Revised Statutes (46 U.S.C. 273).

(e) Section 2 of the Act of March 2, 1895 (ch. 173, 28 Stat. 743; 46 U.S.C. 78).

(f) Section 4 of the Act of March 2, 1895 (ch. 173, 28 Stat. 743), as amended (46 U.S.C. 79).

Effective date.

SEC. 3. This Act shall take effect upon the expiration of ninety days after the date of its enactment.

Approved June 29, 1966.

## Public Law 89-477

## AN ACT

To amend section 402(d) of the Federal Food, Drug, and Cosmetic Act.

June 29, 1966  
[H. R. 7042]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 402(d) of the Federal Food, Drug, and Cosmetic Act, as amended, is hereby amended to read as follows:

Federal Food,  
Drug, and Cos-  
metic Act, amend-  
ment.

52 Stat. 1046.  
21 USC 342.

“(d) If it is confectionery, and—

“(1) has partially or completely imbedded therein any non-nutritive object: *Provided*, That this clause shall not apply in the case of any nonnutritive object if, in the judgment of the Secretary as provided by regulations, such object is of practical functional value to the confectionery product and would not render the product injurious or hazardous to health;

“(2) bears or contains any alcohol other than alcohol not in excess of one-half of 1 per centum by volume derived solely from the use of flavoring extracts; or

“(3) bears or contains any nonnutritive substance: *Provided*, That this clause shall not apply to a safe nonnutritive substance which is in or on confectionery by reason of its use for some practical functional purpose in the manufacture, packaging, or storage of such confectionery if the use of the substance does not promote deception of the consumer or otherwise result in adulteration or misbranding in violation of any provision of this Act: *And provided further*, That the Secretary may, for the purpose of avoiding or resolving uncertainty as to the application of this clause, issue regulations allowing or prohibiting the use of particular nonnutritive substances.”

Approved June 29, 1966.

## Public Law 89-478

## AN ACT

To permit variation of the forty-hour workweek of Federal employees for educational purposes.

June 29, 1966  
[S. 1495]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 604(a) of the Federal Employees Pay Act of 1945, as amended (5 U.S.C. 944(a)), is amended by adding a new paragraph to read as follows:

Federal em-  
ployees.  
Variation of  
forty-hour work-  
week.

59 Stat. 303;  
66 Stat. 1112.

“(3) Notwithstanding the provisions of paragraph (2) of this subsection, the head of each such department, establishment, or agency and of the municipal government of the District of Columbia may establish special tours of duty (of not less than forty hours) without regard to the requirements of such paragraph in order to enable officers and employees to take courses in nearby colleges, universities, or other educational institutions which will equip them for more effective work in the agency. No premium compensation shall be paid to any officer or employee solely because his special tour of duty established pursuant to this paragraph results in his working on a day or at a time of day for which premium compensation is otherwise authorized.”

Approved June 29, 1966.

## Public Law 89-479

## AN ACT

June 30, 1966  
[H. R. 7402]

To provide for the establishment of the Chamizal National Memorial in the city of El Paso, Texas, and for other purposes.

Chamizal National Memorial.

15 UST 21.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is authorized to establish and develop a memorial to be known as the Chamizal National Memorial at El Paso, Texas, on approximately fifty-five acres in the northeastern part of the portion of Cordova Island acquired by the United States under the Convention between the United States of America and the United Mexican States for the Solution of the Problem of the Chamizal, signed at Mexico City August 29, 1963 (TIAS-5515). The Chamizal National Memorial shall commemorate the harmonious settlement of the long-standing boundary dispute between the United States and Mexico concerning the Chamizal, an area of land situated to the north of the Rio Grande in the El Paso Ciudad Juarez region.

SEC. 2. The Secretary of the Interior may, in his discretion, defer the establishment of the Chamizal National Memorial until the city of El Paso or other governmental agencies of the State of Texas has submitted, and the Secretary has approved, a comprehensive plan for the development of the remaining lands acquired by the United States under the Chamizal Convention, August 29, 1963, upon their transfer to said city or other government agencies in the State of Texas under other provisions of law. Such comprehensive plan shall include a development plan and work schedule that is in the judgment of the Secretary compatible and coordinated with the development plan and schedule for the Chamizal National Memorial.

SEC. 3. The Secretary of the Interior shall administer, protect, and develop such memorial, subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes," approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented, and the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes," approved August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.).

SEC. 4. The Secretary of the Interior is authorized to cooperate and consult with the city and county of El Paso, Texas, Texas Western College, local historical and preservation societies, and other interested government agencies, associations and persons in the utilization and preservation of the Chamizal National Memorial.

Appropriation.

SEC. 5. There are hereby authorized to be appropriated such sums, but not more than \$2,060,000, for the development of the Chamizal National Memorial.

Approved June 30, 1966.

## Public Law 89-480

## AN ACT

June 30, 1966  
[H. R. 13431]

To extend the Renegotiation Act of 1951.

Renegotiation Act, extension.

70 Stat. 786;  
78 Stat. 233.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 102(c) (1) of the Renegotiation Act of 1951, as amended (50 U.S.C. App., sec. 1212(c) (1)), is amended by striking out "June 30, 1966" and inserting in lieu thereof "June 30, 1968".

Approved June 30, 1966.

## Public Law 89-481

## JOINT RESOLUTION

Making continuing appropriations for the fiscal year 1967, and for other purposes.

June 30, 1966  
[H. J. Res. 1180]Continuing ap-  
propriations, 1967.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of the Government for the fiscal year 1967, namely:

SEC. 101. (a) (1) Such amounts as may be necessary for continuing projects or activities (not otherwise specifically provided for in this joint resolution) which were conducted in the fiscal year 1966 and for which appropriations, funds, or other authority would be available in the following appropriation Acts for the fiscal year 1967:

Legislative Branch Appropriation Act;

Departments of Labor and Health, Education, and Welfare Appropriation Act;

Department of Agriculture and Related Agencies Appropriation Act;

Independent Offices Appropriation Act.

(2) Appropriations made by this subsection shall be available to the extent and in the manner which would be provided by the pertinent appropriation Act.

(3) Whenever the amount which would be made available or the authority which would be granted under an Act listed in this subsection as passed by the House is different from that which would be available or granted under such Act as passed by the Senate, the pertinent project or activity shall be continued under the lesser amount or the more restrictive authority.

(4) Whenever an Act listed in this subsection has been passed by only one House or where an item is included in only one version of an Act as passed by both Houses, the pertinent project or activity shall be continued under the appropriation, fund, or authority granted by the one House, but at a rate for operations not exceeding the current rate or the rate permitted by the action of the one House, whichever is lower: *Provided*, That no provision which is included in an appropriation Act enumerated in this subsection but which was not included in the applicable appropriation Act for the fiscal year 1966, and which by its terms is applicable to more than one appropriation, fund, or authority, shall be applicable to any appropriation, fund, or authority provided in this joint resolution unless such provision shall have been included in identical form in such bill as enacted by both the House and Senate.

(b) Such amounts as may be necessary for continuing projects or activities which were conducted in the fiscal year 1966 and are listed in this subsection at a rate for operations not in excess of the current rate or the rate provided for in the budget estimate, whichever is lower, and under the more restrictive authority:

Activities for which provision was made in the District of Columbia Appropriation Act, 1966;

Activities for which provision was made in the Departments of State, Justice, and Commerce, the Judiciary and Related Agencies Appropriation Act, 1966;

Activities for which provision was made in the Public Works Appropriation Act, 1966;

79 Stat. 236.

79 Stat. 620.

79 Stat. 1096.

Activities for which provision was made in the Department of Defense Appropriation Act, 1966 and the Supplemental Defense Appropriation Act, 1966;

79 Stat. 863.  
Ante, p. 79.

Activities for which provision was made in the Military Construction Appropriation Act, 1966;

79 Stat. 835.

Activities for which provision was made in the Foreign Assistance and Related Agencies Appropriation Act, 1966;

79 Stat. 1002.

Activities of the Office of Economic Opportunity;

Activities of the President's Commissions on Law Enforcement and the Administration of Justice and on Crime in the District of Columbia;

Department of Justice: Activities of law enforcement assistance; and

Department of Health, Education, and Welfare;

Elementary and secondary educational activities;

Higher education facilities construction;

Grants for public libraries; and

Activities under title III and part B of title V of the Higher Education Act of 1965: *Provided*, That after June 30, 1966 and prior to the enactment into law of H.R. 14745, no new contractual arrangements shall be entered into in connection with the National Teacher Corps nor shall any commitments of any kind be made with respect to the assignment of any teacher to teach in any school under that program.

79 Stat. 1229,  
1255.  
20 USC 1051-  
1055, 1101-1107.  
Post, p. 1378.

(c) Such amounts as may be necessary to enable the Veterans Administration to carry out the provisions of the Veterans Readjustment Benefits Act of 1966 (Public Law 89-358).

Ante, p. 12.

(d) Such amounts as may be necessary for continuing projects or activities for which disbursements are made by the Secretary of the Senate, the Senate items under the Architect of the Capitol, and the item for salaries and expenses of the Library of Congress, all to the extent and in the manner which would be provided for in the budget estimates for the fiscal year 1967.

SEC. 102. Appropriations and funds made available and authority granted pursuant to this joint resolution shall remain available until (a) enactment into law of an appropriation for any project or activity provided for in this joint resolution, or (b) enactment of the applicable appropriation Act by both Houses without any provision for such project or activity, or (c) August 31, 1966, whichever first occurs.

SEC. 103. Appropriations and funds made available or authority granted pursuant to this joint resolution may be used without regard to the time limitations set forth in subsection (d) (2) of section 3679 of the Revised Statutes, as amended, and expenditures therefrom shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

31 USC 665.

SEC. 104. No appropriation or fund made available or authority granted pursuant to this joint resolution shall be used to initiate or resume any project or activity which was not being conducted during the fiscal year 1966. Appropriations made and authority granted pursuant to this joint resolution shall cover all obligations or expenditures incurred for any project or activity during the period for which funds or authority for such project or activity are available under this joint resolution.

Approved June 30, 1966.

## Public Law 89-482

## AN ACT

To extend the Defense Production Act of 1950, and for other purposes.

June 30, 1966  
[H. R. 14025]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 717 (a) of the Defense Production Act of 1950 is amended by striking out "June 30, 1966" in the first sentence and inserting in lieu thereof "June 30, 1968".

Defense Production Act of 1950, amendment.  
78 Stat. 235.  
50 USC app. 2166.  
70 Stat. 409.  
50 USC app. 2162.

SEC. 2. Section 712(e) of the Defense Production Act of 1950 is amended to read as follows:

"(e) The expenses of the committee under this section, which shall not exceed \$85,000 in any fiscal year, shall be paid from the contingent fund of the House of Representatives upon vouchers signed by the chairman or vice chairman."

Approved June 30, 1966.

## Public Law 89-483

## AN ACT

To amend the provisions of title III of the Federal Civil Defense Act of 1950, as amended.

June 30, 1966  
[H. R. 13125]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 307 of the Federal Civil Defense Act of 1950, as amended (50 U.S.C. App. 2297), is further amended by striking out the date "June 30, 1966" and inserting in lieu thereof the date "June 30, 1970".

64 Stat. 1254;  
76 Stat. 111.

Approved June 30, 1966.

## Public Law 89-484

## AN ACT

To amend section 14(b) of the Federal Reserve Act, as amended, to extend for two years the authority of Federal Reserve banks to purchase United States obligations directly from the Treasury.

June 30, 1966  
[S. 3368]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 14(b) of the Federal Reserve Act, as amended (12 U.S.C. 355), is amended by striking out "July 1, 1966" and inserting in lieu thereof "July 1, 1968" and by striking out "June 30, 1966" and inserting in lieu thereof "June 30, 1968".

Federal Reserve Act, amendment.  
61 Stat. 56;  
78 Stat. 235.

Approved June 30, 1966.

## Public Law 89-485

## AN ACT

To amend the Bank Holding Company Act of 1956.

July 1, 1966  
[H. R. 7371]Bank Holding  
Company Act of  
1956, amendments—  
70 Stat. 133.  
“Bank holding  
company.”

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subsection (a) of section 2 of the Bank Holding Company Act of 1956 (12 U.S.C. 1841(a)) is amended to read as follows:

“(a) ‘Bank holding company’ means any company (1) that directly or indirectly owns, controls, or holds with power to vote 25 per centum or more of the voting shares of each of two or more banks or of a company that is or becomes a bank holding company by virtue of this Act, or (2) that controls in any manner the election of a majority of the directors of each of two or more banks; and, for the purposes of this Act, any successor to any such company shall be deemed to be a bank holding company from the date as of which such predecessor company became a bank holding company. Notwithstanding the foregoing, (A) no bank and no company owning or controlling voting shares of a bank shall be a bank holding company by virtue of such bank’s ownership or control of shares in a fiduciary capacity, except as provided in paragraphs (2) and (3) of subsection (g) of this section, (B) no company shall be a bank holding company by virtue of its ownership or control of shares acquired by it in connection with its underwriting of securities if such shares are held only for such period of time as will permit the sale thereof on a reasonable basis, and (C) no company formed for the sole purpose of participating in a proxy solicitation shall be a bank holding company by virtue of its control of voting rights of shares acquired in the course of such solicitation.”

Post, p. 237.

SEC. 2. Subsection (b) of section 2 of the Bank Holding Company Act of 1956 (12 U.S.C. 1841(b)) is amended to read as follows:

“Company.”

“(b) ‘Company’ means any corporation, business trust, association, or similar organization, or any other trust unless by its terms it must terminate within twenty-five years or not later than twenty-one years and ten months after the death of individuals living on the effective date of the trust, but shall not include (1) any corporation the majority of the shares of which are owned by the United States or by any State, or (2) any partnership.”

SEC. 3. Subsection (c) of section 2 of the Bank Holding Company Act of 1956 (12 U.S.C. 1841(c)) is amended to read as follows:

“Bank”.

“(c) ‘Bank’ means any institution that accepts deposits that the depositor has a legal right to withdraw on demand, but shall not include any organization operating under section 25 or section 25(a) of the Federal Reserve Act, or any organization that does not do business within the United States. ‘District bank’ means any bank organized or operating under the Code of Law for the District of Columbia.”

39 Stat. 755;  
41 Stat. 378;  
Post, p. 241.  
12 USC 601-631.  
“District bank.”

SEC. 4. Subsection (d) of section 2 of the Bank Holding Company Act of 1956 (12 U.S.C. 1841(d)) is amended to read as follows:

“Subsidiary.”

“(d) ‘Subsidiary’, with respect to a specified bank holding company, means (1) any company 25 per centum or more of whose voting shares (excluding shares owned by the United States or by any company wholly owned by the United States) is directly or indirectly owned or controlled by such bank holding company, or is held by it with power to vote; or (2) any company the election of a majority of whose directors is controlled in any manner by such bank holding company.”

Repeal.

SEC. 5. Subsection (g) of section 2 of the Bank Holding Company Act of 1956 (12 U.S.C. 1841(g)) is repealed.

SEC. 6. Section 2 of the Bank Holding Company Act of 1956 (12 U.S.C. 1841), as amended by this Act, is further amended by adding at the end thereof the following new subsections:

70 Stat. 133.

“(g) For the purposes of this Act—

“(1) shares owned or controlled by any subsidiary of a bank holding company shall be deemed to be indirectly owned or controlled by such bank holding company;

“(2) shares held or controlled directly or indirectly by trustees for the benefit of (A) a company, (B) the shareholders or members of a company, or (C) the employees (whether exclusively or not) of a company, shall be deemed to be controlled by such company; and

“(3) shares transferred after January 1, 1966, by any bank holding company (or by any company which, but for such transfer, would be a bank holding company) directly or indirectly to any transferee that is indebted to the transferor, or has one or more officers, directors, trustees, or beneficiaries in common with or subject to control by the transferor, shall be deemed to be indirectly owned or controlled by the transferor unless the Board, after opportunity for hearing, determines that the transferor is not in fact capable of controlling the transferee.

“(h) The application of this Act and of section 23A of the Federal Reserve Act (12 U.S.C. 371), as amended, shall not be affected by the fact that a transaction takes place wholly or partly outside the United States or that a company is organized or operates outside the United States: *Provided, however,* That the prohibitions of section 4 of this Act shall not apply to shares of any company organized under the laws of a foreign country that does not do any business within the United States, if such shares are held or acquired by a bank holding company that is principally engaged in the banking business outside the United States.”

48 Stat. 183;  
Post, pp. 241,  
243.  
12 USC 371c.

Post, pp. 238-  
240.  
12 USC 1843.

SEC. 7. (a) The first sentence of subsection (a) of section 3 of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)) is amended to read as follows: “It shall be unlawful, except with the prior approval of the Board, (1) for any action to be taken that causes any company to become a bank holding company; (2) for any action to be taken that causes a bank to become a subsidiary of a bank holding company; (3) for any bank holding company to acquire direct or indirect ownership or control of any voting shares of any bank if, after such acquisition, such company will directly or indirectly own or control more than 5 per centum of the voting shares of such bank; (4) for any bank holding company or subsidiary thereof, other than a bank, to acquire all or substantially all of the assets of a bank; or (5) for any bank holding company to merge or consolidate with any other bank holding company.”

Acquisition of  
bank shares or  
assets.

(b) The second sentence of subsection (a) of section 3 of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)) is amended by striking the words “except where such shares are held for the benefit of the shareholders of such bank” at the end of clause (i) and inserting in lieu thereof the words “except where such shares are held under a trust that constitutes a company as defined in section 2(b) and except as provided in paragraphs (2) and (3) of section 2(g)”.

Ante, p. 236.  
Supra.

(c) Subsection (c) of section 3 of the Bank Holding Company Act of 1956 is amended to read as follows:

“(c) The Board shall not approve—

“(1) any acquisition or merger or consolidation under this section which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or

to attempt to monopolize the business of banking in any part of the United States, or

“(2) any other proposed acquisition or merger or consolidation under this section whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint or trade, unless it finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

In every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.”

(d) Subsection (d) of section 3 of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(d)) is amended by striking the words “in which such bank holding company maintains its principal office and place of business or in which it conducts its principal operations” and inserting in lieu thereof the words “in which the operations of such bank holding company’s banking subsidiaries were principally conducted on the effective date of this amendment or the date on which such company became a bank holding company, whichever is later.” Such subsection is further amended by adding at the end thereof the following new sentence: “For the purposes of this section, the State in which the operations of a bank holding company’s subsidiaries are principally conducted is that State in which total deposits of all such banking subsidiaries are largest.”

SEC. 8. (a) Subsection (a) of section 4 of the Bank Holding Company Act of 1956 (12 U.S.C. 1843(a)) is amended to read as follows:

“(a) Except as otherwise provided in this Act, no bank holding company shall—

“(1) after the date of enactment of this Act acquire direct or indirect ownership or control of any voting shares of any company which is not a bank, or

“(2) after two years from the date as of which it becomes a bank holding company, or, in the case of any company that has been continuously affiliated since May 15, 1955, with a company which was registered under the Investment Company Act of 1940, prior to May 15, 1955, in such a manner as to constitute an affiliated company within the meaning of that Act, after December 31, 1978, retain direct or indirect ownership or control of any voting shares of any company which is not a bank or a bank holding company or engage in any business other than that of banking or of managing or controlling banks or of furnishing services to or performing services for any bank of which it owns or controls 25 per centum or more of the voting shares.

The Board is authorized, upon application by a bank holding company, to extend the period referred to in paragraph (2) above from time to time as to such bank holding company for not more than one year at a time, if, in its judgment, such an extension would not be detrimental to the public interest, but no such extensions shall in the aggregate exceed three years.”

(b) Subsection (c) of section 4 of the Bank Holding Company Act of 1956 (12 U.S.C. 1843(c)) is amended to read as follows:

“(c) The prohibitions in this section shall not apply to any bank holding company which is a labor, agricultural, or horticultural organization and which is exempt from taxation under section 501 of the

70 Stat. 135.

Interests in non-banking organizations.

54 Stat. 789.  
15 USC 80a-51.

Internal Revenue Code of 1954, and such prohibitions shall not, with respect to any other bank holding company, apply to—

68A Stat. 163.  
26 USC 501.

“(1) shares of any company engaged or to be engaged solely in one or more of the following activities: (A) holding or operating properties used wholly or substantially by any banking subsidiary of such bank holding company in the operations of such banking subsidiary or acquired for such future use; or (B) conducting a safe deposit business; or (C) furnishing services to or performing services for such bank holding company or its banking subsidiaries; or (D) liquidating assets acquired from such bank holding company or its banking subsidiaries or acquired from any other source prior to May 9, 1956, or the date on which such company became a bank holding company, whichever is later;

“(2) shares acquired by a bank in satisfaction of a debt previously contracted in good faith, but such bank shall dispose of such shares within a period of two years from the date on which they were acquired, except that the Board is authorized upon application by such bank holding company to extend such period of two years from time to time as to such holding company for not more than one year at a time if, in its judgment, such an extension would not be detrimental to the public interest, but no such extensions shall extend beyond a date five years after the date on which such shares were acquired;

“(3) shares acquired by such bank holding company from any of its subsidiaries which subsidiary has been requested to dispose of such shares by any Federal or State authority having statutory power to examine such subsidiary, but such bank holding company shall dispose of such shares within a period of two years from the date on which they were acquired;

“(4) shares held or acquired by a bank in good faith in a fiduciary capacity, except where such shares are held under a trust that constitutes a company as defined in section 2(b) and except as provided in paragraphs (2) and (3) of section 2(g);

*Ante*, p. 236.

*Ante*, p. 237.

“(5) shares which are of the kinds and amounts eligible for investment by national banking associations under the provisions of section 5136 of the Revised Statutes;

12 USC 24.

“(6) shares of any company which do not include more than 5 per centum of the outstanding voting shares of such company;

“(7) shares of an investment company which is not a bank holding company and which is not engaged in any business other than investing in securities, which securities do not include more than 5 per centum of the outstanding voting shares of any company;

“(8) shares of any company all the activities of which are or are to be of a financial, fiduciary, or insurance nature and which the Board after due notice and hearing, and on the basis of the record made at such hearing, by order has determined to be so closely related to the business of banking or of managing or controlling banks as to be a proper incident thereto and as to make it unnecessary for the prohibitions of this section to apply in order to carry out the purposes of this Act;

“(9) shares of any company which is or is to be organized under the laws of a foreign country and which is or is to be engaged principally in the banking business outside the United States; or

“(10) shares lawfully acquired and owned prior to May 9, 1956, by a bank which is a bank holding company, or by any of its wholly owned subsidiaries.”

70 Stat. 135. (c) Section 4 of the Bank Holding Company Act of 1956 (12 U.S.C. 1843) is amended by adding at the end thereof the following new subsection:

“(d) With respect to shares which were not subject to the prohibitions of this section as originally enacted by reason of any exemption with respect thereto but which were made subject to such prohibitions by the subsequent repeal of such exemption, no bank holding company shall retain direct or indirect ownership or control of such shares after five years from the date of the repeal of such exemption, except as provided in paragraph (2) of subsection (a). Any bank holding company subject to such five-year limitation on the retention of nonbanking assets shall endeavor to divest itself of such shares promptly and such bank holding company shall report its progress in such divestiture to the Board two years after repeal of the exemption applicable to it and annually thereafter.”

Ante, p. 238.

Repeal.

SEC. 9. Section 6 of the Bank Holding Company Act of 1956 (12 U.S.C. 1845) is hereby repealed.

Petition, period for filing.

SEC. 10. The first sentence of section 9 of the Bank Holding Company Act of 1956 (12 U.S.C. 1848) is amended by striking out “sixty” and inserting “thirty”.

Antitrust proceedings.

SEC. 11. Section 11 of the Bank Holding Company Act of 1956 (12 U.S.C. 1841 (note)) is amended by inserting “(a)” after “SEC. 11.”; by inserting a comma and “except as specifically provided in this section” before the period at the end thereof; and by adding at the end thereof the following new subsections:

“(b) The Board shall immediately notify the Attorney General of any approval by it pursuant to this Act of a proposed acquisition, merger, or consolidation transaction, and such transaction may not be consummated before the thirtieth calendar day after the date of approval by the Board. Any action brought under the antitrust laws arising out of an acquisition, merger, or consolidation transaction shall be commenced within such thirty-day period. The commencement of such an action shall stay the effectiveness of the Board’s approval unless the court shall otherwise specifically order. In any such action, the court shall review de novo the issues presented. In any judicial proceeding attacking any acquisition, merger, or consolidation transaction approved pursuant to this Act on the ground that such transaction alone and of itself constituted a violation of any antitrust laws other than section 2 of the Act of July 2, 1890 (section 2 of the Sherman Antitrust Act, 15 U.S.C. 2), the standards applied by the court shall be identical with those that the Board is directed to apply under section 3 of this Act. Upon the consummation of an acquisition, merger, or consolidation transaction in compliance with this Act and after the termination of any antitrust litigation commenced within the period prescribed in this section, or upon the termination of such period if no such litigation is commenced therein, the transaction may not thereafter be attacked in any judicial proceeding on the ground that it alone and of itself constituted a violation of any antitrust laws other than section 2 of the Act of July 2, 1890 (section 2 of the Sherman Antitrust Act, 15 U.S.C. 2), but nothing in this Act shall exempt any bank holding company involved in such a transaction from complying with the antitrust laws after the consummation of such transaction.

26 Stat. 209.

Ante, pp. 237, 238.

“(c) In any action brought under the antitrust laws arising out of any acquisition, merger, or consolidation transaction approved by the Board pursuant to this Act, the Board and any State banking supervisory agency having jurisdiction within the State involved, may appear as a party of its own motion and as of right, and be represented by its counsel.

“(d) Any acquisition, merger, or consolidation of the kind described in section 3(a) of this Act which was consummated at any time prior or subsequent to May 9, 1956, and as to which no litigation was initiated

by the Attorney General prior to the date of enactment of this amendment, shall be conclusively presumed not to have been in violation of any antitrust laws other than section 2 of the Act of July 2, 1890 (section 2 of the Sherman Antitrust Act, 15 U.S.C. 2).

“(e) Any court having pending before it on or after the date of enactment of this amendment any litigation initiated under the antitrust laws by the Attorney General with respect to any acquisition, merger, or consolidation of the kind described in section 3(a) of this Act shall apply the substantive rule of law set forth in section 3 of this Act.

“(f) For the purposes of this section, the term ‘antitrust laws’ means the Act of July 2, 1890 (the Sherman Antitrust Act, 15 U.S.C. 1-7), the Act of October 15, 1914 (the Clayton Act, 15 U.S.C. 12-27), and any other Acts in *pari materia*.”

SEC. 12. (a) Section 23A of the Federal Reserve Act, as amended (12 U.S.C. 371c), is amended by adding at the end thereof the following new paragraphs:

“For the purposes of this section, (1) the term ‘extension of credit’ and ‘extensions of credit’ shall be deemed to include (A) any purchase of securities, other assets or obligations under repurchase agreement, and (B) the discount of promissory notes, bills of exchange, conditional sales contracts, or similar paper, whether with or without recourse, except that the acquisition of such paper by a member bank from another bank, without recourse, shall not be deemed to be a ‘discount’ by such member bank for such other bank; and (2) non-interest-bearing deposits to the credit of a bank shall not be deemed to be a loan or advance or extension of credit to the bank of deposit, nor shall the giving of immediate credit to a bank upon uncollected items received in the ordinary course of business be deemed to be a loan or advance or extension of credit to the depositing bank.

“For the purposes of this section, the term ‘affiliate’ shall include, with respect to any member bank, any bank holding company of which such member bank is a subsidiary within the meaning of the Bank Holding Company Act of 1956, as amended, and any other subsidiary of such company.

“The provisions of this section shall not apply to (1) stock, bonds, debentures, or other obligations of any company of the kinds described in section 4(c)(1) of the Bank Holding Company Act of 1956, as amended; (2) stock, bonds, debentures, or other obligations accepted as security for debts previously contracted, provided that such collateral shall not be held for a period of over two years; (3) shares which are of the kinds and amounts eligible for investment by national banks under the provisions of section 5136 of the Revised Statutes; (4) any extension of credit by a member bank to a bank holding company of which such bank is a subsidiary or to another subsidiary of such bank holding company, if made within one year after the effective date of this amendment to section 23A and pursuant to a contract lawfully entered into prior to January 1, 1966; or (5) any transaction by a member bank with another bank the deposits of which are insured by the Federal Deposit Insurance Corporation, if more than 50 per centum of the voting stock of such other bank is owned by the member bank or held by trustees for the benefit of the shareholders of the member bank.”

(b) Section 25 of the Federal Reserve Act, as amended (12 U.S.C. 601), is amended by striking out “either or both of” immediately preceding “the following powers” in the introductory paragraph and by inserting after the paragraph designated “Second.” the following new paragraph:

“Third. To acquire and hold, directly or indirectly, stock or other evidences of ownership in one or more banks organized under the law

26 Stat. 209.

Ante, pp. 237,  
238.  
“Antitrust  
laws.”  
26 Stat. 209.  
38 Stat. 730.

Loans to affili-  
ates.  
48 Stat. 183;  
Post, p. 243.

“Extension of  
credit.”

“Affiliate.”

Exemptions.

Ante, p. 239.

12 USC 24.

Foreign  
branches of na-  
tional banks.  
39 Stat. 755.

of a foreign country or a dependency or insular possession of the United States and not engaged, directly or indirectly, in any activity in the United States except as, in the judgment of the Board of Governors of the Federal Reserve System, shall be incidental to the international or foreign business of such foreign bank; and, notwithstanding the provisions of section 23A of this Act, to make loans or extensions of credit to or for the account of such bank in the manner and within the limits prescribed by the Board by general or specific regulation or ruling.”

*Ante*, p. 241;  
*Post*, p. 243.

Insured banks,  
regulations.  
64 Stat. 891.

(c) Section 18 of the Federal Deposit Insurance Act, as amended (12 U.S.C. 1828), is further amended by adding at the end thereof the following new subsection:

“(j) The provisions of section 23A of the Federal Reserve Act, as amended, relating to loans and other dealings between member banks and their affiliates, shall be applicable to every nonmember insured bank in the same manner and to the same extent as if such nonmember insured bank were a member bank; and for this purpose any company which would be an affiliate of a nonmember insured bank, within the meaning of section 2 of the Banking Act of 1933, as amended, and for the purposes of section 23A of the Federal Reserve Act, if such bank were a member bank shall be deemed to be an affiliate of such nonmember insured bank.”

48 Stat. 162.  
12 USC 221a.

SEC. 13. (a) Subsection (b) of section 2 of the Banking Act of 1933, as amended (12 U.S.C. 221a), is further amended by inserting before the period at the end thereof the following: “; or

“(4) Which owns or controls, directly or indirectly, either a majority of the shares of capital stock of a member bank or more than 50 per centum of the number of shares voted for the election of directors of a member bank at the preceding election, or controls in any manner the election of a majority of the directors of a member bank, or for the benefit of whose shareholders or members all or substantially all the capital stock of a member bank is held by trustees”.

Repeal.

(b) Subsection (c) of section 2 of the Banking Act of 1933, as amended (12 U.S.C. 221a), is repealed.

Shareholders'  
voting rights.

(c) Section 5144 of the Revised Statutes, as amended (12 U.S.C. 61), is amended to read as follows:

“SEC. 5144. In all elections of directors, each shareholder shall have the right to vote the number of shares owned by him for as many persons as there are directors to be elected, or to cumulate such shares and give one candidate as many votes as the number of directors multiplied by the number of his shares shall equal, or to distribute them on the same principle among as many candidates as he shall think fit; and in deciding all other questions at meetings of shareholders, each shareholder shall be entitled to one vote on each share of stock held by him; except that (1) this shall not be construed as limiting the voting rights of holders of preferred stock under the terms and provisions of articles of association, or amendments thereto, adopted pursuant to the provisions of section 302(a) of the Emergency Banking and Bank Conservation Act, approved March 9, 1933, as amended; (2) in the election of directors, shares of its own stock held by a national bank as sole trustee, whether registered in its own name as such trustee or in the name of its nominee, shall not be voted by the registered owner unless under the terms of the trust the manner in which such shares shall be voted may be determined by a donor or beneficiary of the trust and unless such donor or beneficiary actually directs how such shares shall be voted; and (3) shares of its own stock held by a national bank and one or more persons as trustees may be voted by such other person or persons, as trustees, in the same manner as if he or they were the sole trustee. Shareholders may vote

48 Stat. 148.  
12 USC 51b.

by proxies duly authorized in writing; but no officer, clerk, teller, or bookkeeper of such bank shall act as proxy; and no shareholder whose liability is past due and unpaid shall be allowed to vote. Whenever shares of stock cannot be voted by reason of being held by the bank as sole trustee such shares shall be excluded in determining whether matters voted upon by the shareholders were adopted by the requisite percentage of shares."

(d) Paragraph (c) of section 5211 of the Revised Statutes (12 U.S.C. 161) is amended by striking out the second sentence thereof.

(e) The last sentence of the sixteenth paragraph of section 4 of the Federal Reserve Act, as amended (12 U.S.C. 304), is amended by striking out all of the language therein which follows the colon and by inserting in lieu thereof the following: "Provided, That whenever any member banks within the same Federal Reserve district are subsidiaries of the same bank holding company within the meaning of the Bank Holding Company Act of 1956, participation in any such nomination or election by such member banks, including such bank holding company if it is also a member bank, shall be confined to one of such banks, which may be designated for the purpose by such holding company."

40 Stat. 968;  
48 Stat. 163.

(f) The nineteenth paragraph of section 9 of the Federal Reserve Act (12 U.S.C. 334) is amended by striking out the last sentence of such paragraph.

48 Stat. 165.

(g) The twenty-second paragraph of section 9 of the Federal Reserve Act (12 U.S.C. 337) is repealed.

Repeal.

(h) The third paragraph of section 23A of the Federal Reserve Act (12 U.S.C. 371c) is amended by striking out that part of the first sentence that reads "For the purpose of this section, the term 'affiliate' shall include holding company affiliates as well as other affiliates, and"; and by changing the word "the" following such language to read "The".

49 Stat. 717.

(i) Paragraph (4) of section 3(c) of the Investment Company Act of 1940 (15 U.S.C. 80a-3) is repealed.

Repeal.

54 Stat. 798.

(j) Paragraph (11) of section 202(a) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-2) is amended by striking out the words "or any holding company affiliate, as defined in the Banking Act of 1933" and substituting therefor the words "or any bank holding company as defined in the Bank Holding Company Act of 1956".

Approved July 1, 1966.

## Public Law 89-486

## AN ACT

To amend the Foreign Agents Registration Act of 1938, as amended.

July 4, 1966  
[S. 693]

Foreign Agents  
Registration Act  
of 1938, amend-  
ments.

56 Stat. 249.  
22 USC 611.

“Foreign prin-  
cipal.”

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 1 of the Foreign Agents Registration Act of 1938, as amended, is amended as follows:

(1) Subsection (b) is amended to read as follows:

“(b) The term ‘foreign principal’ includes—

“(1) a government of a foreign country and a foreign political party;

“(2) a person outside of the United States, unless it is established that such person is an individual and a citizen of and domiciled within the United States, or that such person is not an individual and is organized under or created by the laws of the United States or of any State or other place subject to the jurisdiction of the United States and has its principal place of business within the United States; and

“(3) a partnership, association, corporation, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country.”

(2) Subsection (c) is amended to read as follows:

“(c) Except as provided in subsection (d) hereof, the term ‘agent of a foreign principal’ means—

“(1) any person who acts as an agent, representative, employee, or servant, or any person who acts in any other capacity at the order, request, or under the direction or control, of a foreign principal or of a person any of whose activities are directly or indirectly supervised, directed, controlled, financed, or subsidized in whole or in major part by a foreign principal, and who directly or through any other person—

“(i) engages within the United States in political activities for or in the interests of such foreign principal;

“(ii) acts within the United States as a public relations counsel, publicity agent, information-service employee or political consultant for or in the interests of such foreign principal;

“(iii) within the United States solicits, collects, disburses, or dispenses contributions, loans, money, or other things of value for or in the interest of such foreign principal; or

“(iv) within the United States represents the interests of such foreign principal before any agency or official of the Government of the United States; and

“(2) any person who agrees, consents, assumes or purports to act as, or who is or holds himself out to be, whether or not pursuant to contractual relationship, an agent of a foreign principal as defined in clause (1) of this subsection.”

(3) Subsection (d) is amended by striking out “clause (1), (2), or (4) of”.

(4) Subsection (g) is amended by inserting before the words “matter pertaining to” the words “public relations” and before the semicolon at the end thereof the words “of such principal”.

(5) Such section is further amended by substituting a semicolon for the period at the end of subsection (n) and adding the following new subsections:

“(o) The term ‘political activities’ means the dissemination of political propaganda and any other activity which the person engaging therein believes will, or which he intends to, prevail upon, indoctrinate, convert, induce, persuade, or in any other way influence any agency or

“Agent of a  
foreign prin-  
cipal.”

“Political ac-  
tivities.”

official of the Government of the United States or any section of the public within the United States with reference to formulating, adopting, or changing the domestic or foreign policies of the United States or with reference to the political or public interests, policies, or relations of a government of a foreign country or a foreign political party;

“(p) The term ‘political consultant’ means any person who engages in informing or advising any other person with reference to the domestic or foreign policies of the United States or the political or public interest, policies, or relations of a foreign country or of a foreign political party;

“Political consultant.”

“(q) For the purpose of section (3) (d) hereof, activities in furtherance of the bona fide commercial, industrial or financial interests of a domestic person engaged in substantial commercial, industrial or financial operations in the United States shall not be deemed to serve predominantly a foreign interest because such activities also benefit the interests of a foreign person engaged in bona fide trade or commerce which is owned or controlled by, or which owns or controls, such domestic person: *Provided*, That (i) such foreign person is not, and such activities are not directly or indirectly supervised, directed, controlled, financed or subsidized in whole or in substantial part by, a government of a foreign country or a foreign political party, (ii) the identity of such foreign person is disclosed to the agency or official of the United States with whom such activities are conducted, and (iii) whenever such foreign person owns or controls such domestic person, such activities are substantially in furtherance of the bona fide commercial, industrial or financial interests of such domestic person.”

Post, p. 246.

SEC. 2. Section 2 of such Act is amended as follows:

Registration statement.  
64 Stat. 400.  
22 USC 612.

(1) Subsection (a) is amended by striking out the second, third, and fourth sentences and inserting in lieu thereof the following: “Except as hereinafter provided, every person who becomes an agent of a foreign principal shall, within ten days thereafter, file with the Attorney General, in duplicate, a registration statement, under oath on a form prescribed by the Attorney General. The obligation of an agent of a foreign principal to file a registration statement shall, after the tenth day of his becoming such agent, continue from day to day, and termination of such status shall not relieve such agent from his obligation to file a registration statement for the period during which he was an agent of a foreign principal.”

(2) Subsection (a) (3) is amended by striking out the comma following the word “each” where it first appears, and the following: “unless, and to the extent, this requirement is waived in writing by the Attorney General”; and by inserting before the semicolon at the end of the subsection a comma and the following: “or by any other foreign principal”.

56 Stat. 252.

(3) Subsection (a) (4) is amended by inserting before the semicolon at the end thereof a comma and the following: “including a detailed statement of any such activity which is a political activity”.

(4) Subsection (a) (6) is amended by inserting before the semicolon at the end thereof a comma and the following: “including a detailed statement of any such activity which is a political activity”.

(5) Subsection (a) (7) is amended to read as follows:

Name, etc., of contributors.

“(7) The name, business, and residence addresses, and if an individual, the nationality, of any person other than a foreign principal for whom the registrant is acting, assuming or purporting to act or has agreed to act under such circumstances as require his registration hereunder; the extent to which each such person is supervised, directed, owned, controlled, financed, or subsidized, in whole or in part, by any government of a foreign country or foreign political party or by any other foreign principal; and

the nature and amount of contributions, income, money, or thing of value, if any, that the registrant has received during the preceding sixty days from each such person in connection with any of the activities referred to in clause (6) of this subsection, either as compensation or for disbursement or otherwise, and the form and time of each such payment and from whom received;”

(6) Subsection (a) (8) is amended to read as follows:

“(8) A detailed statement of the money and other things of value spent or disposed of by the registrant during the preceding sixty days in furtherance of or in connection with activities which require his registration hereunder and which have been undertaken by him either as an agent of a foreign principal or for himself or any other person or in connection with any activities relating to his becoming an agent of such principal, and a detailed statement of any contributions of money or other things of value made by him during the preceding sixty days (other than contributions the making of which is prohibited under the terms of section 613 of title 18, United States Code) in connection with an election to any political office or in connection with any primary election, convention, or caucus held to select candidates for any political office;”

(7) Such section is further amended by adding at the end thereof a new subsection as follows:

“(f) The Attorney General may, by regulation, provide for the exemption—

“(1) from registration, or from the requirement of furnishing any of the information required by this section, of any person who is listed as a partner, officer, director, or employee in the registration statement filed by an agent of a foreign principal under this Act, and

“(2) from the requirement of furnishing any of the information required by this section of any agent of a foreign principal, where by reason of the nature of the functions or activities of such person the Attorney General, having due regard for the national security and the public interest, determines that such registration, or the furnishing of such information, as the case may be, is not necessary to carry out the purposes of this Act.”

SEC. 3. (a) Section 3(d) of such Act is amended to read as follows:

“(d) Any person engaging or agreeing to engage only (1) in private and nonpolitical activities in furtherance of the bona fide trade or commerce of such foreign principal; or (2) in other activities not serving predominantly a foreign interest; or (3) in the soliciting or collecting of funds and contributions within the United States to be used only for medical aid and assistance, or for food and clothing to relieve human suffering, if such solicitation or collection of funds and contributions is in accordance with and subject to the provisions of the Act of November 4, 1939, as amended (54 Stat. 4), and such rules and regulations as may be prescribed thereunder;”

(b) Section 3 of such Act is further amended by substituting a semicolon for the period at the end of subsection (f) and adding a new subsection as follows:

“(g) Any person qualified to practice law, insofar as he engages or agrees to engage in the legal representation of a disclosed foreign principal before any court of law or any agency of the Government of the United States: *Provided*, That for the purposes of this subsection legal representation does not include attempts to influence or persuade agency personnel or officials other than in the course of established agency proceedings, whether formal or informal.”

SEC. 4. Section 4 of such Act is amended as follows:

(1) Subsection (a) is amended by inserting after the words “political propaganda” the words “for or in the interests of such

Statement; political contributions.  
56 Stat. 252.  
22 USC 612.

Post, p. 248.

Exemptions.

75 Stat. 784.  
22 USC 613.

22 USC 441-457.

Filing and labeling political propaganda.  
22 USC 614.

foreign principal"; and by striking out the words "sent to the Librarian of Congress two copies thereof and file with the Attorney General one copy thereof" and inserting in lieu thereof the words "file with the Attorney General two copies thereof".

(2) Subsection (b) is amended by inserting after the words "political propaganda" where they first appear the words "for or in the interests of such foreign principal"; by inserting after the words "setting forth" the words "the relationship or connection between the person transmitting the political propaganda or causing it to be transmitted and such propaganda;"; and by striking out the words "each of his foreign principals" and inserting in lieu thereof "such foreign principal".

(3) Subsection (c) is amended by striking out the words "sent to the Librarian of Congress" and inserting in lieu thereof the words "filed with the Attorney General".

(4) Such section is further amended by adding at the end thereof the following new subsections:

"(e) It shall be unlawful for any person within the United States who is an agent of a foreign principal required to register under the provisions of this Act to transmit, convey, or otherwise furnish to any agency or official of the Government (including a Member or committee of either House of Congress) for or in the interests of such foreign principal any political propaganda or to request from any such agency or official for or in the interests of such foreign principal any information or advice with respect to any matter pertaining to the political or public interests, policies or relations of a foreign country or of a political party or pertaining to the foreign or domestic policies of the United States unless the propaganda or the request is prefaced or accompanied by a true and accurate statement to the effect that such person is registered as an agent of such foreign principal under this Act.

"(f) Whenever any agent of a foreign principal required to register under this Act appears before any committee of Congress to testify for or in the interests of such foreign principal, he shall, at the time of such appearance, furnish the committee with a copy of his most recent registration statement filed with the Department of Justice as an agent of such foreign principal for inclusion in the records of the committee as part of his testimony."

SEC. 5. Section 5 of such Act is amended by inserting after "the provisions of this Act," where they first appear the words "in accordance with such business and accounting practices,".

SEC. 6. Section 6 of such Act is amended by inserting the letter "(a)" after the section number and by adding at the end thereof the following new subsections:

"(b) The Attorney General shall, promptly upon receipt, transmit one copy of every registration statement filed hereunder and one copy of every amendment or supplement thereto, and one copy of every item of political propaganda filed hereunder, to the Secretary of State for such comment and use as the Secretary of State may determine to be appropriate from the point of view of the foreign relations of the United States. Failure of the Attorney General so to transmit such copy shall not be a bar to prosecution under this Act.

"(c) The Attorney General is authorized to furnish to departments and agencies in the executive branch and committees of the Congress such information obtained by him in the administration of this Act, including the names of registrants under this Act, copies of registration statements, or parts thereof, copies of political propaganda, or other documents or information filed under this Act, as may be appropriate in the light of the purposes of this Act."

56 Stat. 256.  
22 USC 615.

22 USC 616.

Records and in-  
formation.  
Transmittal by  
Attorney General.

Enforcement and penalties.  
56 Stat. 257.  
22 USC 618.

SEC. 7. Section 8 of such Act is amended as follows:

(1) Subsection (a) is amended by adding before the period at the end of paragraph (2) a comma and the following: "except that in the case of a violation of subsection (b), (e), or (f) of section 4 or of subsection (g) or (h) of this section the punishment shall be a fine of not more than \$5,000 or imprisonment for not more than six months, or both".

(2) Such section is further amended by adding at the end thereof the following new subsections:

Injunctive remedy.  
Jurisdiction of district court.

"(f) Whenever in the judgment of the Attorney General any person is engaged in or about to engage in any acts which constitute or will constitute a violation of any provision of this Act, or regulations issued thereunder, or whenever any agent of a foreign principal fails to comply with any of the provisions of this Act or the regulations issued thereunder, or otherwise is in violation of the Act, the Attorney General may make application to the appropriate United States district court for an order enjoining such acts or enjoining such person from continuing to act as an agent of such foreign principal, or for an order requiring compliance with any appropriate provision of the Act or regulation thereunder. The district court shall have jurisdiction and authority to issue a temporary or permanent injunction, restraining order or such other order which it may deem proper. The proceedings shall be made a preferred cause and shall be expedited in every way.

Deficient registration statement.

"(g) If the Attorney General determines that a registration statement does not comply with the requirements of this Act or the regulations issued thereunder, he shall so notify the registrant in writing, specifying in what respects the statement is deficient. It shall be unlawful for any person to act as an agent of a foreign principal at any time ten days or more after receipt of such notification without filing an amended registration statement in full compliance with the requirements of this Act and the regulations issued thereunder:

Contingent fee arrangement.

"(h) It shall be unlawful for any agent of a foreign principal required to register under this Act to be a party to any contract, agreement, or understanding, either express or implied, with such foreign principal pursuant to which the amount or payment of the compensation, fee, or other remuneration of such agent is contingent in whole or in part upon the success of any political activities carried on by such agent."

Elections and political activities.  
62 Stat. 718.

SEC. 8. (a) Chapter 29 of title 18, United States Code, is amended by adding at the end thereof a new section as follows:

**"§ 613. Contributions by agents of foreign principals**

"Whoever, being an agent of a foreign principal, directly or through any other person, either for or on behalf of such foreign principal or otherwise in his capacity as agent of such foreign principal, knowingly makes any contribution of money or other thing of value, or promises expressly or impliedly to make any such contribution, in connection with an election to any political office or in connection with any primary election, convention, or caucus held to select candidates for any political office; or

"Whoever knowingly solicits, accepts, or receives any such contribution from any such agent of a foreign principal or from such foreign principal—

"Shall be fined not more than \$5,000 or imprisoned not more than five years or both.

Definitions.

"As used in this section—

"(1) The term 'foreign principal' has the same meaning as when used in the Foreign Agents Registration Act of 1938, as amended,

except that such term does not include any person who is a citizen of the United States.

“(2) The term ‘agent of a foreign principal’ means any person who acts as an agent, representative, employee, or servant, or any person who acts in any other capacity at the order, request, or under the direction or control, of a foreign principal or of a person any substantial portion of whose activities are directly or indirectly supervised, directed, or controlled by a foreign principal.”

62 Stat. 690;  
76 Stat. 1119.

(b) Chapter 11 of title 18, United States Code, is amended by adding at the end thereof a new section as follows:

“§219. Officers and employees acting as agents of foreign principals

“Whoever, being an officer or employee of the United States in the executive, legislative, or judicial branch of the Government or in any agency of the United States, including the District of Columbia, is or acts as an agent of a foreign principal required to register under the Foreign Agents Registration Act of 1938, as amended, shall be fined not more than \$10,000 or imprisoned for not more than two years, or both.

Exemption.

“Nothing in this section shall apply to the employment of any agent of a foreign principal as a special Government employee in any case in which the head of the employing agency certifies that such employment is required in the national interest. A copy of any certification under this paragraph shall be forwarded by the head of such agency to the Attorney General who shall cause the same to be filed with the registration statement and other documents filed by such agent, and made available for public inspection in accordance with section 6 of the Foreign Agents Registration Act of 1938, as amended.”

(c) (1) The sectional analysis at the beginning of chapter 29 of title 18, United States Code, is amended by adding at the end thereof the following new item:

“613. Contributions by agents of foreign principals.”

(2) The sectional analysis at the beginning of chapter 11 of title 18, United States Code, is amended by adding at the end thereof the following new item:

“219. Officers and employees acting as agents of foreign principals.”

Effective date.

SEC. 9. This Act shall take effect ninety days after the date of its enactment.

Approved July 4, 1966.

## Public Law 89-487

## AN ACT

July 4, 1966  
[S. 1160]

To amend section 3 of the Administrative Procedure Act, chapter 324, of the Act of June 11, 1946 (60 Stat. 238), to clarify and protect the right of the public to information, and for other purposes.

Public informa-  
tion, availability,  
5 USC 1002.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 3, chapter 324, of the Act of June 11, 1946 (60 Stat. 238), is amended to read as follows:

“SEC. 3. Every agency shall make available to the public the following information:

“(a) PUBLICATION IN THE FEDERAL REGISTER.—Every agency shall separately state and currently publish in the Federal Register for the guidance of the public (A) descriptions of its central and field organization and the established places at which, the officers from whom, and the methods whereby, the public may secure information, make submittals or requests, or obtain decisions; (B) statements of the general course and method by which its functions are channeled and determined, including the nature and requirements of all formal and informal procedures available; (C) rules of procedure, descriptions of forms available or the places at which forms may be obtained, and instructions as to the scope and contents of all papers, reports, or examinations; (D) substantive rules of general applicability adopted as authorized by law, and statements of general policy or interpretations of general applicability formulated and adopted by the agency; and (E) every amendment, revision, or repeal of the foregoing. Except to the extent that a person has actual and timely notice of the terms thereof, no person shall in any manner be required to resort to, or be adversely affected by any matter required to be published in the Federal Register and not so published. For purposes of this subsection, matter which is reasonably available to the class of persons affected thereby shall be deemed published in the Federal Register when incorporated by reference therein with the approval of the Director of the Federal Register.

“(b) AGENCY OPINIONS AND ORDERS.—Every agency shall, in accordance with published rules, make available for public inspection and copying (A) all final opinions (including concurring and dissenting opinions) and all orders made in the adjudication of cases, (B) those statements of policy and interpretations which have been adopted by the agency and are not published in the Federal Register, and (C) administrative staff manuals and instructions to staff that affect any member of the public, unless such materials are promptly published and copies offered for sale. To the extent required to prevent a clearly unwarranted invasion of personal privacy, an agency may delete identifying details when it makes available or publishes an opinion, statement of policy, interpretation, or staff manual or instruction: *Provided*, That in every case the justification for the deletion must be fully explained in writing. Every agency also shall maintain and make available for public inspection and copying a current index providing identifying information for the public as to any matter which is issued, adopted, or promulgated after the effective date of this Act and which is required by this subsection to be made available or published. No final order, opinion, statement of policy, interpretation, or staff manual or instruction that affects any member of the public may be relied upon, used or cited as precedent by an agency against any private party unless it has been indexed and either

made available or published as provided by this subsection or unless that private party shall have actual and timely notice of the terms thereof.

“(c) AGENCY RECORDS.—Except with respect to the records made available pursuant to subsections (a) and (b), every agency shall, upon request for identifiable records made in accordance with published rules stating the time, place, fees to the extent authorized by statute and procedure to be followed, make such records promptly available to any person. Upon complaint, the district court of the United States in the district in which the complainant resides, or has his principal place of business, or in which the agency records are situated shall have jurisdiction to enjoin the agency from the withholding of agency records and to order the production of any agency records improperly withheld from the complainant. In such cases the court shall determine the matter de novo and the burden shall be upon the agency to sustain its action. In the event of noncompliance with the court's order, the district court may punish the responsible officers for contempt. Except as to those causes which the court deems of greater importance, proceedings before the district court as authorized by this subsection shall take precedence on the docket over all other causes and shall be assigned for hearing and trial at the earliest practicable date and expedited in every way.

“(d) AGENCY PROCEEDINGS.—Every agency having more than one member shall keep a record of the final votes of each member in every agency proceeding and such record shall be available for public inspection.

“(e) EXEMPTIONS.—The provisions of this section shall not be applicable to matters that are (1) specifically required by Executive order to be kept secret in the interest of the national defense or foreign policy; (2) related solely to the internal personnel rules and practices of any agency; (3) specifically exempted from disclosure by statute; (4) trade secrets and commercial or financial information obtained from any person and privileged or confidential; (5) inter-agency or intra-agency memorandums or letters which would not be available by law to a private party in litigation with the agency; (6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy; (7) investigatory files compiled for law enforcement purposes except to the extent available by law to a private party; (8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of any agency responsible for the regulation or supervision of financial institutions; and (9) geological and geophysical information and data (including maps) concerning wells.

“(f) LIMITATION OF EXEMPTIONS.—Nothing in this section authorizes withholding of information or limiting the availability of records to the public except as specifically stated in this section, nor shall this section be authority to withhold information from Congress.

“(g) PRIVATE PARTY.—As used in this section, ‘private party’ means any party other than an agency.

“(h) EFFECTIVE DATE.—This amendment shall become effective one year following the date of the enactment of this Act.”

Approved July 4, 1966.

## Public Law 89-488

## AN ACT

To amend the Federal Employees' Compensation Act to improve its benefits, and for other purposes.

July 4, 1966  
[H. R. 10721]

Federal Employees' Compensation Act Amendments of 1966.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Federal Employees' Compensation Act Amendments of 1966".

## SCHEDULED DISABILITIES

SEC. 2. (a) Section 5(a) of the Federal Employees' Compensation Act is amended by striking out everything preceding clause (1), and inserting in lieu thereof the following:

"SEC. 5. (a) In any case of permanent disability which involves the loss, or loss of use, of a member or function of the body or involves disfigurement, basic compensation for such disability shall be payable to the disabled employee, as provided in the following schedule, at the rate of 66 $\frac{2}{3}$  per centum of his monthly pay. Such compensation shall be payable regardless of whether the cause of the disability originates in a part of the body other than such member, and regardless of whether the disability also involves another impairment of the body. Such compensation shall be in addition to compensation for any temporary total or temporary partial disability. The schedule referred to in the first sentence is as follows:"

(b) Section 5(b) of such Act is amended to read as follows:

"(b) With respect to any period after payments under subsection (a) have terminated, compensation shall be paid as provided in section 3 if the disability is total, or as provided in subsection (a) of section 4 if the disability is partial."

(c) The second sentence of section 5(c) of such Act is amended by striking out "for the purposes of disabilities specified in subsection (b)."

(d) Paragraph (1) of section 5(d) of such Act is amended by striking out "(including any disability compensable under the schedule to subsection (a) by virtue of subsection (b))".

(e) Section 6(a)(1) of such Act is amended by striking out "(including compensation payable under the schedule to section 5(a) by virtue of section 5(b))".

## INCREASES IN MAXIMUM AND MINIMUM LIMITS OF COMPENSATION

SEC. 3. (a) Section 6(a)(1) of the Federal Employees' Compensation Act is amended by striking out everything after "wage-earning capacity" and inserting in lieu thereof a period.

(b) Section 6(c) of such Act is amended by striking out "shall not be more than \$525 per month and in cases of total disability shall not be less than \$180 per month," and inserting in lieu thereof the following: "shall not be more than 75 per centum of the monthly pay of the highest rate of basic compensation provided for grade 15 of the General Schedule of the Classification Act of 1949, and in cases of total disability shall not be less than 75 per centum of the monthly pay of the lowest rate of basic compensation provided for grade 2 by such General Schedule,".

(c) Section 10(K) of such Act is amended to read as follows:

"(K) In computing compensation under this section, the monthly pay shall be considered to be not less than the lowest rate of basic compensation provided for grade 2 by the General Schedule of the Classification Act of 1949, but the total monthly compensation shall

63 Stat. 855;  
74 Stat. 907.  
5 USC 755.

5 USC 756.

79 Stat. 1111.  
5 USC 1113.

5 USC 760.

not exceed (1) the monthly pay computed as provided in section 12, or (2) 75 per centum of the monthly pay of the highest rate of basic compensation provided for grade 15 of the General Schedule of the Classification Act of 1949.”

INCREASE IN COMPENSATION FOR CERTAIN PERSONS; ALLOWANCES FOR ATTENDANTS

SEC. 4. (a) Section 6(b)(1) of the Federal Employees' Compensation Act is amended by striking out “\$125” and inserting in lieu thereof “\$300”.

5 USC 756.

(b) The second proviso of the first section of the Act of February 15, 1934 (5 U.S.C. 796), is amended—

(1) by striking out “\$150” in clause (a) and inserting in lieu thereof “\$300”; and

(2) by striking out “\$150” in clause (b) and inserting in lieu thereof “\$450”.

ELIGIBILITY OF RETIREES FOR SCHEDULE AWARDS AND MEDICAL SERVICES, ETC.

SEC. 5. (a) The first sentence of section 7(a) of the Federal Employees' Compensation Act is amended by inserting after “Civil Service Retirement Act” the following: “, or any other Federal Act or program providing retirement benefits for employees.”

5 USC 757.

(b) The first sentence of section 9(a) of such Act is amended by inserting after “Civil Service Retirement Act” the following: “or any other Federal Act or program providing retirement benefits for employees”.

5 USC 759.

REEMPLOYMENT RIGHTS

SEC. 6. Section 9 of the Federal Employees' Compensation Act is amended by adding at the end thereof the following new subsection:

“(c) Upon the application of any employee or former employee in receipt of compensation under this Act to the United States Civil Service Commission, said Commission shall enter his name on each appropriate register or employment list, or both, maintained by the Commission, for certification for appointment to any vacant position for which he is physically and otherwise qualified, in accordance with regulations of the Commission. Employees or former employees with career or career-conditional status shall be entitled to the same priority in certification which the Commission accords a career or career-conditional employee who has been involuntarily displaced from his position through no fault of his own. For the purpose of this subsection, ‘employee’ means an employee as defined by section 40(b)(1) of this Act, but does not include an individual who, pursuant to any other Act, is deemed an employee for the purpose of this Act.”

“Employee.”

5 USC 790.

CONTINUATION OF BENEFITS ON ACCOUNT OF SURVIVING CHILDREN ATTENDING SCHOOL

SEC. 7. (a) Paragraph (G) of section 10 of the Federal Employees' Compensation Act is amended by adding at the end thereof the following new sentence: “Notwithstanding any other provision of this section, compensation payable to or for a child, a brother or sister, or a grandchild which would otherwise be terminated because such child, brother or sister, or grandchild has reached the age of eighteen shall be continued if he is a student (as defined in paragraph (M)) at the time he reaches the age of eighteen for so long as he continues to be such a student or until he marries.”

5 USC 760.

5 USC 756.

(b) Section 6(a)(2)(C) of the Act is amended by adding at the end thereof the following new sentence: "Notwithstanding any other provision of this section, compensation payable for a child which would otherwise be terminated because such child has reached the age of 18 shall be continued if he or she is a student (as defined in section 10(M) of this Act) at the time he or she reaches the age of 18 for so long as the child continues to be such a student or until he or she marries."

5 USC 760.

(c) Section 10 of such Act is amended by adding at the end thereof the following new paragraph:

Student eligi-  
bility provisions.

"(M) For the purposes of this section, a person shall be considered a student while he is regularly pursuing a full-time course of study or training at an institution which is—

"(i) a school or college or university operated or directly supported by the United States, or by any State or local government or political subdivision thereof, or

"(ii) a school or college or university which has been accredited by a State or by a State-recognized or nationally recognized accrediting agency or body, or

"(iii) a school or college or university not so accredited but whose credits are accepted, on transfer, by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited, or

"(iv) an additional type of educational or training institution as defined by the Secretary;

but not after he reaches the age of twenty-three or has completed four years of education beyond the high school level, except that, where his twenty-third birthday occurs during a semester or other enrollment period, he shall continue to be considered a student until the end of such semester or other enrollment period. A child shall not be deemed to have ceased to be a student during any interim between school years if the interim does not exceed four months and if he shows to the satisfaction of the Secretary that he has a bona fide intention of continuing to pursue a full-time course of education or training during the semester or other enrollment period immediately following the interim or during periods of reasonable duration during which, in the judgment of the Secretary, he is prevented by factors beyond his control from pursuing his education.

#### LUMP-SUM COMPENSATION UPON REMARRIAGE

39 Stat. 746.  
5 USC 764.

SEC. 8. Section 14 of the Federal Employees' Compensation Act is amended by inserting "(a)" after "SEC. 14." and by adding at the end thereof the following new subsection:

"(b) Upon remarriage, a widow or dependent widower, entitled to compensation under section 10, shall be paid a lump sum equal to twenty-four times the monthly compensation payment (excluding any compensation on account of another person) to which he was entitled immediately prior to the remarriage."

#### TIME FOR CLAIMS

5 USC 770.

SEC. 9. Section 20 of the Federal Employees' Compensation Act is amended by inserting "(a)" after "SEC. 20.", by striking out of the second sentence "due to radiation or other causes", and by adding at the end thereof the following new subsection:

"(b) The time limitations in subsection (a) shall not begin to run against a minor until he reaches the age of twenty-one or has had a legal representative appointed, and shall not run against an incompe-

tent person while he is incompetent and has no duly appointed legal representative.”

#### RECOVERIES IN ACTIONS AGAINST THIRD PARTIES

SEC. 10. (a) The third paragraph of section 26 of the Federal Employees' Compensation Act is amended by inserting before the period at the end thereof the following: “: *Provided*, That in any event the beneficiary shall be paid not less than one-fifth of the net amount of any settlement or recovery remaining after the expenses thereof have been deducted”. 5 USC 776.

(b) Paragraph (B) of section 27 of such Act is amended by inserting before the period at the end thereof the following: “: *Provided*, That the beneficiary shall have the right to retain not less than one-fifth of the net amount of such money or other property remaining after the expenses of a suit or settlement have been deducted, and, in addition, to retain an amount equivalent to a reasonable attorney's fee proportionate to the refund to the United States”. 5 USC 777.

(c) Section 35 of such Act is amended by adding at the end thereof the following new subsection: 5 USC 785.

“(d) As used in subsection (a) of this section, the term ‘administrative expenses’ does not include expenses for legal services rendered by or on behalf of the Secretary under sections 26 and 27.”

#### HEARINGS

SEC. 11. (a) The first sentence of section 32 of the Federal Employees' Compensation Act is amended by inserting after the comma the following: “including rules and regulations for the conduct of hearings under section 36.”. 5 USC 783.

(b) Section 36 of such Act is amended by inserting “(a)” after “SEC. 36.” and by adding the following at the end thereof: 5 USC 786.

“(b) (1) Prior to any review under section 37, any claimant for compensation not satisfied with a decision of the Secretary under this section shall, upon request made within thirty days after the date of issuance of such decision, be afforded an opportunity for a hearing upon his claim before a representative of the Secretary. At such hearing, the claimant shall be afforded an opportunity to present evidence in further support of his claim. Within thirty days after the conclusion of such hearing, the Secretary shall notify the claimant in writing of his further decision on such claim and any modifications of the award he may make and of the basis of his decision. 5 USC 787.

“(2) In conducting such hearing the representative of the Secretary shall not be bound by common law or statutory rules of evidence, by technical or formal rules of procedure, or by section 5 of the Administrative Procedure Act except as provided by this Act, but may conduct such hearing in such manner as to best ascertain the rights of the claimant. For this purpose he shall receive such relevant evidence as may be adduced by the claimant and shall, in addition, receive such other evidence as he may determine to be necessary or useful in evaluating such claim.” 60 Stat. 239.  
5 USC 1004.

#### SECRETARY'S RULEMAKING AUTHORITY IN EMPLOYMENT OUTSIDE THE UNITED STATES

SEC. 12. Section 32 of the Federal Employees' Compensation Act is amended by adding the following: “In the adjudication of claims under section 42 of this Act, the Secretary shall have the authority to determine the nature and extent of the proofs and evidence required 5 USC 793.

to establish the right to benefits under this Act without regard to the date of injury or death for which claim is made.”

#### INCREASE IN EXISTING AWARDS

SEC. 13. The Secretary of Labor shall determine the per centum rise in the price index on the basis of the annual average price index for calendar year 1958 and the price index for the month during which this Act is enacted. Effective on the first day of the third month which begins after the enactment of this Act, compensation payable under the Federal Employees' Compensation Act on account of disability or death which occurred more than one year before such first day shall be increased by the per centum rise determined under the preceding sentence adjusted to the nearest one-tenth of 1 per centum and rounded to the nearest dollar, except that such increase shall in no case be less than \$1. For purposes of this section, the term “price index” means the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics.

39 Stat. 742;  
63 Stat. 854.  
5 USC 751 note.

“Price index.”

#### COST-OF-LIVING ADJUSTMENTS IN FUTURE

SEC. 14. The Federal Employees' Compensation Act is amended by redesignating section 43 as section 44, and by inserting after section 42 the following new section:

5 USC 751 note.

#### “ADJUSTMENTS IN COMPENSATION TO REFLECT FUTURE PRICE INCREASES

“SEC. 43. (a) Each month after the month during which this section becomes effective, the Secretary shall determine the per centum change in the price index. Effective the first day of the third month which begins after the price index has equaled a rise of at least 3 per centum for three consecutive months over the price index for the most recent base month, compensation payable on account of disability or death which occurred more than one year before such first day shall be increased by the per centum rise in the price index (calculated on the highest level of the price index during the three consecutive months) adjusted to the nearest one-tenth of 1 per centum.

“(b) The monthly compensation, after adjustment under this section, shall be fixed at the nearest dollar, except that the monthly compensation shall, after adjustment, reflect an increase of at least \$1.

“(c) For purposes of this section—

“(1) the term ‘price index’ means the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics; and

“(2) the term ‘base month’ means the month this section becomes effective and each month thereafter which is used as a basis in calculating an increase in compensation under this section.”

Definitions.

#### APPLICATION TO MILITARY PERSONNEL

SEC. 15. Except for benefits provided under section 7 of this Act, nothing in this or any other Act of Congress shall be construed to make the increases authorized herein applicable to military personnel or to any person or employees not within the definition of “employee” in section 40(b) (1) or (2) of the Federal Employees' Compensation Act. However, these amendments shall apply to employees of the government of the District of Columbia other than members of the Police and Fire Departments who are pensioned or pensionable under the provisions of the Policemen's and Firemen's Retirement and Disability Act.

5 USC 790.

71 Stat. 391.  
D.C. Code 4-521  
note.

## EFFECTIVE DATES

SEC. 16. (a) The amendments made by sections 3, 4, and 5 shall be applicable to cases of injury or death occurring before or after the date of enactment only with respect to any period beginning on or after the first day of the first calendar month following the date of such enactment.

(b) The amendments made by sections 2, 6, and 11 shall not apply with respect to any injury sustained before the date of enactment of this Act.

(c) The amendments made by section 7 (relating to continuation of benefits on account of surviving children attending school) shall apply with respect to persons who, on the date of enactment of this Act, have not reached twenty-three years of age or completed four years of education beyond the high school level.

(d) The amendments made by section 8 (relating to lump-sum compensation upon remarriage) shall be applicable only with respect to remarriages occurring after the date of enactment of this Act.

(e) The amendments made by section 9 (relating to the time for claims) shall be applicable only with respect to injuries occurring after the date of enactment of this Act.

(f) The amendments made by section 10 (relating to recoveries in actions against third parties) shall apply in the case of any recovery occurring after the date of enactment of this Act.

Approved July 4, 1966.

Public Law 89-489

## AN ACT

To remove a restriction on certain real property heretofore conveyed to the State of California.

July 4, 1966  
[H. R. 1582]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the last sentence of section 36 of the Act entitled "An Act to authorize the Secretary of Commerce to dispose of certain lighthouse reservations, and for other purposes", approved May 28, 1935 (49 Stat. 311), shall not apply with respect to that portion of the Morro Rock Lighthouse Reservation which was conditionally conveyed to the State of California on August 17, 1935, by the Secretary of Commerce under such Act of May 28, 1935.

California.  
Conveyance; re-  
moval of restric-  
tion.

SEC. 2. The Administrator of General Services is authorized and directed to issue to the State of California, without monetary consideration therefor, such written instruments as may be necessary to carry out the provisions of the first section of this Act.

Approved July 4, 1966.

## Public Law 89-490

## AN ACT

July 4, 1966  
[H. R. 12270]

To authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and to provide transportation and other services to the Boy Scouts of America in connection with the Twelfth Boy Scouts World Jamboree and Twenty-first Boy Scouts World Conference to be held in the United States of America in 1967, and for other purposes.

Boy Scouts World  
Jamboree and Con-  
ference, 1967.  
Military support.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) the Secretary of Defense is hereby authorized, under such regulations as he may prescribe, to lend to the National Council, Boy Scouts of America, for the use and accommodation of the approximately twenty-five thousand Scouts, Scouters, and officials who are to attend the World Jamboree, Boy Scouts, to be held at Farragut State Park, Idaho, and five hundred Scouters who are to attend the World Conference of Scout Associations in Seattle, Washington, following the Jamboree, in July and August 1967, such tents, cots, blankets, commissary equipment, flags, refrigerators, and other equipment and services as may be necessary or useful, to the extent that items are in stock and available and their issue will not jeopardize the national defense program.

Equipment.

(b) Such equipment is authorized to be delivered at such time prior to the holding of such jamboree, and to be returned at such time after the close of such jamboree, as may be agreed upon by the Secretary of Defense and the National Council, Boy Scouts of America. No expense shall be incurred by the United States Government for the delivery, return, rehabilitation, or replacement of such equipment.

Bond.

(c) The Secretary of Defense, before delivering such property, shall take from the National Council, Boy Scouts of America, good and sufficient bond for the safe return of such property in good order and condition, and the whole without expense to the United States.

Transportation.

SEC. 2. (a) Under regulations prescribed by the Secretary of Defense and to the extent that furnishing such transportation will not interfere with military operations, the Secretary of Defense is authorized to provide transportation without expense to the United States Government from United States military commands overseas, and return, on surface and other transportation facilities of the armed services for (1) those Boy Scouts, Scouters, and officials certified by the National Council, Boy Scouts of America, as representing the National Council, Boy Scouts of America, at the jamboree referred to in the first section of this Act; and (2) the equipment and property of such Boy Scouts, Scouters, and officials and the property loaned to the National Council, Boy Scouts of America, by the Secretary of Defense pursuant to this Act.

Bond.

(b) Before furnishing any transportation under this section, the Secretary of Defense shall take from the National Council, Boy Scouts of America, a good and sufficient bond for the reimbursement to the United States by the National Council, Boy Scouts of America, of the actual costs of transportation furnished under this section.

Reimbursement  
funds.

SEC. 3. Amounts paid to the United States to reimburse it for expenses incurred under the first section and for the actual cost of transportation furnished under section 2 shall be credited to the current applicable appropriations or funds to which such expenses and costs were charged and shall be available for the same purposes as such appropriations or funds.

Waiver of visa  
fee.

SEC. 4. Under regulations prescribed by the Secretary of State, no fee shall be collected for the application for a visa by or the issuance of a visa to any Boy Scout, Scouter, or official whose association is certified by the National Council, Boy Scouts of America, as representing

another nation at the jamboree and world conference referred to in the first section of this Act. Further, the import and export of documents and paraphernalia needed by conference and jamboree delegates and representatives at said world conference and world jamboree will be guaranteed free entry and departure regardless of nationality.

SEC. 5. Each department of the Federal Government is hereby authorized under such regulations as may be prescribed by the Secretary thereof to assist the Boy Scouts of America in the carrying out and the fulfillment of the plans for the encampment and conference referred to in sections 1, 2, and 4 of this Act.

Approved July 4, 1966.

Federal assistance.

Public Law 89-491

JOINT RESOLUTION

To establish the American Revolution Bicentennial Commission, and for other purposes.

July 4, 1966  
[S. J. Res. 162]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, as this Nation approaches the bicentennial of its birth and the historic events preceding and associated with the American Revolution which are of such major significance in the development of our national heritage of individual liberty, representative government, and the attainment of equal and inalienable rights and which have also had so profound an influence throughout the world, it is appropriate and desirable to provide for the observation and commemoration of this anniversary and these events through local, State, National, and international activities planned, encouraged, developed, and coordinated by a national commission representative of appropriate public and private authorities and organizations.*

American Revolution Bicentennial Commission. Establishment.

SEC. 2. (a) There is hereby established a commission to be known as the American Revolution Bicentennial Commission (hereinafter referred to as the "Commission") to plan, encourage, develop, and coordinate the commemoration of the American Revolution bicentennial.

(b) The Commission shall be composed of the following members:

Membership.

(1) Four Members of the Senate to be appointed by the President of the Senate;

(2) Four Members of the House of Representatives to be appointed by the Speaker of the House of Representatives;

(3) The Secretary of State, the Attorney General, the Secretary of the Interior, the Secretary of Defense, the Secretary of Health, Education, and Welfare, the Librarian of Congress, the Secretary of the Smithsonian Institution, the Archivist of the United States, and the Chairman of the Federal Council on the Arts and the Humanities, all of whom shall be ex officio members of the Commission;

(4) Seventeen members from private life to be appointed by the President, one of whom shall be designated as the Chairman by the President.

(c) Vacancies shall be filled in the same manner in which the original appointments were made.

SEC. 3. (a) It shall be the duty of the Commission to prepare an overall program for commemorating the bicentennial of the American Revolution, and to plan, encourage, develop, and coordinate observances and activities commemorating the historic events that preceded, and are associated with, the American Revolution.

Duties.

(b) In preparing its plans and program, the Commission shall give due consideration to any related plans and programs developed by

State, local, and private groups, and it may designate special committees with representatives from such bodies to plan, develop, and coordinate specific activities.

(c) In all planning, the Commission shall give special emphasis to the ideas associated with the Revolution which have been so important in the development of the United States, in world affairs and in mankind's quest for freedom.

Report to President.

(d) Not later than two years after the date of the enactment of this Act, the Commission shall submit to the President a comprehensive report incorporating its specific recommendations for the commemoration of the bicentennial and related events. This report may recommend activities such as, but not limited to, the following:

(1) the production, publication, and distribution of books, pamphlets, films, and other educational materials focusing on the history, culture, and political thought of the period of the American Revolution;

(2) bibliographical and documentary projects and publications;

(3) conferences, convocations, lectures, seminars, and other programs;

(4) the development of libraries, museums, historic sites, and exhibits, including mobile exhibits;

(5) ceremonies and celebrations commemorating specific events;

(6) programs and activities focusing on the national and international significance of the American Revolution, and its implications for present and future generations;

(7) the issuance of commemorative coins, medals, certificates of recognition, and stamps.

Recommendations.

(e) The report of the Commission shall include recommendations for the allocation of financial and administrative responsibility among the public and private authorities and organizations recommended for participation by the Commission. The report shall also include proposals for such legislative enactments and administrative actions as the Commission considers necessary to carry out its recommendations. The President shall transmit the Commission's report to the Congress together with such comments and recommendations for legislation and such report of administrative actions taken by him as he deems appropriate.

Transmittal to Congress.

Cooperation with Federal agencies.

SEC. 4. (a) In fulfilling its responsibilities, the Commission is authorized and directed to consult, cooperate with, and seek advice and assistance from appropriate Federal departments and agencies, State and local public bodies, learned societies, and historical, patriotic, philanthropic, civic, professional, and related organizations. Such Federal departments and agencies are authorized and requested to cooperate with the Commission in planning, encouraging, developing, and coordinating appropriate commemorative activities.

Study by Secretary of Interior.

(b) The Secretary of the Interior is authorized and requested to undertake a study of appropriate actions which might be taken to further preserve and develop Revolutionary War historic sites and battlefields, at such time and in such manner as will insure that fitting observances and exhibits may be held at appropriate sites and battlefields during the bicentennial celebration. The Secretary shall submit the results of his study to the Commission, together with his recommendations, in time to afford the Commission an opportunity to review his study, and to incorporate such of its findings and recommendations as the Commission may deem appropriate in the report provided for in section 3(d).

Recommendations.

Cooperation by other agencies.

(c) The Chairman of the Federal Council on the Arts and the Humanities, the Chairman of the National Endowment for the Arts, and the Chairman of the National Endowment for the Humanities are authorized and requested to cooperate with the Commission, especially in the encouragement and coordination of scholarly works

and presentations focusing on the history, culture, and political thought of the Revolutionary War period.

(d) The Librarian of Congress, the Secretary of the Smithsonian Institution, and the Archivist of the United States are authorized and requested to cooperate with the Commission, especially in the development and display of exhibits and collections, and in the development of bibliographies, catalogs, and other materials relevant to the period of the Revolutionary War.

(e) Each of the officers listed in subsections (c) and (d) of this section shall submit recommendations to the Commission in time to afford the Commission an opportunity to review them, and to incorporate such of the recommendations as the Commission may deem appropriate in the report provided for in section 3(d).

SEC. 5. (a) The Commission is authorized to accept donations of money, property, or personal services.

(b) All books, manuscripts, miscellaneous printed matter, memorabilia, relics, and other materials relating to the Revolutionary War period and donated to the Commission may be deposited for preservation in National, State, or local libraries or museums or be otherwise disposed of by the Commission in consultation with the Librarian of Congress, the Secretary of the Smithsonian Institution, the Archivist of the United States, and the Administrator of General Services.

SEC. 6. (a) The members of the Commission shall receive no compensation for their services as such. Members from the legislative and executive branches shall be allowed necessary travel expenses as authorized under law for official travel. Those appointed from private life shall be allowed necessary travel expenses as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2).

(b) The Commission shall have power to appoint and fix the compensation of such personnel as it deems advisable and to appoint such advisory committees as it deems necessary.

(c) The Commission may procure services as authorized by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a), but at rates not to exceed \$75 per diem for individuals.

(d) The Commission, to such extent as it finds to be necessary, may procure supplies, services, and property; make contracts; expend in furtherance of this Act funds appropriated, donated, or received in pursuance of contracts hereunder; and exercise those powers that are necessary to enable it to carry out efficiently and in the public interest the purposes of this Act.

(e) Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel, and procurement) shall be provided the Commission by the Department of the Interior, for which payment shall be made in advance, or by reimbursement, from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Secretary of the Interior: *Provided*, That the regulations of the Department of the Interior for the collection of indebtedness of personnel resulting from erroneous payments (5 U.S.C. 46e) shall apply to the collection of erroneous payments made to or on behalf of a Commission employee, and regulations of said Secretary for the administrative control of funds (31 U.S.C. 665(g)) shall apply to appropriations of the Commission: *And provided further*, That the Commission shall not be required to prescribe such regulations.

(f) Any property acquired by the Commission remaining upon its termination may be used by the Secretary of the Interior for purposes of the National Park Service, or may be disposed of as excess or surplus property.

SEC. 7. (a) All expenditures of the Commission shall be made from donated funds only.

Donations.

Books, etc. deposited in libraries.

Compensation, travel expenses, etc.

60 Stat. 808;  
75 Stat. 339, 340.

Rates of pay, limitation.  
60 Stat. 810.

Financial and administrative services.

68 Stat. 483.

Disposition of property.

Expenditures, limitation.

Reports to  
Congress.

(b) An annual report of the activities of the Commission, including an accounting of funds received and expended, shall be furnished by the Commission to the Congress. A final report shall be made to the Congress no later than December 31, 1983, upon which date the Commission shall terminate.

Approved July 4, 1966.

Public Law 89-492

AN ACT

July 5, 1966  
[H. R. 13822]

To provide for an additional Assistant Postmaster General to further the research and development and construction engineering programs of the Post Office Department, and for other purposes.

Additional As-  
sistant Post-  
master General.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it is the purpose of this Act to encourage, advance, and accelerate the research and development and construction engineering programs of the Post Office Department and to provide for improvements in the administration of such programs.

74 Stat. 579.

SEC. 2. Section 305 of title 39, United States Code, is amended to read as follows:

**“§ 305. Assistant Postmasters General**

“Six Assistant Postmasters General appointed by the President, by and with the advice and consent of the Senate, shall perform such duties as the Postmaster General designates.”

SEC. 3. Section 303(d)(21) of the Federal Executive Salary Act of 1964 (78 Stat. 418; 5 U.S.C. 2211(d)(21)) is amended by striking out “Assistant Postmaster General (5).” and inserting in lieu thereof “Assistant Postmasters General (6).”

SEC. 4. Section 303(e) of the Federal Executive Salary Act of 1964 (78 Stat. 419; 5 U.S.C. 2211(e)) is amended—

(1) by striking out

“(60) Director, Office of Research and Engineering, Post Office Department.”

and inserting in lieu thereof

“(60) Director, Research and Development, Post Office Department.”; and

(2) by adding at the end thereof the following:

“(101) Director, Construction Engineering, Post Office Department.”

SEC. 5. Subsection (e) of the first section of the Act of August 1, 1947 (Public Law 313, Eightieth Congress), as amended (5 U.S.C. 1161(e)), is amended to read as follows:

75 Stat. 790.

“(e) The Postmaster General is authorized to establish and fix the compensation for not more than six scientific or professional positions in the Post Office Department, each such position being established to effectuate those research and development and construction engineering functions of such Department which require the services of specially qualified personnel.”

Approved July 5, 1966.

## Public Law 89-493

## AN ACT

July 5, 1966  
[S. 1611]

To transfer certain functions from the United States District Court for the District of Columbia to the District of Columbia Court of General Sessions and to certain other agencies of the municipal government of the District of Columbia, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the first sentence of section 561 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901 (31 Stat. 1279), as amended (sec. 1-504, D.C. Code, 1961 ed.), is amended by striking "United States District Court for the District of Columbia or a judge thereof", and inserting in lieu thereof "Commissioners of the District of Columbia or their designated agent".

D.C. courts.  
Transfer of func-  
tions.

58 Stat. 811.

SEC. 2. Section 563 of the Act approved March 3, 1901 (31 Stat. 1279), as amended (sec. 1-506, D.C. Code, 1961 ed.), is amended to read as follows: "Each notary public shall file his signature and deposit an impression of his official seal with the Commissioners of the District of Columbia or their designated agent, and the Commissioners or their designated agent may certify to the authenticity of the signature and official seal of the notary public."

SEC. 3. Section 572 of the Act approved March 3, 1901 (31 Stat. 1280), as amended (sec. 1-515, D.C. Code, 1961 ed.), is amended by striking "United States District Court for the District of Columbia", and inserting in lieu thereof "District of Columbia Court of General Sessions".

SEC. 4. Section 573 of the Act approved March 3, 1901, as amended (sec. 1-516, D.C. Code, 1961 ed.), is amended by striking "clerk of the United States District Court for the District of Columbia", and inserting in lieu thereof "Commissioners of the District of Columbia or their designated agent".

SEC. 5. The first sentence of the second paragraph of section 13 of the Act entitled "An Act to regulate the practice of optometry in the District of Columbia", approved May 28, 1924, as amended (sec. 2-513, D.C. Code, 1961 ed.), is amended by striking the semicolon and inserting a period in lieu thereof, and striking the remainder of the sentence.

43 Stat. 180.

SEC. 6. Sections 877, 878b, and 878f of the Act approved March 3, 1901 (31 Stat. 1333), as amended (secs. 48-101, 48-302 and 48-306, D.C. Code, 1961 ed.), are amended by striking "clerk of the United States District Court for", and inserting in lieu thereof "Recorder of Deeds of".

34 Stat. 1006.

SEC. 7. (a) The first section of the Act entitled "An Act to regulate in the District of Columbia the traffic in, sale, and use of milk bottles, cans, crates, and other containers of milk and cream to prevent fraud and deception, and for other purposes", approved July 3, 1926 (44 Stat. 809), as amended (sec. 48-201, D.C. Code, 1961 ed.), is amended by striking "clerk of the United States District Court for" wherever that term appears and inserting in lieu thereof "Recorder of Deeds of".

(b) The first section of the Act entitled "An Act to authorize associations of employees in the District of Columbia to adopt a device to designate the products of the labor of their members, to punish illegal use or imitation of such device, and for other purposes", approved February 18, 1932 (47 Stat. 50), as amended (sec. 48-401, D.C. Code, 1961 ed.), is amended by striking from the second sentence "clerk of the United States District Court for the District of Columbia and the clerk", and inserting in lieu thereof "Recorder of Deeds of the District of Columbia and the Recorder"; and by striking the third sentence and inserting in lieu thereof "A certified copy of the drawing may be obtained upon the payment of \$1 for each certification."

77 Stat. 522.

SEC. 8. Subsection (a) of section 15-101, District of Columbia Code, is amended by striking from clause (1) the word "or"; by striking from clause (2) "District Court—", and inserting in lieu thereof "District Court; or"; and by inserting immediately following clause (2) the following:

"(3) civil division of the District of Columbia Court of General Sessions, if the judgment or decree was rendered on or after the effective date of this clause—".

SEC. 9. (a) Subsection (a) of section 15-102, District of Columbia Code, is amended by striking from clause (2) the word "and"; by striking from clause (3) "forfeited—" and inserting in lieu thereof "forfeited;"; and by inserting immediately following clause (3) the following:

"(4) recognizance taken by the criminal division of the District of Columbia Court of General Sessions, or judge thereof, from the time when it is declared forfeited (if the forfeiture occurred on or after the effective date of this clause); and

"(5) judgment or decree rendered in the civil division of the District of Columbia Court of General Sessions after the effective date of this clause—".

(b) Subsection (b) of section 15-102, District of Columbia Code, is amended by striking "after being forfeited," and inserting in lieu thereof "forfeited prior to the effective date of subsection (a) (4),".

SEC. 10. Subsection (a) of section 15-132, District of Columbia Code, is amended by striking "(a) A" and inserting in lieu thereof "(a) (1) Except as provided by section 15-101, a"; and by inserting at the end the following:

"(2) A judgment entered on or after the effective date of this paragraph in the District of Columbia Court of General Sessions may not be docketed in the Office of the Clerk of the United States District Court for the District of Columbia. The provisions of this title relating to enforcement of judgments, executions thereon and writs and proceedings in aid of execution thereof, are applicable to judgments entered on or after the effective date of this paragraph in the District of Columbia Court of General Sessions."

SEC. 11. Section 15-310, District of Columbia Code, is amended by striking from the first sentence "An" and inserting in lieu thereof "(a) An"; by striking from the second sentence "It" and inserting in lieu thereof "Except as otherwise provided in subsection (b) of this section, it"; and by inserting at the end the following:

"(b) An execution issued on a judgment entered on or after the effective date of this subsection in the District of Columbia Court of General Sessions may be levied on real estate."

SEC. 12. Section 15-311, District of Columbia Code, is amended by striking from the first sentence "The writ" and inserting in lieu thereof "(a) The writ"; and by inserting at the end the following:

"(b) A writ of fieri facias issued from the District of Columbia Court of General Sessions upon a judgment entered in that court on or after the effective date of this subsection may be levied on legal leasehold or freehold estates of the debtor in land."

SEC. 13. (a) Sections 1288, 1290, 1291, and 1293 of the Act approved March 3, 1901 (31 Stat. 1392), as amended (secs. 30-106, 30-108, 30-110, and 30-112, D.C. Code, 1961 ed.), are amended by striking "United States District Court for the District of Columbia" and inserting in lieu thereof "District of Columbia Court of General Sessions".

(b) Section 1288 of the Act approved March 3, 1901 (31 Stat. 1392), as amended (sec. 30-106, D.C. Code, 1961 ed.), is further amended by inserting at the end the following: "The clerk of the District of Columbia Court of General Sessions and such deputy clerks of the court as may, in writing, be designated by the clerk of the court and

33 Stat. 297.

approved by the chief judge, are authorized to celebrate marriages in the District of Columbia.”

(c) (1) The fifth paragraph under the heading “Hygiene and Sanitation in the Public Schools” under the caption “HEALTH DEPARTMENT” in the first section of the Act entitled “An Act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1930, and for other purposes”, approved February 25, 1929 (45 Stat. 1285), as amended (sec. 30-115, D.C. Code, 1961 ed.), is repealed.

Repeals.

(2) The clerk of the United States District Court for the District of Columbia shall transfer all marriage records in his custody (including marriage records transferred from the health department) to the clerk of the District of Columbia Court of General Sessions.

(d) (1) Paragraphs (11), (12), (13), and (14) of section 15-706(e) of the District of Columbia Code are repealed.

77 Stat. 533.

(2) Chapter 7, title 15, District of Columbia Code, is amended by inserting at the end the following:

**“§ 15-717. Marriage license and related fees**

“For each marriage license, the fee shall be \$2; for each certified copy of a marriage license return, the fee shall be \$1; for each certified copy of application for marriage license the fee shall be \$1; and for registering authorizations to perform marriages and issuing certificate, the fee shall be \$1.

“The District of Columbia Court of General Sessions may, by rule of court, increase or decrease fees provided by this section.”

(3) The analysis of chapter 7 of title 15 preceding section 15-701 of the District of Columbia Code is amended by inserting at the end:

“15-717. Marriage license and related fees.”

SEC. 14. Subsection (e) of section 4 of the Act entitled “An Act to provide for unemployment compensation in the District of Columbia, authorize appropriations, and for other purposes”, approved August 28, 1935 (49 Stat. 946), as added by the Act approved June 4, 1943 (57 Stat. 100, 109, 110), as amended (sec. 46-304, D.C. Code, 1961 ed.), is amended by striking from the second and from the penultimate sentences “clerk of the United States District Court for” and inserting in lieu thereof “Recorder of Deeds of”.

SEC. 15. (a) Sections 1238, 1239, and 1241 of the Act approved March 3, 1901 (31 Stat. 1384, 1385), as amended (secs. 38-102, 38-103, and 38-105, D.C. Code, 1961 ed.), are amended by striking “clerk of the United States District Court for” and inserting in lieu thereof “Recorder of Deeds of”.

(b) Sections 1238 and 1246 of the Act approved March 3, 1901 (31 Stat. 1384, 1386), as amended (secs. 38-102 and 38-110, D.C. Code, 1961 ed.), are amended by striking “clerk” and inserting in lieu thereof “Recorder of Deeds”.

(c) In addition to fees otherwise provided for, the Recorder of Deeds shall charge and collect the following fees:

- (1) for filing and recording each notice of mechanic’s lien, \$1;
- (2) for entering release of mechanic’s lien, 50 cents for each order of lienor; and
- (3) for each undertaking of lienee, 75 cents.

SEC. 16. The Act entitled “An Act to establish a lien for moneys due hospitals for services rendered in cases caused by negligence or fault of others and providing for the recording and enforcing of such liens”, approved June 30, 1939 (53 Stat. 990, 991), as amended (secs. 38-302 and 38-305, D.C. Code, 1961 ed.), is amended by striking from sections 2 and 5 “clerk of the United States District Court for” and inserting in lieu thereof “Recorder of Deeds of”; and by striking

the second sentence of section 5 and inserting in lieu thereof the following: "The Recorder of Deeds shall index the same in the name of the injured person and shall charge and collect a fee of \$1 for recording, indexing, and releasing the lien so filed."

SEC. 17. (a) Section 6323(a)(3) of the Internal Revenue Code of 1954 is amended to read as follows:

"(3) WITH RECORDER OF DEEDS OF THE DISTRICT OF COLUMBIA.—

In the office of the Recorder of Deeds of the District of Columbia, if the property subject to the lien is situated in the District of Columbia."

(b) Section 548a of the Act approved March 3, 1901, as added by the Act of April 27, 1945 (59 Stat. 100), is amended by striking "SEC. 548a." and by inserting in lieu thereof "SEC. 548a. (a)" and by inserting at the end the following new subsection:

"(b) The Recorder of Deeds shall accept for filing any notice of Federal tax lien or any other document affecting such a lien if such notice or document is in the form prescribed by the Secretary of the Treasury or his delegate and could be filed with the clerk of the United States District Court for the District of Columbia. The fee for each such filing with the Recorder of Deeds shall be the same as the fee charged by the Recorder of Deeds for filing a similar document for a private person. The Recorder of Deeds shall bill the District Director of Internal Revenue on a monthly basis for fees for documents filed by such District Director. Any document releasing or affecting any notice of Federal tax lien which has been filed with the clerk of the United States District Court for the District of Columbia prior to the effective date of this Act shall be filed with such clerk."

SEC. 18. Section 6 of title I of the Act entitled "An Act to provide revenue for the District of Columbia, and for other purposes", approved August 17, 1937 (50 Stat. 673, 674), as amended (sec. 47-1406, D.C. Code, 1961 ed.), is amended by striking "clerk of the United States District Court for", and inserting in lieu thereof "Recorder of Deeds of"; and by striking "said court" and inserting in lieu thereof "the United States District Court for the District of Columbia."

SEC. 19. Paragraphs 16 and 18 of section 15-706(e), District of Columbia Code, are repealed.

SEC. 20. Appropriations to carry out the purposes of this Act are authorized.

SEC. 21. This Act shall take effect on the first day of the first month which is at least ninety days after the date of approval of this Act.

Approved July 5, 1966.

## Public Law 89-494

### AN ACT

To provide for an increase in the annuities payable from the District of Columbia teachers' retirement and annuity fund, to revise the method of determining the cost-of-living increases in such annuities, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That sections 21 and 22 of the Act entitled "An Act for the retirement of public school teachers in the District of Columbia", approved August 7, 1946 (D.C. Code, secs. 31-739a—31-739b), are amended to read as follows:

"SEC. 21. (a) Effective December 1, 1965, each annuity payable from the fund which has a commencing date not later than December 30, 1965, shall be increased by (1) the per centum rise in the price index,

68A Stat. 779.  
26 USC 6323.

D.C. Code 45-  
711.

Repeal.  
77 Stat. 532.  
Appropriation.  
Effective date.

July 5, 1966  
[H. R. 11439]

D.C.  
Teachers, annu-  
ities increase.

76 Stat. 1236.

adjusted to the nearest one-tenth of 1 per centum, determined by the Board of Commissioners of the District of Columbia on the basis of the annual average price index for calendar year 1962 and the price index for the month of July 1965 plus (2) 6½ per centum if the commencing date (or in the case of the survivor of a deceased annuitant the commencing date of the annuity of the retired employee) occurred on or before October 1, 1956, or 1½ per centum if the commencing date (or in the case of the survivor of a deceased annuitant the commencing date of the annuity of the retired employee) occurred after October 1, 1956. The month used in determining the increase based on the per centum rise in the price index under this subsection shall be the base month for determining the per centum change in the price index until the next succeeding increase occurs.

“(b) Each month after the first increase under this section, the Board of Commissioners of the District of Columbia shall determine the per centum change in the price index. Effective the first day of the third month which begins after the price index shall have equaled a rise of at least 3 per centum for three consecutive months over the price index for the base month, each annuity payable from the fund which has a commencing date not later than such effective date shall be increased by the per centum rise in the price index (calculated on the highest level of the price index during the three consecutive months) adjusted to the nearest one-tenth of 1 per centum.

“(c) Eligibility for an annuity increase under this section shall be governed by the commencing date of each annuity payable from the fund as of the effective date of an increase, except as follows:

“(1) Effective from its commencing date, an annuity payable from the fund to an annuitant's survivor (other than a child entitled under section 9(b)(3)), which annuity commences the day after the annuitant's death and after the effective date of the first increase under this section, shall be increased by the total per centum increase the annuitant was receiving under this section at death.

“(2) For purposes of computing an annuity which commences after the effective date of the first increase under this section to a child under section 9(b)(3), the items \$600, \$720, \$1,800, and \$2,160 appearing in section 9(b)(3) shall be increased by the total per centum increase allowed and in force under this section for employee annuities which commenced after October 1, 1956, and, in case of a deceased annuitant, the items 40 per centum and 50 per centum appearing in section 9(b)(3) shall be increased by the total per centum increase allowed and in force under this section to the annuitant at death.

“(d) No increase in annuity provided by this section shall be computed on any additional annuity purchased at retirement by voluntary contributions.

“(e) The monthly installment of annuity after adjustment under this section shall be fixed at the nearest dollar, except that such installment shall after adjustment reflect an increase of at least \$1.

“(f) For purposes of this section, the term ‘price index’ shall mean the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics. The term ‘base month’ shall mean the month for which the price index showed a per centum rise forming the basis for a cost-of-living annuity increase.”

SEC. 2. Section 2 of the Act entitled “An Act for the retirement of public school teachers in the District of Columbia”, approved August 7, 1946 (D.C. Code, sec. 31-722), is amended by inserting immediately after “this Act” in the third sentence the following: “, and for payment of administrative expenses incurred by the Board of Commissioners of the District of Columbia in placing in effect each annuity adjustment granted under section 21 of this Act”.

SEC. 3. This Act shall take effect December 1, 1965.

Approved July 5, 1966.

71 Stat. 47.  
D.C. Code 31-  
729.

“Price index.”

60 Stat. 876.

Effective date.

## Public Law 89-495

## AN ACT

July 5, 1966  
[H. R. 136]

To amend sections 1, 17a, 64a(5), 67(b), 67c, and 70c of the Bankruptcy Act, and for other purposes.

Bankruptcy.  
Statutory liens.  
30 Stat. 544;  
52 Stat. 840.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 1 (11 U.S.C. 1) of the Bankruptcy Act approved July 1, 1898, as amended, is amended by inserting after paragraph 29 the following new paragraph:

“(29a) ‘Statutory lien’ shall mean a lien arising solely by force of statute upon specified circumstances or conditions, but shall not include any lien provided by or dependent upon an agreement to give security, whether or not such lien is also provided by or is also dependent upon statute and whether or not the agreement or lien is made fully effective by statute.”

Debts having  
priority.

SEC. 2. Clause (5) of subsection a of section 64 of said Act (11 U.S.C. 104(a)) is amended to read as follows:

“(5) debts other than for taxes owing to any person, including the United States, who by the laws of the United States is entitled to priority, and rent owing to a landlord who is entitled to priority by applicable State law or who is entitled to priority by paragraph (2) of subdivision c of section 67 of this Act: *Provided, however,* That such priority for rent to a landlord shall be restricted to the rent which is legally due and owing for the actual use and occupancy of the premises affected, and which accrued within three months before the date of bankruptcy.”

66 Stat. 427.

SEC. 3. Subsection b of section 67 of said Act (11 U.S.C. 107(b)), is amended to read as follows:

11 USC 96.

“b. The provisions of section 60 of this Act to the contrary notwithstanding and except as otherwise provided in subdivision c of this section, statutory liens in favor of employees, contractors, mechanics, or any other class of persons, and statutory liens for taxes and debts owing to the United States or to any State or any subdivision thereof, created or recognized by the laws of the United States or any State, may be valid against the trustee, even though arising or perfected while the debtor is insolvent and within four months prior to the filing of the petition initiating a proceeding under this Act by or against him.”

SEC. 4. Subsection c of section 67 of said Act (11 U.S.C. 107(c)) is amended to read as follows:

“c. (1) The following liens shall be invalid against the trustee:

“(A) every statutory lien which first becomes effective upon the insolvency of the debtor, or upon distribution or liquidation of his property, or upon execution against his property levied at the instance of one other than the lienor;

“(B) every statutory lien which is not perfected or enforceable at the date of bankruptcy against one acquiring the rights of a bona fide purchaser from the debtor on that date, whether or not such purchaser exists: *Provided,* That where a statutory lien is not invalid at the date of bankruptcy against the trustee under subdivision c of section 70 of this Act and is required by applicable lien law to be perfected in order to be valid against a subsequent bona fide purchaser, such a lien may nevertheless be valid under this subdivision if perfected within the time permitted by and in accordance with the requirements of such law: *And provided further,* That if applicable lien law requires a lien valid against the trustee under section 70, subdivision c, to be perfected by the seizure of property, it shall instead be perfected

Post, p. 269.

as permitted by this subdivision c of section 67 by filing notice thereof with the court;

“(C) every statutory lien for rent and every lien of distress for rent, whether statutory or not. A right of distress for rent which creates a security interest in property shall be deemed a lien for the purposes of this subdivision c.

“(2) The court may, on due notice, order any of the aforesaid liens invalidated against the trustee to be preserved for the benefit of the estate and in that event the lien shall pass to the trustee. A lien not preserved for the benefit of the estate but invalidated against the trustee shall be invalid as against all liens indefeasible in bankruptcy, so as to have the effect of promoting liens indefeasible in bankruptcy which would otherwise be subordinate to such invalidated lien. Claims for wages, taxes, and rent secured by liens hereby invalidated or preserved shall be respectively allowable with priority and restricted as are debts therefor entitled to priority under clauses (2), (4), and (5) of subdivision a of section 64 of this Act, even though not otherwise granted priority.

Claims for wages, etc.

11 USC 104; Post, p. 271.

Liens on personal property.

“(3) Every tax lien on personal property not accompanied by possession shall be postponed in payment to the debts specified in clauses (1) and (2) of subdivision a of section 64 of this Act. Where such a tax lien is prior in right to liens indefeasible in bankruptcy, the court shall order payment from the proceeds derived from the sale of the personal property to which the tax lien attaches, less the actual cost of that sale, of an amount not in excess of the tax lien, to the debts specified in clauses (1) and (2) of subdivision a of section 64 of this Act. If the amount realized from the sale exceeds the total of such debts, after allowing for prior indefeasible liens and the cost of the sale, the excess up to the amount of the difference between the total paid to the debts specified in clauses (1) and (2) of subdivision a of section 64 of this Act and the amount of the tax lien, is to be paid to the holder of the tax lien.

“(4) Where a penalty not allowable under subdivision j of section 57 is secured by a lien, the portion of the lien securing such penalty shall not be eligible for preservation under this subdivision c.

11 USC 93.

“(5) This subdivision c shall not apply to liens enforced by sale before the filing of the petition, nor to liens against property set aside to the bankrupt as exempt, nor to liens against property abandoned by the trustee or unadministered in bankruptcy for any reason and shall not apply in proceedings under section 77 of this Act, nor in proceedings under chapter X of this Act unless an order has been entered directing that bankruptcy be proceeded with.”

11 USC 205.

SEC. 5. Subsection c of section 70 of said Act (11 U.S.C. 110(c)) is amended to read as follows:

Trustee defenses; rights and powers.

“c. The trustee may have the benefit of all defenses available to the bankrupt as against third persons, including statutes of limitation, statutes of frauds, usury, and other personal defenses; and a waiver of any such defense by the bankrupt after bankruptcy shall not bind the trustee. The trustee shall have as of the date of bankruptcy the rights and powers of: (1) a creditor who obtained a judgment against the bankrupt upon the date of bankruptcy, whether or not such a creditor exists, (2) a creditor who upon the date of bankruptcy obtained an execution returned unsatisfied against the bankrupt, whether or not such a creditor exists, and (3) a creditor who upon the date of bankruptcy obtained a lien by legal or equitable proceedings upon all property, whether or not coming into possession or control of the court, upon which a creditor of the bankrupt upon a simple contract could have obtained such a lien, whether or not such a creditor exists. If a transfer is valid in part against creditors whose rights

and powers are conferred upon the trustee under this subdivision, it shall be valid to a like extent against the trustee. In cases where repugnancy or inconsistency exists with reference to the rights and powers in this subdivision conferred, the trustee may elect which rights and powers to exercise with reference to a particular party, a particular remedy, or a particular transaction, without prejudice to his right to maintain a different position with reference to a different party, a different remedy, or a different transaction."

Approved July 5, 1966.

Public Law 89-496

AN ACT

July 5, 1966  
[H. R. 3438]

To amend the Bankruptcy Act with respect to limiting the priority and non-dischargeability of taxes in bankruptcy.

Bankruptcy.  
Taxes.

52 Stat. 842.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subdivision (a) of section 2 of the Bankruptcy Act, as amended (11 U.S.C. 11), is amended by inserting after paragraph (2) the following new paragraph:

"(2A) Hear and determine, or cause to be heard and determined, any question arising as to the amount or legality of any unpaid tax, whether or not previously assessed, which has not prior to bankruptcy been contested before and adjudicated by a judicial or administrative tribunal of competent jurisdiction, and in respect to any tax, whether or not paid, when any such question has been contested and adjudicated by a judicial or administrative tribunal of competent jurisdiction and the time for appeal or review has not expired, to authorize the receiver or the trustee to prosecute such appeal or review;"

Debts unaf-  
fected by a dis-  
charge.

SEC. 2. Clause (1) of subdivision a of section 17 of such Act, as amended (11 U.S.C. 35), is amended to read as follows:

"(1) are taxes which became legally due and owing by the bankrupt to the United States or to any State or any subdivision thereof within three years preceding bankruptcy: *Provided, however,* That a discharge in bankruptcy shall not release a bankrupt from any taxes (a) which were not assessed in any case in which the bankrupt failed to make a return required by law, (b) which were assessed within one year preceding bankruptcy in any case in which the bankrupt failed to make a return required by law, (c) which were not reported on a return made by the bankrupt and which were not assessed prior to bankruptcy by reason of a prohibition on assessment pending the exhaustion of administrative or judicial remedies available to the bankrupt, (d) with respect to which the bankrupt made a false or fraudulent return, or willfully attempted in any manner to evade or defeat, or (e) which the bankrupt has collected or withheld from others as required by the laws of the United States or any State or political subdivision thereof, but has not paid over; but a discharge shall not be a bar to any remedies available under applicable law to the United States or to any State or any subdivision thereof, against the exemption of the bankrupt allowed by law and duly set apart to him under this Act: *And provided further,* That a discharge in bankruptcy shall not release or affect any tax lien."

SEC. 3. Clause (4) of subdivision a of section 64 of such Act, as amended (11 U.S.C. 104), is amended to read as follows: Debts having priority.

“(4) taxes which became legally due and owing by the bankrupt to the United States or to any State or any subdivision thereof which are not released by a discharge in bankruptcy: *Provided, however,* That no priority over general unsecured claims shall pertain to taxes not included in the foregoing priority: *And provided further,* That no order shall be made for the payment of a tax assessed against any property of the bankrupt in excess of the value of the interest of the bankrupt estate therein as determined by the court;”

SEC. 4. If any provision of this Act, or any amendment made by it, or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions of this Act, or other amendments made by it, or applications thereof which can be given effect without the invalid provision or application.

SEC. 5. (a) Nothing in this Act, or in the amendments made by it, shall operate to release or extinguish any penalty, forfeiture, or liability incurred under the Bankruptcy Act before the effective date of this Act. 30 Stat. 544;  
64 Stat. 1113.

(b) The amendments made by this Act shall govern proceedings so far as applicable in cases pending when it takes effect.

SEC. 6. This Act shall take effect on the ninetieth day after the date of its enactment. Effective date.

Approved July 5, 1966.

## Public Law 89-497

### AN ACT

To amend title 1 of the United States Code to provide for the admissibility in evidence of the slip laws and the Treaties and Other International Acts Series; and for other purposes. July 8, 1966  
[H. R. 12232]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 113 of title 1, United States Code, is hereby amended to read as follows:

**“§ 113. ‘Little and Brown’s’ edition of laws and treaties; slip laws; Treaties and Other International Acts Series; admissibility in evidence**

“The edition of the laws and treaties of the United States, published by Little and Brown, and the publications in slip or pamphlet form of the laws of the United States issued under the authority of the Administrator of General Services, and the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence of the several public and private Acts of Congress, and of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

SEC. 2. The analysis of chapter 2 of title 1, United States Code, preceding section 101, is amended by striking out—

“113. ‘Little and Brown’s’ edition of laws and treaties; admissibility in evidence.” and inserting in lieu thereof the following:

“113. ‘Little and Brown’s’ edition of laws and treaties; slip laws; Treaties and Other International Act Series; admissibility in evidence.”

Approved July 8, 1966. Slip laws and treaties.  
Legal evidence.  
61 Stat. 636.

## Public Law 89-498

July 8, 1966  
[H. R. 3788]

## AN ACT

To revive and reenact as amended the Act entitled "An Act creating the City of Clinton Bridge Commission and authorizing said commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Clinton, Iowa, and at or near Fulton, Illinois," approved December 21, 1944.

City of Clinton  
Bridge Commis-  
sion.  
58 Stat. 846.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act approved December 21, 1944, authorizing the City of Clinton Bridge Commission to acquire, construct, maintain, and operate a bridge or bridges, including approaches thereto, across the Mississippi River at or near the cities of Clinton, Iowa, and Fulton, Illinois, as heretofore amended, be, and the same is hereby revived and reenacted: *Provided*, That this Act shall be null and void insofar as it authorizes the construction of a bridge or bridges unless actual construction thereof be commenced within three years and completed within five years from the date of approval of this Act.

SEC. 2. That section 5 of said Act, as heretofore amended, is further amended to read as follows:

Bonds, issu-  
ance.

"SEC. 5. The commission and its successors and assigns are hereby authorized to provide for the payment of the cost of such bridge, or bridges as may be acquired, reconstructed, or constructed, as herein provided, and approaches (including the approach highways, which, in the judgment of the commission, it is necessary or advisable to construct or cause to be constructed to provide suitable and adequate connections with existing improved highways) and the necessary land easements and appurtenances thereto, by an issue or issues of negotiable bonds of the commission, bearing interest, payable semiannually, at the rate of not more than 6 per centum per annum, the principal and interest of which bonds shall be payable solely from the funds provided in accordance with this Act, and such payments may be further secured by mortgage of the bridge or bridges. All such bonds may be registrable as to principal alone or both principal and interest, shall be payable as to principal within not to exceed twenty-five years from the date thereof, shall be in such denominations, shall be executed in such manner, and shall be payable in such medium and at such place or places as the commission may determine, and the face amount thereof shall be so calculated as to produce, at the price of their sale, the cost of the bridge or bridges, acquired or constructed, and approaches and the land easements, and appurtenances used in connection therewith, when added to any other funds made available to the commission for the use of said purposes. The commission may reserve the right to redeem any or all of said bonds before maturity in such manner and at such price or prices not exceeding 105 and accrued interest as may be fixed by the commission prior to the issuance of the bonds. Subject to the provisions of any prior contracts or obligations the commission may disburse any available bridge revenues or other funds or borrow money and issue its negotiable interest-bearing notes in evidence thereof to defray the cost of designing, engineering, and planning a new bridge or bridges under this Act and acquire lands for the location and approaches thereto, provided that all notes evidencing the funds so borrowed, if not previously paid from such bridge revenues, shall be repaid from the proceeds of the bonds of the commission when issued for account of such new

Redemption.

bridge or bridges. In the event the commission issues notes as hereinafore in this section provided and said notes have not been otherwise paid and a new bridge or bridges are not built, said notes shall be paid from revenues derived from the operation of any other bridge or bridges owned by the commission, subject to the obligation of payment of all outstanding indebtedness for which said revenues have been theretofore pledged. The commission when it deems it advisable may issue refunding bonds to refinance any outstanding bonds, and to pay any other indebtedness of the commission, at maturity or before maturity when called for redemption, and may include, as a part of an issue of bonds to provide for the cost of a bridge to be constructed under this Act, sufficient additional bonds bearing interest at a rate or rates not exceeding 6 per centum per annum to refinance any outstanding bonds and notes at maturity or before maturity when called for redemption. The commission may enter into an agreement with any bank or trust company in the United States as trustee having the power to make such agreement, setting forth the duties of the commission in respect to the acquisition, construction, maintenance, operation, repair, and insurance of the bridge or bridges, the conservation and application of all funds, the security for the payment of the bonds, the safeguarding of money on hand or on deposit, and the rights and remedies of said trustee and the holders of the bonds, restricting the individual right of action of the bondholders as is customary in trust agreements respecting bonds of corporations. Such trust agreement may contain such provisions for protecting and enforcing the rights and remedies of the trustee and the bondholders as may be reasonable and proper and not inconsistent with the law.

"Said bonds may be sold at not less than par after public advertisement for bids to be opened publicly at the time and place stated in such advertisement and at the price bid which will yield the greatest return to the commission for the bonds to be sold. Such advertisement for bids shall be published at least once each week for at least two consecutive weeks in a newspaper or financial journal having recognized circulation among bidders for bonds of the type and character offered. The price to be paid for the bridge or bridges acquired hereunder shall not exceed the reasonable value thereof as determined by the commission at the time of acquisition. The cost of the bridge to be constructed as provided herein, together with the approaches and approach highways, shall be deemed to include interest during construction of the bridge and for twelve months thereafter, and all engineering, legal, financing, architectural, traffic surveying, condemnation, and other expenses incident to the bridge and the acquisition of the necessary property, including the cost of acquiring existing franchises and riparian rights relating to the bridge, as well as the cost of abandonment or dismantlement of any existing bridge to be replaced thereby. If the proceeds of the bonds shall exceed the cost as finally determined, the excess shall be placed in the fund hereafter provided to pay the principal and interest of such bonds. Prior to the preparation of definitive bonds the commission may, under like restrictions, issue temporary bonds or may, under like restrictions, issue temporary bonds or interim certificates without coupons, of any denomination whatsoever, exchangeable for definitive bonds when such bonds that have been executed are available for delivery."

SEC. 3. Subsection (a) of section 8 of such Act of December 21, 1944, as amended, is amended by striking out "the bonds and interest," and inserting in lieu thereof: "the bonds, the notes issued under section 5 of this Act, and the interest,".

SEC. 4. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved July 8, 1966.

Refunding  
bonds.

Trust agree-  
ments.

Sale of bonds.

Cost of bridge,  
inclusive items.

Temporary bonds,  
issuance.

Public Law 89-499

AN ACT

July 8, 1966  
[H. R. 3976]

To amend the Act of July 26, 1956, to authorize the Muscatine Bridge Commission to construct, maintain, and operate a bridge across the Mississippi River at or near the city of Muscatine, Iowa, and the town of Drury, Illinois.

Muscatine  
Bridge Commis-  
sion.  
Bridge construc-  
tion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act entitled "An Act creating the Muscatine Bridge Commission and authorizing said Commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near the city of Muscatine, Iowa, and the town of Drury, Illinois", approved July 26, 1956 (70 Stat. 669; Public Law 811, Eighty-fourth Congress), as amended by the Act of April 27, 1962 (76 Stat. 59; Public Law 87-441), is amended by inserting immediately after section 14 the following new section:

Time expiration  
provision.

"SEC. 15. The Commission and its successors and assigns are authorized to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River at or near the city of Muscatine, Iowa, and the town of Drury, Illinois, subject to the provisions of this Act; except that the authority granted by this section shall cease and be null and void unless the actual construction of such bridge is commenced within three years and completed within five years from the date of enactment of this section."

Approved July 8, 1966.

Public Law 89-500

AN ACT

July 12, 1966  
[H. R. 7423]

To permit certain transfers of Post Office Department appropriations.

Post Office De-  
partment appropri-  
ations.  
Certain trans-  
fers.  
74 Stat. 594.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 2201 of title 39, United States Code, is amended—

(1) by inserting "(a)" immediately before the word "Congress"; and

(2) by adding at the end thereof the following new subsection:

"(b) Not to exceed 5 per centum of any appropriation available to the Post Office Department for each fiscal year may, when so specified in an appropriation Act, be transferred, with the approval of the Bureau of the Budget, to any other appropriation or appropriations available to such Department for such fiscal year, but no appropriation shall thereby be increased by more than 5 per centum. Whenever the Postmaster General submits a request for the approval of the Bureau of the Budget of a transfer of any appropriation under this subsection, he shall furnish a copy of such request to the respective Committees on Appropriations and on Post Office and Civil Service of the Senate and House of Representatives."

Approved July 12, 1966.

Copy of request  
to congressional  
committees.

## Public Law 89-501

## AN ACT

July 13, 1966  
[S. 2950]

To authorize appropriations during the fiscal year 1967 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and to maintain parity between military and civilian pay, and for other purposes.

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

## TITLE I—PROCUREMENT

SEC. 101. Funds are hereby authorized to be appropriated during the fiscal year 1967 for the use of the Armed Forces of the United States for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, as authorized by law, in amounts as follows:

Armed Forces.  
Appropriation  
authorization,  
1967; military pay  
increase.

## AIRCRAFT

For aircraft: for the Army, \$612,400,000; for the Navy and the Marine Corps, \$1,434,200,000, of which amount \$12,000,000 is authorized only for additional aircraft and electronic equipment to be used for expanded airborne television transmission capabilities; for the Air Force, \$4,041,300,000, of which amount \$55,000,000 is authorized only for procurement of, or for maintaining a production capability for, the F-12 aircraft, and \$25,000,000 is authorized only for the procurement of CX-2 aircraft.

## MISSILES

For missiles: for the Army, \$510,000,000, of which amount \$153,500,000 is authorized only for preproduction activities for the NIKE-X antiballistic missile system; for the Navy, \$367,700,000; for the Marine Corps, \$17,700,000; for the Air Force, \$1,189,500,000.

## NAVAL VESSELS

For naval vessels: for the Navy, \$1,901,800,000, of which amount \$130,500,000 is authorized only for the construction of the nuclear powered guided missile frigate for which funds were authorized under Public Law 89-37; and \$20,000,000 is authorized only for the procurement of long leadtime items for an additional nuclear powered guided missile frigate. The contract for the construction of the nuclear powered guided missile frigate for which funds were authorized under Public Law 89-37, and for which funds are authorized to be appropriated during fiscal year 1967, shall be entered into as soon as practicable unless the President fully advises the Congress that its construction is not in the national interest.

79 Stat. 127.

## TRACKED COMBAT VEHICLES

For tracked combat vehicles: for the Army, \$359,200,000; for the Marine Corps, \$3,700,000.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND  
EVALUATION

SEC. 201. Funds are hereby authorized to be appropriated during the fiscal year 1967 for the use of the Armed Forces of the United States for research, development, test, and evaluation, as authorized by law, in amounts as follows:

For the Army, \$1,539,500,000, of which amount \$431,400,000 is authorized only for continued research, development, test, and evaluation, and research, development, and tests related to preproduction activities on the NIKE-X antiballistic missile system;

For the Navy (including the Marine Corps), \$1,801,100,000, of which amount \$26,600,000 is authorized only for the research, development, test and evaluation of the medium-range guided missile CONDOR and \$5,000,000 is authorized only for research, development, test and evaluation related to the Deep Submergence Program, giving due regard in all such research programs to benefits which may accrue therefrom to the American Merchant Marine;

For the Air Force, \$3,118,600,000, of which amount \$22,800,000 is authorized only for research and development related to the Advanced Manned Strategic Aircraft and \$200,000,000 is authorized only for research and development related to the Manned Orbiting Laboratory; and

For Defense Agencies, \$459,059,000.

SEC. 202. There is hereby authorized to be appropriated to the Department of Defense during fiscal year 1967 for use as an emergency fund for research, development, test, and evaluation or procurement or production related thereto, \$125,000,000.

TITLE III—PAY OF THE UNIFORMED SERVICES

79 Stat. 545.

SEC. 301. Section 203(a) of title 37, United States Code, is amended to read as follows:

“(a) The rates of monthly basic pay for members of the uniformed services within each pay grade are set forth in the following tables:

“COMMISSIONED OFFICERS

“Pay grade	Years of service computed under section 205				
	2 or less	Over 2	Over 3	Over 4	Over 6
O-10 <sup>1</sup> .....	\$1,424.10	\$1,474.50	\$1,474.50	\$1,474.50	\$1,474.50
O-9.....	1,262.10	1,295.10	1,323.30	1,323.30	1,323.30
O-8.....	1,143.30	1,177.50	1,205.40	1,205.40	1,205.40
O-7.....	949.80	1,014.90	1,014.90	1,014.90	1,059.90
O-6.....	703.80	773.70	824.10	824.10	824.10
O-5.....	562.80	661.50	706.50	706.50	706.50
O-4.....	474.90	577.80	616.80	616.80	627.90
O-3 <sup>2</sup> .....	441.60	493.20	526.80	583.20	611.10
O-2 <sup>2</sup> .....	353.70	420.30	504.60	521.40	532.50
O-1 <sup>2</sup> .....	303.90	336.30	420.30	420.30	420.30

“Pay grade	Years of service computed under section 205				
	Over 8	Over 10	Over 12	Over 14	Over 16
O-10 <sup>1</sup> .....	\$1,530.60	\$1,530.60	\$1,648.20	\$1,648.20	\$1,766.10
O-9.....	1,356.60	1,356.60	1,412.70	1,412.70	1,530.60
O-8.....	1,295.10	1,295.10	1,356.60	1,356.60	1,412.70
O-7.....	1,059.90	1,121.40	1,121.40	1,177.50	1,295.10
O-6.....	824.10	824.10	824.10	852.30	986.70
O-5.....	706.50	728.70	767.70	818.70	880.20
O-4.....	656.10	700.50	739.80	773.70	807.30
O-3 <sup>2</sup> .....	633.30	667.20	700.50	717.60	717.60
O-2 <sup>2</sup> .....	532.50	532.50	532.50	532.50	532.50
O-1 <sup>2</sup> .....	420.30	420.30	420.30	420.30	420.30

"Pay grade	Years of service computed under section 205				
	Over 18	Over 20	Over 22	Over 26	Over 30
O-10 <sup>1</sup> .....	\$1,766.10	\$1,883.70	\$1,883.70	\$2,001.60	\$2,001.60
O-9.....	1,530.60	1,648.20	1,648.20	1,766.10	1,766.10
O-8.....	1,474.50	1,530.60	1,592.40	1,592.40	1,592.40
O-7.....	1,384.80	1,384.80	1,384.80	1,384.80	1,384.80
O-6.....	1,037.10	1,069.90	1,121.40	1,216.50	1,216.50
O-5.....	930.60	958.50	992.40	992.40	992.40
O-4.....	829.80	829.80	829.80	829.80	829.80
O-3 <sup>2</sup> .....	717.60	717.60	717.60	717.60	717.60
O-2 <sup>2</sup> .....	532.50	532.50	532.50	532.50	532.50
O-1 <sup>2</sup> .....	420.30	420.30	420.30	420.30	420.30

<sup>1</sup> While serving as Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, or Commandant of the Marine Corps, basic pay for this grade is \$2,208.60 regardless of cumulative years of service computed under section 205 of this title.

<sup>2</sup> Does not apply to commissioned officers who have been credited with over 4 years' active service as an enlisted member.

**"COMMISSIONED OFFICERS WHO HAVE BEEN CREDITED WITH OVER 4 YEARS' ACTIVE SERVICE AS AN ENLISTED MEMBER"**

"Pay grade	Years of service computed under section 205					
	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14
O-3.....	\$583.20	\$611.10	\$633.30	\$667.20	\$700.50	\$728.70
O-2.....	521.40	532.50	549.30	577.80	600.00	616.80
O-1.....	420.30	448.50	465.30	482.10	498.90	521.40

"Pay grade	Years of service computed under section 205					
	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
O-3.....	\$728.70	\$728.70	\$728.70	\$728.70	\$728.70	\$728.70
O-2.....	616.80	616.80	616.80	616.80	616.80	616.80
O-1.....	521.40	521.40	521.40	521.40	521.40	521.40

**"WARRANT OFFICERS"**

"Pay grade	Years of service computed under section 205							
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12
W-4.....	\$440.40	\$482.10	\$482.10	\$493.20	\$515.70	\$538.20	\$560.40	\$600.00
W-3.....	408.60	443.10	443.10	448.50	454.20	487.50	515.70	532.50
W-2.....	357.60	387.00	387.00	398.10	420.30	443.10	459.90	476.40
W-1.....	298.20	342.00	342.00	370.20	387.00	403.80	420.30	437.40

"Pay grade	Years of service computed under section 205						
	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
W-4.....	\$627.90	\$650.40	\$667.20	\$689.40	\$712.20	\$757.70	\$767.70
W-3.....	549.30	565.80	583.20	605.70	627.90	650.40	650.40
W-2.....	493.20	510.30	526.80	543.60	565.80	565.80	565.80
W-1.....	454.20	471.00	487.50	504.60	504.60	504.60	504.60

## "ENLISTED MEMBERS"

"Pay grade"	Years of service computed under section 205							
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12
E-9							\$510.60	\$522.30
E-8							440.40	452.10
E-7	\$269.40	\$322.80	\$334.80	\$346.50	\$358.20	\$428.40	381.30	393.60
E-6	232.20	281.70	293.40	305.40	317.40	328.80	340.50	352.20
E-5	200.40	246.90	258.60	270.00	287.70	299.40	311.10	322.80
E-4	168.60	211.50	222.90	240.60	252.60	252.60	252.60	252.60
E-3	121.80	170.10	182.10	193.80	193.80	193.80	193.80	193.80
E-2	100.50	141.00	141.00	141.00	141.00	141.00	141.00	141.00
E-1	96.90	129.00	129.00	129.00	129.00	129.00	129.00	129.00
E-1 (under 4 months)	90.60							

"Pay grade"	Years of service computed under section 205						
	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
E-9	\$534.30	\$546.00	\$558.00	\$569.40	\$599.10	\$657.30	\$657.30
E-8	463.80	475.50	487.20	499.20	528.60	587.10	587.10
E-7	411.00	422.70	434.40	440.40	469.80	528.60	528.60
E-6	369.60	381.30	387.60	387.60	387.60	387.60	387.60
E-5	328.80	328.80	328.80	328.80	328.80	328.80	328.80
E-4	252.60	252.60	252.60	252.60	252.60	252.60	252.60
E-3	193.80	193.80	193.80	193.80	193.80	193.80	193.80
E-2	141.00	141.00	141.00	141.00	141.00	141.00	141.00
E-1	129.00	129.00	129.00	129.00	129.00	129.00	129.00

SEC. 302. Notwithstanding any other provision of law, a member of an armed force who was entitled to pay and allowances under any of the following provisions of law on the day before the effective date of this title shall continue to receive the pay and allowances to which he was entitled on that day plus an increase of 3.2 per centum in the total of his pay and allowances:

- (1) The Act of March 23, 1946, chapter 112 (60 Stat. 59).
- (2) The Act of June 26, 1948, chapter 677 (62 Stat. 1052).
- (3) The Act of September 18, 1950, chapter 952 (64 Stat. A224).

After the effective date of this title, no increase in the basic pay or any of the allowances of members of the uniformed services on active duty shall increase the basic pay or any of the allowances of a member covered by the preceding provisions of this section.

SEC. 303. Notwithstanding any other provision of law, a member or former member of a uniformed service who initially becomes entitled to retired pay or retainer pay on the effective date of this title shall be entitled to have that pay computed using the rates of basic pay prescribed by the first section of this title.

SEC. 304. This title becomes effective July 1, 1966, or the first day of the month in which increases in the rates of compensation under the General Schedule of pay provided in section 603(b) of the Classification Act of 1949, as amended (5 U.S.C. 1113(b)), become effective pursuant to the Federal Employees Salary Act of 1966, whichever is later.

## TITLE IV—WEAPONS SYSTEMS

SEC. 401. Section 125(c) of title 10, United States Code, is hereby amended by adding at the end thereof a new sentence as follows: "However, notwithstanding any other provision of this title or any other law, the Secretary of Defense shall not direct or approve a plan to initiate or effect a substantial reduction or elimination of a major weapons system until the Secretary of Defense has reported all the pertinent details of the proposed action to the Congress of the United States while the Congress is in session."

Approved July 13, 1966.

Effective date.

Post, p. 288.

76 Stat. 515.

## Public Law 89-502

## AN ACT

July 13, 1966  
[H. R. 12322]

To enable cottongrowers to establish, finance, and carry out a coordinated program of research and promotion to improve the competitive position of, and to expand markets for, cotton.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act shall be known as the Cotton Research and Promotion Act.

Cotton Research  
and Promotion  
Act.

## LEGISLATIVE FINDINGS AND DECLARATION OF POLICY

SEC. 2. Cotton is the basic natural fiber of the Nation. It is produced by many individual cottongrowers throughout the various cotton-producing States of the Nation. Cotton moves in large part in the channels of interstate and foreign commerce and such cotton which does not move in such channels directly burdens or affects interstate commerce in cotton and cotton products. All cotton produced in the United States is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects interstate or foreign commerce in cotton and cotton products. The efficient production of cotton and the maintenance and expansion of existing markets and the development of new or improved markets and uses is vital to the welfare of cottongrowers and those concerned with marketing, using, and processing cotton as well as the general economy of the Nation. In the years since World War II, United States cotton and the products thereof have been confronted with intensive competition, both at home and abroad, from foreign-grown cotton and from other fibers, primarily manmade fibers. The great inroads on the market and uses for United States cotton which have been made by manmade fibers have been largely the result of extensive research and promotion which have not been effectively matched by cotton research and promotion. The production and marketing of cotton by numerous individual farmers have prevented the development and carrying out of adequate and coordinated programs of research and promotion necessary to the maintenance and improvement of the competitive position of, and markets for, cotton. Without an effective and coordinated method for assuring cooperative and collective action in providing for, and financing such programs, individual cotton farmers are unable adequately to provide or obtain the research and promotion necessary to maintain and improve markets for cotton.

It has long been found to be in the public interest to have, or endeavor to have, a reasonable balance between the supply of and demand for cotton grown in this country. To serve this public interest the Congress has provided for the comprehensive exercise of regulatory authority in regulating the handling of such cotton supplemented by price-support programs with the objective of adjusting supply to demand in the interest of benefiting producers and all others concerned with the production and handling of cotton as well as the general economy of the country. In order for the objective of such programs to be effectuated to the fullest degree, it is necessary that the existing regulation of marketing be supplemented by providing as part of the overall governmental program for effectuating this objective, means of increasing the demand for cotton with the view of eventually reducing or eliminating the need for limiting marketings and supporting the price of cotton.

It is therefore declared to be the policy of the Congress and the purpose of this Act that it is essential in the public interest through the exercise of the powers provided herein, to authorize and enable the establishment of an orderly procedure for the development, financ-

ing through adequate assessments on all cotton harvested in the United States, and carrying out an effective and continuous coordinated program of research and promotion designed to strengthen cotton's competitive position and to maintain and expand domestic and foreign markets and uses for United States cotton.

#### COTTON RESEARCH AND PROMOTION ORDERS

SEC. 3. To effectuate the declared policy of this Act, the Secretary shall, subject to the provisions of this Act, issue and from time to time amend, orders applicable to persons engaged in the harvesting, marketing, ginning, or other handling of cotton, hereinafter referred to as handlers. Such orders shall be applicable to all production or marketing areas, or both, in the United States.

#### NOTICE AND HEARING

SEC. 4. Whenever the Secretary has reason to believe that the issuance of an order will tend to effectuate the declared policy of this Act, he shall give due notice and opportunity for a hearing upon a proposed order. Such hearing may be requested and a proposal for an order submitted by any cotton producer organization certified pursuant to section 14 of this Act or by any other interested person or persons, including the Secretary.

#### FINDING AND ISSUANCE OF AN ORDER

SEC. 5. After notice and opportunity for hearing as provided in section 4, the Secretary shall issue an order if he finds, and sets forth in such order, upon the evidence introduced at such hearing, that the issuance of such order and all the terms and conditions thereof will tend to effectuate the declared policy of this Act.

#### PERMISSIVE TERMS IN ORDERS

SEC. 6. Orders issued pursuant to this Act shall contain one or more of the following terms and conditions, and except as provided in section 7, no others.

(a) Providing for the establishment, issuance, effectuation, and administration of appropriate plans or projects for the advertising and sales promotion of cotton and its products and for the disbursement of necessary funds for such purposes: *Provided, however,* That any such plan or project shall be directed toward increasing the general demand for cotton or its products but no reference to a private brand or trade name shall be made if the Secretary determines that such reference will result in undue discrimination against the cotton products of other persons: *And provided further,* That no such advertising or sales promotion programs shall make use of false or unwarranted claims in behalf of cotton or its products or false or unwarranted statements with respect to the quality, value, or use of any competing product.

(b) Providing for establishing and carrying on research and development projects and studies with respect to the production, ginning, processing, distribution, or utilization of cotton and its products, to the end that the marketing and utilization of cotton may be encouraged, expanded, improved, or made more efficient, and for the disbursement of necessary funds for such purposes.

(c) Providing that handlers or any class of handlers maintain and make available for inspection such books and records as may be

required by the order and for the filing of reports by such handlers at the times, in the manner, and having the content prescribed by the order, to the end that information and data shall be made available to the Cotton Board and to the Secretary which is appropriate or necessary to the effectuation, administration, or enforcement of the Act or of any order or regulation issued pursuant to this Act: *Provided, however*, That all information so obtained shall be kept confidential by all officers and employees of the Department of Agriculture and of the Cotton Board, and only such information so furnished or acquired as the Secretary deems relevant shall be disclosed by them, and then only in a suit or administrative hearing brought at the direction, or upon the request, of the Secretary of Agriculture, or to which he or any officer of the United States is a party, and involving the order with reference to which the information so to be disclosed was furnished or acquired. Nothing in this section shall be deemed to prohibit (1) the issuance of general statements based upon the reports of a number of handlers subject to an order, which statements do not identify the information furnished by any person, or (2) the publication by direction of the Secretary, of the name of any person violating any order, together with a statement of the particular provisions of the order violated by such person. Any such officer or employee violating the provisions of this subsection shall upon conviction be subject to a fine of not more than \$1,000 or to imprisonment for not more than one year, or to both, and shall be removed from office.

(d) Terms and conditions incidental to and not inconsistent with the terms and conditions specified in this Act and necessary to effectuate the other provisions of such order.

#### REQUIRED TERMS IN ORDERS

SEC. 7. Orders issued pursuant to this Act shall contain the following terms and conditions:

(a) Providing for the establishment and selection by the Secretary, of a Cotton Board, and defining its powers and duties, which shall include only the powers:

(1) To administer such order in accordance with its terms and provisions;

(2) To make rules and regulations to effectuate the terms and provisions of such order, including the designation of the handler responsible for collecting the producer assessment;

(3) To receive, investigate, and report to the Secretary complaints of violations of such order; and

(4) To recommend to the Secretary amendments to such order.

(b) Providing that the Cotton Board shall be composed of representatives of cotton producers selected by the Secretary from nominations submitted by eligible producer organizations within a cotton-producing State, as certified pursuant to section 14 of this Act, or, if the Secretary determines that a substantial number of producers are not members of or their interests are not represented by any such eligible producer organizations, from nominations made by producers in the manner authorized by the Secretary, so that the representation of cotton producers on the Board for each cotton-producing State shall reflect, to the extent practicable, the proportion which that State's marketings of cotton bears to the total marketings of cotton in the United States: *Provided, however*, That each cotton-producing State shall be entitled to at least one representative on the Cotton Board.

Cotton Board.  
Selection.

(c) Providing that the Cotton Board shall, subject to the provisions of subsection (g) of this section, develop and submit to the Secretary

for his approval any advertising or sales promotion or research and development plans or projects, and that any such plan or project must be approved by the Secretary before becoming effective.

(d) Providing that the Cotton Board shall, subject to the provisions of subsection (g) of this section, submit to the Secretary for his approval, budgets on a fiscal period basis of its anticipated expenses and disbursements in the administration of the order, including probable costs of advertising and promotion and research and development projects.

(e) Providing that the producer or other person for whom the cotton is being handled shall pay to the handler of cotton designated by the Cotton Board pursuant to regulations issued under the order and that such handler of cotton shall collect from the producer or other person for whom the cotton, including cotton owned by the handler, is being handled, and shall pay to the Cotton Board, an assessment prescribed by the order, on the basis of bales of cotton handled, for such expenses and expenditures, including provision for a reasonable reserve, as the Secretary finds are reasonable and likely to be incurred by the Cotton Board under the order, during any period specified by him. To facilitate the collection and payment of such assessments, the Cotton Board may designate different handlers or classes of handlers to recognize differences in marketing practices or procedures utilized in any State or area, except that no more than one such assessment shall be made on any bale of cotton. The rate of assessment prescribed by the order shall be \$1 per bale of cotton handled. The Secretary may maintain a suit against any person subject to the order for the collection of such assessment, and the several district courts of the United States are hereby vested with jurisdiction to entertain such suits regardless of the amount in controversy: *Provided*, That the remedies provided in this section shall be in addition to, and not exclusive of, the remedies provided for elsewhere in this Act or now or hereafter existing at law or in equity.

(f) Providing that the Cotton Board shall maintain such books and records and prepare and submit such reports from time to time, to the Secretary as he may prescribe, and for appropriate accounting by the Cotton Board with respect to the receipt and disbursement of all funds entrusted to it.

(g) Providing that the Cotton Board, with the approval of the Secretary, shall enter into contracts or agreements for the development and carrying out of the activities authorized under the order pursuant to sections 6 (a) and (b), and for the payment of the costs thereof with funds collected pursuant to the order, with an organization or association whose governing body consists of cotton producers selected by the cotton producer organizations certified by the Secretary under section 14, in such manner that the producers of each cotton-producing State will, to the extent practicable, have representation on the governing body of such organization in the proportion that the cotton marketed by the producers of such State bears to the total cotton marketed by the producers of all cotton-producing States, subject to adjustments to reflect lack of participation in the program by reason of refunds under section 11. Any such contract or agreement shall provide that such contracting organization or association shall develop and submit annually to the Cotton Board, for the purpose of review and making recommendations to the Secretary, a program of research, advertising, and sales promotion projects, together with a budget, or budgets, which shall show the estimated cost to be incurred for such

Recordkeeping  
and reporting re-  
quirements.

projects, and that any such projects shall become effective upon approval by the Secretary. Any such contract or agreement shall also provide that the contracting organization shall keep accurate records of all its transactions and make an annual report to the Cotton Board of activities carried out and an accounting for funds received and expended, and such other reports as the Secretary may require.

(h) Providing that no funds collected by the Cotton Board under the order shall in any manner be used for the purpose of influencing governmental policy or action, except as provided by subsection (a) (4) of this section.

#### REQUIREMENT OF REFERENDUM AND COTTON PRODUCER APPROVAL

SEC. 8. The Secretary shall conduct a referendum among persons who, during a representative period determined by the Secretary, have been engaged in the production of cotton for the purpose of ascertaining whether the issuance of an order is approved or favored by producers. No order issued pursuant to this Act shall be effective unless the Secretary determines that the issuance of such order is approved or favored by not less than two-thirds of the producers voting in such referendum, or by the producers of not less than two-thirds of the cotton produced during the representative period by producers voting in such referendum and by not less than a majority of the producers voting in such referendum.

#### SUSPENSION AND TERMINATION OF ORDERS

SEC. 9. (a) The Secretary shall, whenever he finds that any order issued under this Act, or any provision thereof, obstructs or does not tend to effectuate the declared policy of this Act, terminate or suspend the operation of such order or such provision thereof.

(b) The Secretary may conduct a referendum at any time, and shall hold a referendum on request of 10 per centum or more of the number of cotton producers voting in the referendum approving the order, to determine whether cotton producers favor the termination or suspension of the order, and he shall suspend or terminate such order at the end of the marketing year, as defined in the order, whenever he determines that suspension or termination of the order is approved or favored by a majority of the producers of cotton voting in such referendum who, during a representative period determined by the Secretary, have been engaged in the production of cotton, and who produced more than 50 per centum of the volume of the cotton produced by the cotton producers voting in the referendum.

(c) The termination or suspension of any order, or any provision thereof, shall not be considered an order within the meaning of this Act.

#### PROVISIONS APPLICABLE TO AMENDMENTS

SEC. 10. The provisions of this Act applicable to orders shall be applicable to amendments to orders.

#### PRODUCER REFUNDS

SEC. 11. Notwithstanding any other provision of this Act, any cotton producer against whose cotton any assessment is made and collected from him under the authority of this Act and who is not in favor of supporting the research and promotion program as provided for

herein shall have the right to demand and receive from the Cotton Board a refund of such assessment: *Provided*, That such demand shall be made personally by such producer in accordance with regulations and on a form and within a time period prescribed by the Board and approved by the Secretary, but in no event less than ninety days, and upon submission of proof satisfactory to the Board that the producer paid the assessment for which refund is sought, and any such refund shall be made within sixty days after demand therefor.

#### PETITION AND REVIEW

SEC. 12. (a) Any person subject to any order may file a written petition with the Secretary, stating that any such order or any provision of such order or any obligation imposed in connection therewith is not in accordance with law and praying for a modification thereof or to be exempted therefrom. He shall thereupon be given an opportunity for a hearing upon such petition, in accordance with regulations made by the Secretary. After such hearing, the Secretary shall make a ruling upon the prayer of such petition which shall be final, if in accordance with law.

(b) The district courts of the United States in any district in which such person is an inhabitant, or has his principal place of business, are hereby vested with jurisdiction to review such ruling, provided a complaint for that purpose is filed within twenty days from the date of the entry of such ruling. Service of process in such proceedings may be had upon the Secretary by delivering to him a copy of the complaint. If the court determines that such ruling is not in accordance with law, it shall remand such proceedings to the Secretary with directions either (1) to make such ruling as the court shall determine to be in accordance with law, or (2) to take such further proceedings as, in its opinion, the law requires. The pendency of proceedings instituted pursuant to subsection (a) of this section shall not impede, hinder, or delay the United States or the Secretary from obtaining relief pursuant to section 13(a) of this Act.

#### ENFORCEMENT

SEC. 13. (a) The several district courts of the United States are vested with jurisdiction specifically to enforce, and to prevent and restrain any person from violating any order or regulation made or issued pursuant to this Act.

(b) Any handler who willfully violates any provision of any order issued by the Secretary under this Act, or who willfully fails or refuses to collect or remit any assessment or fee duly required of him thereunder, shall be liable to a penalty of not more than \$1,000 for each such offense which shall accrue to the United States and may be recovered in a civil suit brought by the United States.

#### CERTIFICATION OF COTTON PRODUCER ORGANIZATION

SEC. 14. The eligibility of each cotton producer organization to represent cotton producers of a cotton producing State to request the issuance of an order under section 4, and to participate in the making of nominations under section 7(b) shall be certified by the Secretary and shall be based in addition to other available information upon a factual report submitted by the organization which shall contain

information deemed relevant and specified by the Secretary for the making of such determination, including the following:

(a) Geographic territory within the State covered by the organization's active membership;

(b) Nature and size of the organization's active membership in the State, proportion of total of such active membership accounted for by farmers, a map showing the cotton-producing counties in such State in which the organization has members, the volume of cotton produced in each such county, the number of cotton producers in each such county, and the size of the organization's active cotton producer membership in each such county;

(c) The extent to which the cotton producer membership of such organization is represented in setting the organization's policies;

(d) Evidence of stability and permanency of the organization;

(e) Sources from which the organization's operating funds are derived;

(f) Functions of the organization; and

(g) The organization's ability and willingness to further the aims and objectives of this Act:

*Provided, however,* That the primary consideration in determining the eligibility of an organization shall be whether its cotton farmer membership consists of a sufficiently large number of the cotton producers who produce a relatively significant volume of cotton to reasonably warrant its participation in the nomination of members for the Cotton Board. The Secretary shall certify any cotton producer organization which he finds to be eligible under this section, and his determination as to eligibility shall be final.

#### REGULATIONS

SEC. 15. The Secretary is authorized to make such regulations with the force and effect of law, as may be necessary to carry out the provisions of this Act and the powers vested in him by this Act.

#### INVESTIGATIONS: POWER TO SUBPENA AND TAKE OATHS AND AFFIRMATIONS: AID OF COURTS: SELF-INCRIMINATION

SEC. 16. (a) The Secretary may make such investigations as he deems necessary for the effective carrying out of his responsibilities under this Act or to determine whether a handler or any other person has engaged or is about to engage in any acts or practices which constitute or will constitute a violation of any provision of this Act, or of any order, or rule or regulation issued under this Act. For the purpose of any such investigation, the Secretary is empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, and documents which are relevant to the inquiry. Such attendance of witnesses and the production of any such records may be required from any place in the United States. In case of contumacy by, or refusal to obey a subpoena issued to, any person, including a handler, the Secretary may invoke the aid of any court of the United States within the jurisdiction of which such investigation or proceeding is carried on, or where such person resides or carries on business, in requiring the attendance and testimony of witnesses and the produc-

tion of books, papers, and documents; and such court may issue an order requiring such person to appear before the Secretary, there to produce records, if so ordered, or to give testimony touching the matter under investigation. Any failure to obey such order of the court may be punished by such court as a contempt thereof. All process in any such case may be served in the judicial district whereof such person is an inhabitant or wherever he may be found.

(b) No person shall be excused from attending and testifying or from producing books, papers, and documents before the Secretary, or in obedience to the subpoena of the Secretary, or in any cause or proceeding, criminal or otherwise, based upon or growing out of any alleged violation of this Act, or of any order, or rule or regulation issued thereunder on the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that any individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

#### DEFINITIONS

SEC. 17. As used in this Act:

(a) The term "Secretary" means the Secretary of Agriculture.

(b) The term "person" means any individual, partnership, corporation, association, or any other entity.

(c) The term "cotton" means all upland cotton harvested in the United States, and, except as used in section 7(e), includes cottonseed of such cotton and the products derived from such cotton and its seed.

(d) The term "handler" means any person who handles cotton or cottonseed in the manner specified in the order or in the rules and regulations issued thereunder.

(e) The term "United States" means the 50 States of the United States of America.

(f) The term "cotton-producing State" means any State in which the average annual production of cotton during the five years 1960-1964 was twenty thousand bales or more, except that any State producing cotton whose production during such period was less than such amount shall under regulations prescribed by the Secretary be combined with another State or States producing cotton in such manner that such average annual production of such combination of States totaled twenty thousand bales or more, and the term "cotton-producing State" shall include any such combination of States.

(g) The term "marketing" includes the sale of cotton or the pledging of cotton to the Commodity Credit Corporation as collateral for a price support loan.

#### SEPARABILITY

SEC. 18. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby.

AUTHORIZATION

SEC. 19. There is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated such funds as are necessary to carry out the provisions of this Act. The funds so appropriated shall not be available for the payment of the expenses or expenditures of the Cotton Board in administering any provisions of any order issued pursuant to the terms of this Act.

EFFECTIVE DATE

SEC. 20. This Act shall take effect upon enactment.  
Approved July 13, 1966.

Public Law 89-503

AN ACT

July 18, 1966  
[S. 2266]

To authorize the Attorney General to transfer to the Smithsonian Institution title to certain objects of art.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney General is authorized and directed to transfer to the Smithsonian Institution title to the jade, stone, and bronze objects of art consisting of forty-four pieces which were vested in or transferred to the Attorney General pursuant to the provisions of vesting order 18344, dated August 21, 1951.*

Smithsonian Institution.  
Transfer of certain art objects.

SEC. 2. After the transfer of title by the Attorney General, the Smithsonian Institution shall have complete discretion to retain, exchange, sell, or otherwise dispose of the objects of art referred to in section 1 in promotion of the purposes for which that Institution was founded.

Disposition.

Approved July 18, 1966.

Public Law 89-504

AN ACT

July 18, 1966  
[H. R. 14122]

To adjust the rates of basic compensation of certain employees of the Federal Government, and for other purposes.

Federal Salary and Fringe Benefits Act of 1966.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Salary and Fringe Benefits Act of 1966".

TITLE I—EXECUTIVE BRANCH

SHORT TITLE

Federal Employees Salary Act of 1966.

SEC. 101. This title may be cited as the "Federal Employees Salary Act of 1966".

EMPLOYEES SUBJECT TO CLASSIFICATION ACT OF 1949

SEC. 102. (a) Section 603(b) of the Classification Act of 1949, as amended (79 Stat. 1111; 5 U.S.C. 1113(b)), is amended to read as follows:

"(b) The compensation schedule for the General Schedule shall be as follows:

"Grade"	Per annum rates and steps									
	1	2	3	4	5	6	7	8	9	10
GS-1	\$3,609	\$3,731	\$3,853	\$3,975	\$4,097	\$4,219	\$4,341	\$4,463	\$4,585	\$4,707
GS-2	3,925	4,058	4,191	4,324	4,457	4,590	4,723	4,856	4,989	5,122
GS-3	4,269	4,413	4,557	4,701	4,845	4,989	5,133	5,277	5,421	5,565
GS-4	4,776	4,936	5,096	5,256	5,416	5,576	5,736	5,896	6,056	6,216
GS-5	5,331	5,507	5,683	5,859	6,035	6,211	6,387	6,563	6,739	6,915
GS-6	5,867	6,065	6,263	6,461	6,659	6,857	7,055	7,253	7,451	7,649
GS-7	6,451	6,664	6,877	7,090	7,303	7,516	7,729	7,942	8,155	8,368
GS-8	7,068	7,303	7,538	7,773	8,008	8,243	8,478	8,713	8,948	9,183
GS-9	7,696	7,957	8,218	8,479	8,740	9,001	9,262	9,523	9,784	10,045
GS-10	8,421	8,709	8,997	9,285	9,573	9,861	10,149	10,437	10,725	11,013
GS-11	9,221	9,536	9,851	10,166	10,481	10,796	11,111	11,426	11,741	12,056
GS-12	10,927	11,306	11,685	12,064	12,443	12,822	13,201	13,580	13,959	14,338
GS-13	12,873	13,321	13,769	14,217	14,665	15,113	15,561	16,009	16,457	16,905
GS-14	15,106	15,629	16,152	16,675	17,198	17,721	18,244	18,767	19,290	19,813
GS-15	17,550	18,157	18,764	19,371	19,978	20,585	21,192	21,799	22,406	23,013
GS-16	20,075	20,745	21,415	22,085	22,755	23,425	24,095	24,765	25,435	-----
GS-17	22,760	23,520	24,280	25,040	25,800	-----	-----	-----	-----	-----
GS-18	25,890	-----	-----	-----	-----	-----	-----	-----	-----	-----

Adjustment of rates.

(b) Except as provided in section 504(d) of the Federal Salary Reform Act of 1962 (78 Stat. 412; 5 U.S.C. 1173(d)), the rates of basic compensation of officers and employees to whom the compensation schedule set forth in subsection (a) of this section applies shall be initially adjusted as of the effective date of this section, as follows:

(1) If the officer or employee is receiving basic compensation immediately prior to the effective date of this section at one of the rates of a grade in the General Schedule of the Classification Act of 1949, as amended, he shall receive a rate of basic compensation at the corresponding rate in effect on and after such date.

(2) If the officer or employee is receiving basic compensation immediately prior to the effective date of this section at a rate between two rates of a grade in the General Schedule of the Classification Act of 1949, as amended, he shall receive a rate of basic compensation at the higher of the two corresponding rates in effect on and after such date.

(3) If the officer or employee is receiving basic compensation immediately prior to the effective date of this section at a rate in

excess of the maximum rate for his grade, he shall receive (A) the maximum rate for his grade in the new schedule, or (B) his existing rate of basic compensation if such existing rate is higher.

(4) If the officer or employee, immediately prior to the effective date of this section, is receiving, pursuant to section 2(b)(4) of the Federal Employees Salary Increase Act of 1955, an existing aggregate rate of compensation determined under section 208(b) of the Act of September 1, 1954 (68 Stat. 1111), plus subsequent increases authorized by law, he shall receive an aggregate rate of compensation equal to the sum of his existing aggregate rate of compensation, on the day preceding the effective date of this section, plus the amount of increase made by this section in the maximum rate of his grade, until (i) he leaves his position, or (ii) he is entitled to receive aggregate compensation at a higher rate by reason of the operation of this Act or any other provision of law; but, when such position becomes vacant, the aggregate rate of compensation of any subsequent appointee thereto shall be fixed in accordance with applicable provisions of law. Subject to clauses (i) and (ii) of the immediately preceding sentence of this paragraph, the amount of the increase provided by this section shall be held and considered for the purposes of section 208(b) of the Act of September 1, 1954, to constitute a part of the existing rate of compensation of the employee.

69 Stat. 173.  
5 USC 1113  
note.  
5 USC 926 note.

(5) If the officer or employee, at any time during the period beginning on the effective date of this section and ending on the date of enactment of this Act, was promoted from one grade under the Classification Act of 1949, as amended, to another such grade at a rate which is above the minimum rate thereof, his rate of basic compensation shall be adjusted retroactively from the effective date of this section to the date on which he was so promoted, on the basis of the rate which he was receiving during the period from such effective date to the date of such promotion and, from the date of such promotion, on the basis of the rate for that step of the appropriate grade of the General Schedule contained in this section which corresponds numerically to the step of the grade of the General Schedule for such officer or employee which was in effect (without regard to this Act) at the time of such promotion.

#### NEW APPOINTMENTS UNDER CLASSIFICATION ACT OF 1949

SEC. 103. Section 801 of the Classification Act of 1949, as amended (78 Stat. 401; 5 U.S.C. 1131), relating to new appointments, is amended by striking out "grade 13" and inserting in lieu thereof "grade 11".

#### POSTAL FIELD SERVICE EMPLOYEES

SEC. 104. (a) Section 3542(a) of title 39, United States Code, is amended to read as follows:

79 Stat. 1113.

"(a) There is established a basic compensation schedule for positions in the postal field service which shall be known as the Postal Field Service Schedule and for which the symbol shall be 'PFS'. Except as

79 Stat. 1113.

provided in sections 3543 and 3544 of this title, basic compensation shall be paid to all employees in accordance with such schedule.

“POSTAL FIELD SERVICE SCHEDULE

“PFS	Per annum rates and steps											
	1	2	3	4	5	6	7	8	9	10	11	12
1	\$4,204	\$4,343	\$4,482	\$4,621	\$4,760	\$4,899	\$5,038	\$5,177	\$5,316	\$5,455	\$5,594	\$5,733
2	4,552	4,701	4,850	4,999	5,148	5,297	5,446	5,595	5,744	5,893	6,042	6,191
3	4,919	5,085	5,251	5,417	5,583	5,749	5,915	6,081	6,247	6,413	6,579	6,745
4	5,331	5,507	5,683	5,859	6,035	6,211	6,387	6,563	6,739	6,915	7,091	7,267
5	5,697	5,888	6,079	6,270	6,461	6,652	6,843	7,034	7,225	7,416	7,607	7,798
6	6,113	6,316	6,519	6,722	6,925	7,128	7,331	7,534	7,737	7,940	8,143	8,346
7	6,545	6,763	6,981	7,199	7,417	7,635	7,853	8,071	8,289	8,507	8,725	8,943
8	7,088	7,323	7,558	7,793	8,028	8,263	8,498	8,733	8,968	9,203	9,438	9,673
9	7,665	7,920	8,175	8,430	8,685	8,940	9,195	9,450	9,705	9,960	10,215	10,470
10	8,345	8,628	8,911	9,194	9,477	9,760	10,043	10,326	10,609	10,892	11,175	11,458
11	9,221	9,536	9,851	10,166	10,481	10,796	11,111	11,426	11,741	12,056	12,371	12,686
12	10,202	10,549	10,896	11,243	11,590	11,937	12,284	12,631	12,978	13,325	13,672	14,019
13	11,274	11,663	12,052	12,441	12,830	13,219	13,608	13,997	14,386	14,775	15,164	15,553
14	12,427	12,859	13,291	13,723	14,155	14,587	15,019	15,451	15,883	16,315	16,747	17,179
15	13,736	14,210	14,684	15,158	15,632	16,106	16,580	17,054	17,528	18,002	18,476	18,950
16	15,179	15,707	16,235	16,763	17,291	17,819	18,347	18,875	19,403	19,931	20,459	20,987
17	16,793	17,380	17,967	18,554	19,141	19,728	20,315	20,902	21,489	22,076	22,663	23,250
18	18,530	19,145	19,760	20,375	20,990	21,605	22,220	22,835	23,450	24,065	24,680	25,295
19	20,525	21,170	21,815	22,460	23,105	23,750	24,395	25,040	25,685	26,330	26,975	27,620
20	22,760	23,520	24,280	25,040	25,800	26,560	27,320	28,080	28,840	29,600	30,360	31,120

(b) Section 3543(a) of title 39, United States Code, is amended to read as follows:

“(a) There is established a basic compensation schedule which shall be known as the Rural Carrier Schedule and for which the symbol shall be ‘RCS’. Compensation shall be paid to rural carriers in accordance with this schedule.

“RURAL CARRIER SCHEDULE

	“Per annum rates and steps											
	1	2	3	4	5	6	7	8	9	10	11	12
Carrier in rural delivery service:												
Fixed compensation per annum	\$2,391	\$2,507	\$2,623	\$2,739	\$2,855	\$2,971	\$3,087	\$3,203	\$3,319	\$3,435	\$3,551	\$3,667
Compensation per mile per annum for each mile up to 30 miles of route	88	90	92	94	96	98	100	102	104	106	108	110
For each mile of route over 30 miles	25	25	25	25	25	25	25	25	25	25	25	25

(c) Section 3544(a) of title 39, United States Code, is amended to read as follows:

“(a) There is established a basic compensation schedule, which shall be known as the Fourth Class Office Schedule and for which the symbol shall be ‘FOS’, for postmasters in post offices of the fourth class, which is based on the revenue units of the post office for the preceding

fiscal year. Basic compensation shall be paid to postmasters in post offices of the fourth class in accordance with this schedule.

"FOURTH CLASS OFFICE SCHEDULE

"Revenue units	Per annum rates and steps											
	1	2	3	4	5	6	7	8	9	10	11	12
30 but fewer than 35	\$4,019	\$4,152	\$4,285	\$4,418	\$4,551	\$4,684	\$4,817	\$4,950	\$5,083	\$5,216	\$5,349	\$5,482
24 but fewer than 30	3,715	3,837	3,959	4,081	4,203	4,325	4,447	4,569	4,691	4,813	4,935	5,057
18 but fewer than 24	3,064	3,168	3,272	3,376	3,480	3,584	3,688	3,792	3,896	4,000	4,104	4,208
12 but fewer than 18	2,407	2,485	2,563	2,641	2,719	2,797	2,875	2,953	3,031	3,109	3,187	3,265
6 but fewer than 12	1,736	1,791	1,846	1,901	1,956	2,011	2,066	2,121	2,176	2,231	2,286	2,341
Fewer than 6	1,398	1,443	1,488	1,533	1,578	1,623	1,668	1,713	1,758	1,803	1,848	1,893"

(d) The basic compensation of each employee subject to the Postal Field Service Schedule, the Rural Carrier Schedule, or the Fourth Class Office Schedule immediately prior to the effective date of this section shall be determined as follows:

(1) Each employee shall be assigned to the same numerical step for his position which he had attained immediately prior to such effective date. If changes in levels or steps would otherwise occur on such effective date without regard to enactment of this Act, such changes shall be deemed to have occurred prior to conversion.

(2) If the existing basic compensation is greater than the rate to which the employee is converted under paragraph (1) of this subsection, the employee shall be placed in the lowest step which exceeds his basic compensation. If the existing basic compensation exceeds the maximum step of his position, his existing basic compensation shall be established as his basic compensation.

EMPLOYEES IN THE DEPARTMENT OF MEDICINE AND SURGERY OF THE VETERANS' ADMINISTRATION

SEC. 105. Section 4107 of title 38, United States Code, relating to grades and pay scales for certain positions within the Department of Medicine and Surgery of the Veterans' Administration, is amended to read as follows:

79 Stat. 1117.

"§ 4107. Grades and pay scales

"(a) The per annum full-pay scale or ranges for positions provided in section 4103 of this title, other than Chief Medical Director and Deputy Chief Medical Director, shall be as follows:

78 Stat. 409.

"SECTION 4103 SCHEDULE

"Assistant Chief Medical Director, \$25,890.

"Medical Director, \$22,760 minimum to \$25,800 maximum.

"Director of Nursing Service, \$17,550 minimum to \$23,013 maximum.

"Director of Chaplain Service, \$17,550 minimum to \$23,013 maximum.

"Chief Pharmacist, \$17,550 minimum to \$23,013 maximum.

"Chief Dietitian, \$17,550, minimum to \$23,013 maximum.

"(b) (1) The grades and per annum full-pay ranges for positions provided in paragraph (1) of section 4104 of this title shall be as follows:

72 Stat. 1244.

“PHYSICIAN AND DENTIST SCHEDULE

- “Director grade, \$20,075 minimum to \$25,435 maximum.
- “Executive grade, \$18,730 minimum to \$24,355 maximum.
- “Chief grade, \$17,550 minimum to \$23,013 maximum.
- “Senior grade, \$15,106 minimum to \$19,813 maximum.
- “Intermediate grade, \$12,873 minimum to \$16,905 maximum.
- “Full grade, \$10,927 minimum to \$14,338 maximum.
- “Associate grade, \$9,221 minimum to \$12,056 maximum.

“NURSE SCHEDULE

- “Assistant Director grade, \$15,106 minimum to \$19,813 maximum.
  - “Chief grade, \$12,873 minimum to \$16,905 maximum.
  - “Senior grade, \$10,927 minimum to \$14,338 maximum.
  - “Intermediate grade, \$9,221 minimum to \$12,056 maximum.
  - “Full grade, \$7,696 minimum to \$10,045 maximum.
  - “Associate grade, \$6,730 minimum to \$8,749 maximum.
  - “Junior grade, \$5,867 minimum to \$7,649 maximum.
- “(2) No person may hold the director grade unless he is serving as a director of a hospital, domiciliary, center, or outpatient clinic (independent). No person may hold the executive grade unless he holds the position of chief of staff at a hospital, center, or outpatient clinic (independent), or the position of clinic director at an outpatient clinic, or comparable position.”

FOREIGN SERVICE OFFICERS; STAFF OFFICERS AND EMPLOYEES

79 Stat. 1118.

SEC. 106. (a) The fourth sentence of section 412 of the Foreign Service Act of 1946, as amended (22 U.S.C. 867), is amended to read as follows: “The per annum salaries of Foreign Service officers within each of the other classes shall be as follows:

“Class 1.....	\$23,935	\$24,770	\$25,890						
Class 2.....	19,333	20,004	20,675	\$21,347	\$22,018	\$22,689	\$23,360		
Class 3.....	15,841	16,391	16,941	17,491	18,041	18,591	19,141		
Class 4.....	12,873	13,321	13,769	14,217	14,665	15,113	15,561		
Class 5.....	10,602	10,970	11,338	11,706	12,074	12,442	12,810		
Class 6.....	8,843	9,147	9,451	9,755	10,059	10,363	10,667		
Class 7.....	7,473	7,724	7,975	8,226	8,477	8,728	8,979		
Class 8.....	6,451	6,664	6,877	7,090	7,303	7,516	7,729”.		

(b) The second sentence of subsection (a) of section 415 of such Act (22 U.S.C. 870(a)) is amended to read as follows: “The per annum salaries of such staff officers and employees within each class shall be as follows:

“Class 1.....	\$15,841	\$16,391	\$16,941	\$17,491	\$18,041	\$18,591	\$19,141	\$19,691	\$20,241	\$20,791
Class 2.....	12,873	13,321	13,769	14,217	14,665	15,113	15,561	16,009	16,457	16,905
Class 3.....	10,602	10,970	11,338	11,706	12,074	12,442	12,810	13,178	13,546	13,914
Class 4.....	8,843	9,147	9,451	9,755	10,059	10,363	10,667	10,971	11,275	11,579
Class 5.....	7,974	8,246	8,518	8,790	9,062	9,334	9,606	9,878	10,150	10,422
Class 6.....	7,201	7,441	7,681	7,921	8,161	8,401	8,641	8,881	9,121	9,361
Class 7.....	6,614	6,832	7,050	7,268	7,486	7,704	7,922	8,140	8,358	8,576
Class 8.....	5,853	6,051	6,249	6,447	6,645	6,843	7,041	7,239	7,437	7,635
Class 9.....	5,341	5,517	5,693	5,869	6,045	6,221	6,397	6,573	6,749	6,925
Class 10.....	4,776	4,936	5,096	5,256	5,416	5,576	5,736	5,896	6,056	6,216”.

(c) Foreign Service officers, Reserve officers, and Foreign Service staff officers and employees who are entitled to receive basic compensation immediately prior to the effective date of this section at one of the rates provided by section 412 or 415 of the Foreign Service Act of 1946 shall receive basic compensation, on and after such effective

date, at the rate of their class determined to be appropriate by the Secretary of State.

AGRICULTURAL STABILIZATION AND CONSERVATION COUNTY COMMITTEE  
EMPLOYEES

SEC. 107. The rates of compensation of persons employed by the county committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)) shall be increased by amounts equal, as nearly as may be practicable, to the increases provided by section 102(a) of this title for corresponding rates of compensation.

52 Stat. 31,  
79 Stat. 1120.

SALARY RATES FIXED BY ADMINISTRATIVE ACTION

SEC. 108. (a) The rates of basic compensation of assistant United States attorneys whose basic salaries are fixed pursuant to section 508 of title 28, United States Code, shall be increased, effective on the effective date of section 102 of this title, by amounts equal, as nearly as may be practicable, to the increases provided by section 102(a) of this title for corresponding rates of compensation.

78 Stat. 428;  
79 Stat. 1122.

(b) Notwithstanding section 3679 of the Revised Statutes, as amended (31 U.S.C. 665), the rates of compensation of officers and employees of the Federal Government and of the municipal government of the District of Columbia whose rates of compensation are fixed by administrative action pursuant to law and are not otherwise increased by this Act are hereby authorized to be increased, effective on the effective date of section 102 of this title, by amounts not to exceed the increases provided by this title for corresponding rates of compensation in the appropriate schedule or scale of pay.

(c) Nothing contained in this section shall be held or considered to authorize any increase in the rates of compensation of officers and employees whose rates of compensation are fixed and adjusted from time to time as nearly as is consistent with the public interest in accordance with prevailing rates or practices.

(d) Nothing contained in this section shall affect the authority contained in any law pursuant to which rates of compensation may be fixed by administrative action.

EFFECTIVE DATES

SEC. 109. This title shall become effective as follows:

(1) This section and sections 101, 103, and 108 shall become effective on the date of enactment of this Act.

(2) Sections 102, 104, 105, 106, and 107 shall become effective on the first day of the first pay period which begins on or after July 1, 1966.

TITLE II—JUDICIAL BRANCH

SHORT TITLE

SEC. 201. This title may be cited as the "Federal Judicial Salary Act of 1966".

Federal Judicial  
Salary Act of  
1966.

JUDICIAL BRANCH EMPLOYEES

SEC. 202. (a) The rates of basic compensation of officers and employees in or under the judicial branch of the Government whose rates of compensation are fixed by or pursuant to paragraph (2) of subdivision a of section 62 of the Bankruptcy Act (11 U.S.C. 102(a) (2)), section 3656 of title 18, United States Code, the third sentence

60 Stat. 329.  
62 Stat. 843.

65 Stat. 725;  
62 Stat. 918, 914;  
79 Stat. 1121.

of section 603, sections 671 to 675, inclusive, or section 604(a) (5), of title 28, United States Code, insofar as the latter section applies to graded positions, are hereby increased by amounts reflecting the respective applicable increases provided by section 102(a) of title I of this Act in corresponding rates of compensation for officers and employees subject to the Classification Act of 1949, as amended. The rates of basic compensation of officers and employees holding ungraded positions and whose salaries are fixed pursuant to such section 604(a) (5) may be increased by the amounts reflecting the respective applicable increases provided by section 102(a) of title I of this Act in corresponding rates of compensation for officers and employees subject to the Classification Act of 1949, as amended.

Secretaries and  
law clerks.

(b) The limitations provided by applicable law on the effective date of this section with respect to the aggregate salaries payable to secretaries and law clerks of circuit and district judges are hereby increased by amounts which reflect the respective applicable increases provided by section 102(a) of title I of this Act in corresponding rates of compensation for officers and employees subject to the Classification Act of 1949, as amended.

Court reporters.  
62 Stat. 921;  
79 Stat. 1122.

(c) Section 753(e) of title 28, United States Code (relating to the compensation of court reporters for district courts), is amended by striking out the existing salary limitation contained therein and inserting a new limitation which reflects the respective applicable increases provided by section 102(a) of title I of this Act in corresponding rates of compensation for officers and employees subject to the Classification Act of 1949, as amended.

#### EFFECTIVE DATES

SEC. 203. This title shall become effective as follows:

- (1) This section and section 201 shall become effective on the date of enactment of this Act.
- (2) Section 202 shall become effective on the first day of the first pay period which begins on or after July 1, 1966.

### TITLE III—LEGISLATIVE BRANCH

#### SHORT TITLE

Federal Legis-  
lative Salary Act  
of 1966.

SEC. 301. This title may be cited as the "Federal Legislative Salary Act of 1966".

#### LEGISLATIVE BRANCH EMPLOYEES

60 Stat. 217;  
79 Stat. 1120.  
5 USC 931, 932,  
932h.

SEC. 302. (a) Except as otherwise provided in this title, each officer or employee in or under the legislative branch of the Government, whose rate of compensation is increased by section 5 of the Federal Employees Pay Act of 1946, shall be paid additional compensation at the rate of 2.9 per centum of his gross rate of compensation (basic compensation plus additional compensation authorized by law).

House officers  
and employees.

(b) The total annual compensation in effect immediately prior to the effective date of this section of each officer or employee of the House of Representatives, whose compensation is disbursed by the Clerk of the House of Representatives and is not increased by reason of any other provision of this section, shall be increased by 2.9 per centum. Notwithstanding section 303 of this title or any other provision of this section, the total annual compensation of the Clerk of the House of Representatives and the Sergeant at Arms of the House of Representatives, respectively, shall be an amount which is equal to the total annual compensation of the Secretary of the Senate and the Sergeant at Arms of the Senate, respectively.

(c) The rates of compensation of employees of the House of Representatives whose compensation is fixed by the House Employees Schedule under the House Employees Position Classification Act (78 Stat. 1079-1084; Public Law 88-652; 2 U.S.C. 291-303), including each employee subject to such Act whose compensation is fixed at a saved rate, are hereby increased by amounts equal, as nearly as may be practicable, to the increases provided by subsection (a) of this section.

(d) The additional compensation provided by this section shall be considered a part of basic compensation for the purposes of the Civil Service Retirement Act (5 U.S.C. 2251 and following).

70 Stat. 743.

(e) This section shall not apply with respect to the compensation of student congressional interns authorized by House Resolution 416, Eighty-ninth Congress, and the compensation of employees whose compensation is fixed by the House Wage Schedule under the House Employees Position Classification Act.

78 Stat. 1079.  
2 USC 291 note.  
Employees in  
office of Senator.

(f) The basic compensation of each employee in the office of a Senator is hereby adjusted, effective on the first day of the month following the date of enactment of this Act, to the lowest multiple of \$60 which will provide a gross rate of compensation not less than the gross rate such employee was receiving immediately prior thereto, except that the foregoing provisions of this subsection shall not apply in the case of any employee if on or before the fifteenth day following the date of enactment of this Act, the Senator by whom such employee is employed notifies the disbursing office of the Senate in writing that he does not wish such provisions to apply to such employee. No employee whose basic compensation is adjusted under this subsection shall receive any additional compensation under subsection (a) for any period prior to the effective date of such adjustment during which such employee was employed in the office of the Senator by whom he is employed on the first day of the month following the enactment of this Act. No additional compensation shall be paid to any person under subsection (a) for any period prior to the first day of the month following the date of enactment of this Act during which such person was employed in the office of a Senator (other than a Senator by whom he is employed on such day) unless on or before the fifteenth day following the date of enactment of this Act such Senator notifies the disbursing office of the Senate in writing that he wishes such employee to receive such additional compensation for such period. In any case in which, at the expiration of the time within which a Senator may give notice under this subsection, such Senator is deceased, such notice shall be deemed to have been given.

(g) Notwithstanding the provision referred to in subsection (h), the rates of gross compensation of the Secretary for the Majority of the Senate, the Secretary for the Minority of the Senate, the Chief Reporter of Debates of the Senate, the Parliamentarian of the Senate, the Senior Counsel in the Office of the Legislative Counsel of the Senate, the Chief Clerk of the Senate, the Chaplain of the Senate, and the Postmaster and Assistant Postmaster of the Senate are hereby increased by 2.9 per centum.

Senate officers.

(h) The paragraph imposing limitations on basic and gross compensation of officers and employees of the Senate appearing under the heading "SENATE" in the Legislative Appropriation Act, 1956, as amended (74 Stat. 304; Public Law 86-568), is amended by striking out "\$23,770" and inserting in lieu thereof "\$24,460".

79 Stat. 1121.  
2 USC 50a note.

(i) The limitation on gross rate per hour per person provided by

applicable law on the effective date of this section with respect to the folding of speeches and pamphlets for the Senate is hereby increased by 2.9 per centum. The amount of such increase shall be computed to the nearest cent, counting one-half cent and over as a whole cent. The provisions of subsection (a) of this section shall not apply to employees whose compensation is subject to such limitation.

#### SALARY INCREASE LIMITATION

SEC. 303. No rate of compensation shall be increased, by reason of the enactment of this title, to an amount in excess of the salary rate now or hereafter in effect for level V of the Federal Executive Salary Schedule.

78 Stat. 419.  
5 USC 2211.

#### EFFECTIVE DATES

SEC. 304. This title shall become effective as follows:

- (1) This section and section 301 shall become effective on the date of enactment of this Act.
- (2) Sections 302 and 303 shall become effective on the first day of the first pay period which begins on or after July 1, 1966.

#### TITLE IV—MISCELLANEOUS PROVISIONS

##### SALARY STEPS FOR CERTAIN EMPLOYEES TRANSFERRED TO POSTAL FIELD SERVICE

SEC. 401. Section 3551 of title 39, United States Code, is amended by adding at the end thereof the following new subsection:

“(c) The Postmaster General may appoint or advance any Federal employee who, together with his function, is transferred, prior to, on, or after the date of enactment of this subsection, to a post office or other postal installation at or to (1) the minimum rate for his position, or (2) any higher rate for his position which is less than one full step above the highest rate of compensation received by him immediately prior to such transfer.”

74 Stat. 648;  
76 Stat. 444.

##### POSTAL SENIORITY ADJUSTMENTS

SEC. 402. (a) The Postmaster General shall advance any employee in the postal field service—

- (1) who was promoted to a higher level between July 9, 1960, and October 13, 1962;
- (2) who is senior with respect to total postal service to an employee in the same post office promoted to the same level on or after October 13, 1962, and is on the effective date of this section in a step in the same level below the step of the junior employee; and
- (3) whom the Postmaster General determines is in the same craft and same branch of the Post Office Service as such junior employee.

Such advancement by the Postmaster General shall be to the highest step which is held by any such junior employee. Any increase under the provisions of this subsection shall not constitute an equivalent increase and credit earned prior to adjustment under this subsection for advancement to the next step shall be retained.

(b) Section 3552 of title 39, United States Code, is amended by deleting subsection (d).

78 Stat. 409.

## SPECIAL DELIVERY MESSENGERS

SEC. 403. Section 3542(c) of title 39, United States Code, is amended—

74 Stat. 646.

(1) by striking out “7 cents per mile or major fraction thereof” and inserting in lieu thereof “10 cents per mile or major fraction thereof”; and

(2) by striking out “90 cents per hour” and inserting in lieu thereof “\$1.25 per hour”.

## OVERTIME

SEC. 404. (a) Section 201 of the Federal Employees Pay Act of 1945, as amended (5 U.S.C. 911), is amended—

68 Stat. 1109.

(1) by inserting “or, with the exception of employees engaged in professional or technical engineering or scientific activities for whom the first forty hours of duty in an administrative workweek is the basic workweek and employees whose basic compensation exceeds the minimum rate of grade GS-10 of the Classification Act of 1949, as amended, for whom the first forty hours of duty in an administrative workweek is the basic workweek, in excess of eight hours in a day” immediately following “in excess of forty hours in any administrative workweek”; and

(2) by striking out “grade GS-9” wherever it occurs therein and inserting in lieu thereof “grade GS-10”.

(b) Section 202 of such Act, as amended (5 U.S.C. 912), is amended by striking out “grade GS-9” and inserting in lieu thereof “grade GS-10”.

(c) Section 401 of such Act, as amended (5 U.S.C. 926), is amended by striking out “grade GS-9” wherever it occurs therein and inserting in lieu thereof “grade GS-10”.

(d) Subsections (b) and (c) of section 3573 of title 39, United States Code, are amended by striking out “level PFS-7” and “level PFS-8”, wherever appearing therein, and inserting in lieu thereof “level PFS-10” and “level PFS-11”, respectively.

79 Stat. 1115.

## SUNDAY PREMIUM PAY

SEC. 405. (a) The heading of title III of the Federal Employees Pay Act of 1945, as amended, is amended to read as follows:

59 Stat. 298.

“TITLE III—COMPENSATION FOR NIGHT, SUNDAY, AND HOLIDAY WORK”

(b)(1) Section 302 of such Act, as amended (5 U.S.C. 922), is redesignated as section 303 of such Act.

68 Stat. 1110.

(2) Any reference in any provision of law to section 302 of the Federal Employees Pay Act of 1945, which is redesignated as section 303 of such Act by paragraph (1) of this subsection, shall be held and considered to refer to section 303 of such Act, as so redesignated.

(c) Title III of such Act, as amended (5 U.S.C. 921 and following), is amended by inserting immediately following section 301 thereof the following:

## “COMPENSATION FOR SUNDAY WORK

“SEC. 302. Any regularly scheduled eight-hour period of service which is not overtime work as defined in section 201 of this Act any part of which is performed within the period commencing at midnight

Saturday and ending at midnight Sunday shall be compensated for the entire period of service at the rate of basic compensation of the officer or employee performing such work plus premium compensation at a rate equal to 25 per centum of his rate of basic compensation."

68 Stat. 1111.

(d) Section 401(1) of such Act, as amended (5 U.S.C. 926(1)), is amended by inserting ", Sunday," immediately following the word "night".

(e) Section 401(2) of such Act, as amended (5 U.S.C. 926(2)), is amended—

(1) by inserting in the first sentence thereof ", on Sundays," immediately following the words "duty at night"; and

(2) by inserting in the second sentence thereof "Sunday," immediately following "night."

48 Stat. 522;  
76 Stat. 360.

(f) The first paragraph of section 23 of the Independent Offices Appropriation Act, 1935, as amended (5 U.S.C. 673c), is amended by inserting immediately before the period at the end thereof the following: " : *Provided further*, That employees subject to this section whose regular work schedule includes an eight-hour period of service any part of which is within the period commencing at midnight Saturday and ending at midnight Sunday shall be paid extra compensation at the rate of 25 per centum of his hourly rate of basic compensation for each hour of work performed during that eight-hour period of service".

#### HEALTH AND INSURANCE COVERAGE FOR CERTAIN EMPLOYEES ON LEAVE WITHOUT PAY

73 Stat. 701.

SEC. 406. (a) Section 6 of the Federal Employees' Group Life Insurance Act of 1954, as amended (5 U.S.C. 2095), is amended by adding at the end thereof the following new subsection:

68 Stat. 736.  
5 USC 2091.

"(d) Notwithstanding the foregoing, an officer or employee who enters on approved leave without pay to serve as a full-time officer or employee of an organization composed primarily of employees, as defined in section 2 of this Act, may, within sixty days after entering on such leave without pay, elect to continue his insurance and arrange to pay currently into the fund, through his employing agency, both employee and agency contributions from the beginning of leave without pay. If he does not so elect, his insurance will continue during nonpay status and terminate as provided in subsection (a) of this section. The employing agency shall forward the premium payments to the fund established by section 5 of this Act."

69 Stat. 676.  
5 USC 2094.

73 Stat. 714.

(b) Section 7(b) of the Federal Employees Health Benefits Act of 1959, as amended (5 U.S.C. 3006(b)), is amended—

(1) by inserting "(1)" immediately following "(b)"; and

(2) by adding at the end thereof the following new paragraph:

5 USC 3001.

"(2) An employee who enters on approved leave without pay to serve as a full-time officer or employee of an organization composed primarily of employees, as defined in section 2 of this Act, may, within sixty days after entering on such leave without pay, file with his employing agency an election to continue his health benefits coverage and arrange to pay currently into the fund, through his employing agency from the beginning of leave without pay, both employee and agency contributions. If he does not so elect, his coverage will terminate as specified in paragraph (1) and implementing regulations. The employing agency shall forward the enrollment charges so paid to the fund."

(c) An officer or employee who is on approved leave without pay and serving as a full-time officer or employee of an organization com-

posed primarily of employees, as defined in section 2 of the Federal Employees' Group Life Insurance Act of 1954, as amended (5 U.S.C. 2091), or section 2 of the Federal Employees Health Benefits Act of 1959, as amended (5 U.S.C. 3001), as the case may be, may, within sixty days after the date of enactment of this Act, file with his employing agency an election (1) to continue any insurance status or health benefits enrollment, or both, that he has on the date of enactment of this Act, (2) to reacquire any insurance status or health benefits enrollment, or both, which he may have lost while on leave without pay, or (3) to acquire an insured status or enroll in a health benefits plan, or both, if he was never previously eligible to do so, by arranging to pay currently and continuously into the employees' life insurance fund and the employees' health benefits fund, as appropriate, through his employing agency, both employee and agency contributions. The employing agency shall forward such payments to the employees' life insurance fund and the employees' health benefits fund, as appropriate. If he does not so elect, his insurance status and health benefits enrollment will continue and terminate as for other employees in nonpay status, or he will remain ineligible for insurance and health benefits, as the case may be, as though this paragraph had not been enacted. The United States Civil Service Commission is authorized to issue regulations to carry out the purposes of this paragraph.

68 Stat. 736.  
73 Stat. 709.

Regulations.

#### INCREASE IN UNIFORM ALLOWANCES

SEC. 407. (a) Section 402 of the Federal Employees Uniform Allowance Act, as amended (5 U.S.C. 2131-2133), is amended by inserting immediately following the second sentence thereof the following new sentence: "In those instances where the agency makes reimbursement direct to the uniform vendor, the head of the agency may deduct a service charge not to exceed 4 per centum."

68 Stat. 1114.

(b) Such Act is further amended by adding at the end thereof the following new section:

"SEC. 405. Notwithstanding any other provision of this title, each of the respective maximum uniform allowances in effect on April 1, 1966, for the respective categories of employees to whom uniform allowances are paid under this title are hereby increased, subject to the maximum allowance authorized by this title, as follows:

"(1) If the maximum uniform allowance is \$100 or more, such allowance shall be increased by 25 per centum.

"(2) If the maximum uniform allowance is \$75 or more but less than \$100, such allowance shall be increased by 30 per centum.

"(3) If the maximum uniform allowance is \$50 or more but less than \$75, such allowance shall be increased by 35 per centum.

"(4) If the maximum uniform allowance is less than \$50, such allowance shall be increased by 40 per centum.

Such maximum uniform allowances, as in effect on April 1, 1966, and as increased by this section, shall not be reduced."

SEC. 408. (a) Section 303(c) of the Federal Executive Salary Act of 1964 (78 Stat. 416; Public Law 88-426) is amended by adding at the end thereof the following new paragraph:

5 USC 2211.

"(47) Director of the Federal Mediation and Conciliation Service."

(b) Paragraph (30) of section 303(d) of such Act is hereby repealed.

SEC. 409. Section 2 of the Act of September 23, 1959 (73 Stat. 698; Public Law 86-375), is amended by striking out the figure "\$10,000" and inserting in lieu thereof the figure "\$15,000".

## EFFECTIVE DATES

SEC. 410. This title shall become effective as follows:

(1) This section and sections 401, 406, and 407 shall become effective on the date of enactment of this Act.

(2) Sections 402, 403, 404, 405, 408, and 409 shall take effect on the first day of the first pay period after the enactment of this Act.

## TITLE V—CIVIL SERVICE RETIREMENT

## SHORT TITLE

SEC. 501. This title may be cited as the "Civil Service Retirement Act Amendments of 1966".

## DEFINITIONS

SEC. 502. Section 1(j) of the Civil Service Retirement Act (5 U.S.C. 2251(j)) is amended by inserting the letter "(d)" after the words "for purposes of section 10"; by striking out the words "received more than one-half of his support from and"; and by striking out the words "twenty-one" and "twenty-first" wherever they occur and inserting in lieu thereof the words "twenty-two" and "twenty-second", respectively.

## RETIREMENT COVERAGE FOR CERTAIN EMPLOYEES ON LEAVE WITHOUT PAY

SEC. 503. Section 3 of the Civil Service Retirement Act (5 U.S.C. 2253) is amended by adding at the end thereof the following new subsection:

"(k) (1) An employee who enters on approved leave without pay to serve as a full-time officer or employee of an organization composed primarily of employees, as defined in section 1(a) of this Act, may, within sixty days after entering on such leave without pay, file with his employing agency an election to receive full retirement credit for his periods of such leave without pay and arrange to pay currently into the fund, through his employing agency, amounts equal to the retirement deductions and agency contributions which would be applicable if he were in pay status. An employee who is on approved leave without pay and serving as a full-time officer or employee of such an organization on the date of enactment of this subsection may similarly elect within sixty days after such date of enactment. If the election and all payments provided by this paragraph are not made, the employee shall receive no credit for such periods of leave without pay occurring on or after date of enactment of this subsection, notwithstanding the provisions of the second sentence of section 3(c) of this Act.

"(2) An employee may deposit with interest an amount equal to retirement deductions representing any period or periods of approved leave without pay while serving, prior to the date of enactment of this subsection, as a full-time officer or employee of an organization composed primarily of employees, as defined in section 1(a) of this Act, and may receive full retirement credit for such period or periods of leave without pay. In the event of his death, a survivor as defined in section 1(o) of this Act may make such deposit. If the deposit described in this paragraph is not made in full, retirement credit shall be allowed in accordance with the second sentence of section 3(c) of this Act."

Civil Service  
Retirement Act  
Amendments of  
1966.

70 Stat. 743;  
76 Stat. 871;  
Ante, p. 131.

5 USC 2251.

## IMMEDIATE RETIREMENT

SEC. 504. (a) Section 6(a) of the Civil Service Retirement Act (5 U.S.C. 2256(a)) is amended to read as follows:

70 Stat. 749.

“(a) Any employee who attains the age of fifty-five years and completes thirty years of service shall, upon separation from the service, be paid an annuity computed as provided in section 9.”

(b) Section 6(b) of such Act (5 U.S.C. 2256(b)) is amended to read as follows:

“(b) Any employee who attains the age of sixty years and completes twenty years of service shall, upon separation from the service, be paid an annuity computed as provided in section 9.”

## ANNUITY COMPUTATION

SEC. 505. Section 9(d) of such Act (5 U.S.C. 2259 (d)) is amended to read as follows:

“(d) The annuity as hereinbefore provided, for an employee retiring under section 6(d), shall be reduced by one-sixth of 1 per centum for each full month such employee is under the age of fifty-five years at date of separation. The annuity as hereinbefore provided, for a Member retiring under the second or third sentence of section 6(f) or the third sentence of section 8(b), shall be reduced by one-twelfth of 1 per centum for each full month not in excess of sixty, and one-sixth of 1 per centum for each full month in excess of sixty, such Member is under the age of sixty years at date of separation.”

74 Stat. 410.  
5 USC 2258.

## SURVIVOR ANNUITIES

SEC. 506. (a) Section 10(a) (2) of the Civil Service Retirement Act (5 U.S.C. 2260(a) (2)) is amended to read as follows:

74 Stat. 813.

“(2) An annuity computed under this subsection shall commence on the day after the retired employee dies, and such annuity or any right thereto shall terminate on the last day of the month before (A) in the case of the survivor of a retired employee, the survivor's remarriage prior to attaining age sixty, or death or (B) in the case of the survivor of a Member, the survivor's death or remarriage.”

(b) The last sentence of section 10(c) of such Act (5 U.S.C. 2260(c)) is amended to read as follows: “The annuity of such widow or dependent widower shall commence on the day after the employee or Member dies, and an annuity under this subsection or any right thereto shall terminate on the last day of the month before (1) the death of the widow or widower, (2) remarriage of the widow or widower of an employee prior to attaining age sixty, (3) remarriage of the widow or widower of a Member regardless of age, or (4) the widower's becoming capable of self-support.”

(c) Section 10(d) of such Act (5 U.S.C. 2260(d)) is amended to read as follows:

70 Stat. 754.

“(d) If an employee or a Member dies after completing at least five years of civilian service, or an employee or a Member dies after having retired under any provision of this Act, and is survived by a wife or by a husband, each surviving child shall be paid an annuity equal to the smallest of (1) 40 per centum of the employee's or Member's average salary divided by the number of children, (2) \$600, or (3) \$1,800 divided by the number of children, subject to the provisions of section 18. If such employee or Member is not survived by a wife or husband, each surviving child shall be paid an annuity equal to the smallest of (1) 50 per centum of the employee's or Member's average salary divided by the number of children, (2) \$720, or (3)

79 Stat. 840.  
1162.  
5 USC 2268.

5 USC 2260  
note.

5 USC 2251.

\$2,160 divided by the number of children, subject to the provisions of section 18. The commencing date of a child's annuity under this Act or the Act of May 29, 1930, as amended from and after February 28, 1948, shall be deemed to be the day after the employee or Member dies, with payment beginning on that day or beginning or resuming on the first day of the month in which the child later becomes or again becomes a student as described in section 1(j), provided the lump-sum credit, if paid, is returned to the fund. Such annuity shall terminate on the last day of the month before (1) the child's attaining age eighteen unless he is then a student as described or incapable of self-support, (2) his becoming capable of self-support after attaining age eighteen unless he is then such a student, (3) his attaining age twenty-two if he is then such a student and not incapable of self-support, (4) his ceasing to be such a student after attaining age eighteen unless his is then incapable of self-support, (5) his marriage, or (6) his death, whichever first occurs. Upon the death of the surviving wife or husband or termination of the child's annuity, the annuity of any other child or children shall be recomputed and paid as though such wife, husband, or child had not survived the employee or Member."

70 Stat. 754.

(d) Section 10 of such Act (5 U.S.C. 2260) is amended by adding at the end thereof the following subsection:

"(f) In the case of a surviving spouse whose annuity under this section is hereafter terminated because of remarriage before attaining age sixty, annuity at the same rate shall be restored commencing on the day such remarriage is dissolved by death, annulment, or divorce: *Provided*, That (1) said surviving spouse elects to receive such annuity in lieu of any survivor benefit to which he or she may be entitled, under this or any other retirement system established for employees of the Government, by reason of the remarriage, and (2) any lump sum paid upon termination of the annuity is returned to the fund."

#### INCREASES IN CERTAIN ANNUITIES

79 Stat. 840,  
1162.

SEC. 507. Section 18 of the Civil Service Retirement Act (5 U.S.C. 2268) is amended by adding at the end thereof the following subsection:

"(g) Effective on (1) the first day of the second month after the enactment of this subsection, or (2) the commencing date of annuity, whichever is later, the annuity of each surviving spouse whose entitlement to annuity payable from the civil service retirement and disability fund resulted from the death of:

"(A) an employee or Member prior to October 11, 1962, or

"(B) a retired employee or Member whose retirement was based on a separation from service prior to October 11, 1962, shall be increased by 10 per centum."

#### EFFECTIVE DATES

SEC. 508. (a) This section, section 509, and subsections 1(j), 3(k), 6(a), 6(b), 9(d), 10(a)(2), 10(c), 10(d), and 10(f) of the Civil Service Retirement Act, as enacted or amended by this title, shall become effective on the date of enactment of this Act.

(b) Except as provided in section 507 and in subsection (c) of this section, the amendments made by this title to the Civil Service Retirement Act shall not apply in the cases of persons retired or otherwise separated prior to these respective effective dates, and the rights of such persons and their survivors shall continue in the same manner and to the same extent as if this title had not been enacted.

(c) The amendments made by this title to sections 1(j) and 10(d) of the Civil Service Retirement Act relating to payment, continuance, resumption, and termination of annuity to a child who is a student shall apply with respect to children of persons retired or otherwise separated prior to, on, or after the date of enactment of this title, except that no child's annuity shall be paid by reason of these amendments for any period prior to such date of enactment.

#### MISCELLANEOUS

SEC. 509. The provisions under the heading "CIVIL SERVICE RETIREMENT AND DISABILITY FUND" in title I of the Independent Offices Appropriation Act, 1959 (72 Stat. 1064; Public Law 85-844), shall not apply with respect to benefits resulting from the enactment of this Act.

5 USC 2267  
note.

#### TITLE VI—FEDERAL EMPLOYEES' HEALTH BENEFITS

SEC. 601. Section 2(d) of the Federal Employees Health Benefits Act of 1959 (73 Stat. 709; 5 U.S.C. 3001(d)) is amended by striking out "twenty-one" wherever it appears therein and inserting in lieu thereof "twenty-two".

SEC. 602. Paragraphs (1) and (2) of section 7(a) of such Act are amended to read as follows:

73 Stat. 713.  
5 USC 3006.

"(1) Except as provided in paragraph (2) of this subsection, the biweekly Government contributions for health benefits for employees or annuitants enrolled in health benefits plans under this Act, in addition to the contributions required by paragraph (3), shall be \$1.62 if the enrollment is for self alone or \$3.94 if the enrollment is for self and family.

"(2) For an employee or annuitant enrolled in a plan for which the biweekly subscription charge is less than twice the Government contribution established under paragraph (1) of this subsection, the Government contribution shall be 50 per centum of the subscription charge."

SEC. 603. The amendments made by sections 601 and 602 of this title shall take effect on the first day of the first pay period which begins on or after the date of enactment of this Act.

Effective date.

#### TITLE VII—MISCELLANEOUS

SEC. 701. (a) Retroactive compensation or salary shall be paid by reason of this Act only in the case of an individual in the service of the United States (including service in the Armed Forces of the United States) or the municipal government of the District of Columbia on the date of enactment of this Act, except that such retroactive compensation or salary shall be paid (1) to an officer or employee who retired during the period beginning on the first day of the first pay period which begins on or after July 1, 1966, and ending on the date of enactment of this Act for services rendered during such period and (2) in accordance with the provisions of the Act of August 3, 1950 (Public Law 636, Eighty-first Congress), as amended (5 U.S.C. 61f-61k), for services rendered during the period beginning on the first day of the first pay period which begins on or after July 1, 1966, and ending on the date of enactment of this Act by an officer or employee who dies during such period. Such retroactive compensation or salary shall not be considered as basic salary for the purpose of the Civil Service Retirement Act in the case of any such retired or deceased officer or employee.

Retroactive  
compensation.

64 Stat. 395.

(b) For the purposes of this section, service in the Armed Forces of the United States, in the case of an individual relieved from train-

ing and service in the Armed Forces of the United States or discharged from hospitalization following such training and service, shall include the period provided by law for the mandatory restoration of such individual to a position in or under the Federal Government or the municipal government of the District of Columbia.

(c) For the purpose of determining the amount of insurance for which an individual is eligible under the Federal Employees' Group Life Insurance Act of 1954, all changes in rates of compensation or salary which result from the enactment of this Act shall be held and considered to be effective as of the date of such enactment.

Approved July 18, 1966, 7:26 p.m.

68 Stat. 736.  
5 USC 2091  
note.

Public Law 89-505

AN ACT

To establish a statute of limitations for certain actions brought by the Government.

July 18, 1966  
[H. R. 13652]

Statute of limitations.  
Establishment for certain actions.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That title 28 of the United States Code is amended by adding thereto the following two new sections:

**“§ 2415. Time for commencing actions brought by the United States**

“(a) Subject to the provisions of section 2416 of this title, and except as otherwise provided by Congress, every action for money damages brought by the United States or an officer or agency thereof which is founded upon any contract express or implied in law or fact, shall be barred unless the complaint is filed within six years after the right of action accrues or within one year after final decisions have been rendered in applicable administrative proceedings required by contract or by law, whichever is later: *Provided*, That in the event of later partial payment or written acknowledgment of debt, the right of action shall be deemed to accrue again at the time of each such payment or acknowledgment.

“(b) Subject to the provisions of section 2416 of this title, and except as otherwise provided by Congress, every action for money damages brought by the United States or an officer or agency thereof which is founded upon a tort shall be barred unless the complaint is filed within three years after the right of action first accrues: *Provided*, That an action to recover damages resulting from a trespass on lands of the United States, including trust or restricted Indian lands; an action to recover damages resulting from fire to such lands; an action to recover for diversion of money paid under a grant program; and an action for conversion of property of the United States may be brought within six years after the right of action accrues.

“(c) Nothing herein shall be deemed to limit the time for bringing an action to establish the title to, or right of possession of, real or personal property.

“(d) Subject to the provisions of section 2416 of this title and except as otherwise provided by Congress, every action for the recovery of money erroneously paid to or on behalf of any civilian employee of any agency of the United States or to or on behalf of any member or dependent of any member of the uniformed services of the United

States, incident to the employment or services of such employee or member, shall be barred unless the complaint is filed within six years after the right of action accrues: *Provided*, That in the event of later partial payment or written acknowledgment of debt, the right of action shall be deemed to accrue again at the time of each such payment or acknowledgment.

“(e) In the event that any action to which this section applies is timely brought and is thereafter dismissed without prejudice, the action may be recommenced within one year after such dismissal, regardless of whether the action would otherwise then be barred by this section. In any action so recommenced the defendant shall not be barred from interposing any claim which would not have been barred in the original action.

“(f) The provisions of this section shall not prevent the assertion, in an action against the United States or an officer or agency thereof, of any claim of the United States or an officer or agency thereof against an opposing party, a co-party, or a third party that arises out of the transaction or occurrence that is the subject matter of the opposing party's claim. A claim of the United States or an officer or agency thereof that does not arise out of the transaction or occurrence that is the subject matter of the opposing party's claim may, if time-barred, be asserted only by way of offset and may be allowed in an amount not to exceed the amount of the opposing party's recovery.

“(g) Any right of action subject to the provisions of this section which accrued prior to the date of enactment of this Act shall, for purposes of this section, be deemed to have accrued on the date of enactment of this Act.

“(h) Nothing in this Act shall apply to actions brought under the Internal Revenue Code or incidental to the collection of taxes imposed by the United States.

#### “§ 2416. Time for commencing actions brought by the United States—Exclusions

“For the purpose of computing the limitations periods established in section 2415, there shall be excluded all periods during which—

“(a) the defendant or the res is outside the United States, its territories and possessions, the District of Columbia, or the Commonwealth of Puerto Rico; or

“(b) the defendant is exempt from legal process because of infancy, mental incompetence, diplomatic immunity, or for any other reason; or

“(c) facts material to the right of action are not known and reasonably could not be known by an official of the United States charged with the responsibility to act in the circumstances; or

“(d) the United States is in a state of war declared pursuant to article I, section 8, of the Constitution of the United States.”

SEC. 2. The table of sections at the head of chapter 161 of title 28 of the United States Code is amended by adding at the end thereof the following items:

“2415. Time for commencing actions brought by the United States.

“2416. Time for commencing actions brought by the United States—Exclusions.”

Approved July 18, 1966, 7:30 p.m.

## Public Law 89-506

## AN ACT

To amend the Federal Tort Claims Act to authorize increased agency consideration of tort claims against the Government, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* (a) That the first paragraph of section 2672 of title 28, United States Code, is amended to read as follows:

"The head of each Federal agency or his designee, in accordance with regulations prescribed by the Attorney General, may consider, ascertain, adjust, determine, compromise, and settle any claim for money damages against the United States for injury or loss of property or personal injury or death caused by the negligent or wrongful act or omission of any employee of the agency while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant in accordance with the law of the place where the act or omission occurred: *Provided*, That any award, compromise, or settlement in excess of \$25,000 shall be effected only with the prior written approval of the Attorney General or his designee."

(b) The second paragraph of section 2672 of title 28, United States Code, is amended to read as follows:

"Subject to the provisions of this title relating to civil actions on tort claims against the United States, any such award, compromise, settlement, or determination shall be final and conclusive on all officers of the Government, except when procured by means of fraud."

(c) The third paragraph of section 2672 of title 28, United States Code, is amended to read as follows:

"Any award, compromise, or settlement in an amount of \$2,500 or less made pursuant to this section shall be paid by the head of the Federal agency concerned out of appropriations available to that agency. Payment of any award, compromise, or settlement in an amount in excess of \$2,500 made pursuant to this section or made by the Attorney General in any amount pursuant to section 2677 of this title shall be paid in a manner similar to judgments and compromises in like causes and appropriations or funds available for the payment of such judgments and compromises are hereby made available for the payment of awards, compromises, or settlements under this chapter."

Sec. 2. (a) Subsection (a) of section 2675 of title 28, United States Code, is amended to read as follows:

"(a) An action shall not be instituted upon a claim against the United States for money damages for injury or loss of property or personal injury or death caused by the negligent or wrongful act or omission of any employee of the Government while acting within the scope of his office or employment, unless the claimant shall have first presented the claim to the appropriate Federal agency and his claim shall have been finally denied by the agency in writing and sent by certified or registered mail. The failure of an agency to make final disposition of a claim within six months after it is filed shall, at the option of the claimant any time thereafter, be deemed a final denial of the claim for purposes of this section. The provisions of this subsection shall not apply to such claims as may be asserted under the Federal Rules of Civil Procedure by third party complaint, cross-claim, or counterclaim."

(b) Subsection (b) of section 2675 of title 28, United States Code, is amended by deleting the first sentence thereof.

July 18, 1966  
[H. R. 13650]

Federal Tort  
Claims Act,  
amendment.  
63 Stat. 62;  
73 Stat. 471.

Finality of  
award.  
62 Stat. 983.

Payment of  
award.

Disposition by  
Federal agency  
as prerequisite.

SEC. 3. Section 2677 of title 28, United States Code, is amended to read as follows:

Compromise.  
62 Stat. 984.

"The Attorney General or his designee may arbitrate, compromise, or settle any claim cognizable under section 1346(b) of this title, after the commencement of an action thereon."

63 Stat. 62.

SEC. 4. The first paragraph of section 2678 of title 28, United States Code, is amended to read as follows:

Attorney fees,  
penalty.  
28 USC 2678.

"No attorney shall charge, demand, receive, or collect for services rendered, fees in excess of 25 per centum of any judgment rendered pursuant to section 1346(b) of this title or any settlement made pursuant to section 2677 of this title, or in excess of 20 per centum of any award, compromise, or settlement made pursuant to section 2672 of this title."

Ante, p. 306.

SEC. 5. (a) Subsection (b) of section 2679 of title 28, United States Code, is amended to read as follows:

Exclusiveness  
of remedy.

"(b) The remedy against the United States provided by sections 1346(b) and 2672 of this title for injury or loss of property or personal injury or death, resulting from the operation by any employee of the Government of any motor vehicle while acting within the scope of his office or employment, shall hereafter be exclusive of any other civil action or proceeding by reason of the same subject matter against the employee or his estate whose act or omission gave rise to the claim."

(b) Subsection (a) of section 4116 of title 38, United States Code, is amended to read as follows:

Certain malprac-  
tice and negli-  
gence suits.  
79 Stat. 1156.

"(a) The remedy against the United States provided by sections 1346(b) and 2672 of title 28 for damages for personal injury, including death allegedly arising from malpractice or negligence of a physician, dentist, nurse, pharmacist, or paramedical (for example, medical and dental technicians, nursing assistants, and therapists) or other supporting personnel in furnishing medical care or treatment while in the exercise of his duties in or for the Department of Medicine and Surgery shall hereafter be exclusive of any other civil action or proceeding by reason of the same subject matter against such physician, dentist, nurse, pharmacist, or paramedical or other supporting personnel (or his estate) whose act or omission gave rise to such claim."

SEC. 6. Section 1302 of the Act of July 27, 1956, as amended (70 Stat. 694, 75 Stat. 416; 31 U.S.C. 724a), is further amended (1) by inserting a comma and the word "awards," after the word "judgments" and before the word "and"; (2) by deleting the word "or" after the number "2414" and inserting in lieu thereof a comma; and (3) by inserting after the number "2517" the phrase ", 2672, or 2677".

Judgments and  
compromise set-  
tlements against  
U.S., appropria-  
tions.

SEC. 7. Subsection (b) of section 2401 of title 28, United States Code, is amended to read as follows:

Time for com-  
mencing action.

"(b) a tort claim against the United States shall be forever barred unless it is presented in writing to the appropriate Federal agency within two years after such claim accrues or unless action is begun within six months after the date of mailing, by certified or registered mail, of notice of final denial of the claim by the agency to which it was presented."

SEC. 8. The first sentence of section 2671 of title 28, United States Code, is amended to read as follows: "As used in this chapter and sections 1346(b) and 2401(b) of this title, the term 'Federal agency' includes the executive departments, the military departments, independent establishments of the United States, and corporations primarily acting as instrumentalities or agencies of the United States, but does not include any contractor with the United States."

"Federal  
agency."

Ante, p. 306.

SEC. 9. (a) The section heading of section 2672 of title 28, United States Code, is amended to read as follows:

**“§ 2672. Administrative adjustment of claims”**

(b) The analysis of chapter 171 of title 28, United States Code, immediately preceding section 2671 of such title, is amended by deleting the item

“2672. Administrative adjustment of claims of \$2,500 or less.”

and inserting in lieu thereof:

“2672. Administrative adjustment of claims.”

Effective date.

SEC. 10. This Act shall apply to claims accruing six months or more after the date of its enactment.

Approved July 18, 1966.

Public Law 89-507

AN ACT

To provide for judgments for costs against the United States.

July 18, 1966  
[H. R. 14182]

Judgments for  
costs against U.S.  
62 Stat. 973.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 2412 of title 28 of the United States Code is amended to read as follows:

“Except as otherwise specifically provided by statute, a judgment for costs, as enumerated in section 1920 of this title but not including the fees and expenses of attorneys may be awarded to the prevailing party in any civil action brought by or against the United States or any agency or official of the United States acting in his official capacity, in any court having jurisdiction of such action. A judgment for costs when taxed against the Government shall, in an amount established by statute or court rule or order, be limited to reimbursing in whole or in part the prevailing party for the costs incurred by him in the litigation. Payment of a judgment for costs shall be as provided in section 2414 and section 2517 of this title for the payment of judgments against the United States.”

75 Stat. 415;  
62 Stat. 979.

Repeal.

SEC. 2. Section 2520(d) of title 28 of the United States Code is hereby repealed.

Applicability.

SEC. 3. These amendments shall apply only to judgments entered in actions filed subsequent to the date of enactment of this Act. These amendments shall not authorize the reopening or modification of judgments entered prior to the enactment of this Act.

Approved July 18, 1966.

Public Law 89-508

AN ACT

To avoid unnecessary litigation by providing for the collection of claims of the United States, and for other purposes.

July 19, 1966  
[H. R. 13651]

Federal Claims  
Collection Act of  
1966.  
Definitions.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the “Federal Claims Collection Act of 1966”.

SEC. 2. In this Act—

(a) “agency” means any department, office, commission, board, service, Government corporation, instrumentality, or other establishment or body in either the executive or legislative branch of the Federal Government;

(b) "head of an agency" includes, where applicable, commission, board, or other group of individuals having the decision-making responsibility for the agency.

SEC. 3. (a) The head of an agency or his designee, pursuant to regulations prescribed by him and in conformity with such standards as may be promulgated jointly by the Attorney General and the Comptroller General, shall attempt collection of all claims of the United States for money or property arising out of the activities of, or referred to, his agency.

U.S. claims,  
collection.

(b) with respect to such claims of the United States that have not been referred to another agency, including the General Accounting Office, for further collection action and that do not exceed \$20,000, exclusive of interest, the head of an agency or his designee, pursuant to regulations prescribed by him and in conformity with such standards as may be promulgated jointly by the Attorney General and the Comptroller General, may (1) compromise any such claim, or (2) cause collection action on any such claim to be terminated or suspended where it appears that no person liable on the claim has the present or prospective financial ability to pay any significant sum thereon or that the cost of collecting the claim is likely to exceed the amount of recovery. The Comptroller General or his designee shall have the foregoing authority with respect to claims referred to the General Accounting Office by another agency for further collection action. The head of an agency or his designee shall not exercise the foregoing authority with respect to a claim as to which there is an indication of fraud, the presentation of a false claim, or misrepresentation on the part of the debtor or any other party having an interest in the claim, or a claim based in whole or in part on conduct in violation of the antitrust laws; nor shall the head of an agency, other than the Comptroller General of the United States, have authority to compromise a claim that arises from an exception made by the General Accounting Office in the account of an accountable officer.

(c) A compromise effected pursuant to authority conferred by subsection (b) of this section shall be final and conclusive on the debtor and on all officials, agencies, and courts of the United States, except if procured by fraud, misrepresentation, the presentation of a false claim, or mutual mistake of fact. No accountable officer shall be liable for any amount paid or for the value of property lost, damaged, or destroyed, where the recovery of such amount or value may not be had because of a compromise with a person primarily responsible under subsection (b).

SEC. 4. Nothing in this Act shall increase or diminish the existing authority of the head of an agency to litigate claims, or diminish his existing authority to settle, compromise, or close claims.

SEC. 5. This Act shall become effective on the one hundred and eightieth day following the date of its enactment.

Effective date.

Approved July 19, 1966.

## Public Law 89-509

July 19, 1966  
[H. R. 6125]

## AN ACT

To amend Public Law 722 of the Seventy-ninth Congress and Public Law 85-935, relating to the National Air Museum of the Smithsonian Institution.

National Air  
Museum Amend-  
ments Act of 1965.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as "the National Air Museum Amendments Act of 1965".*

PART I—AMENDMENTS TO PUBLIC LAW 722 OF THE SEVENTY-NINTH CONGRESS

20 USC 77.

SEC. 2. Section 1(a) of Public Law 722 of the Seventy-ninth Congress (60 Stat. 997) is amended to read as follows:

National Air and  
Space Museum  
Board.

"(a) There is hereby established under the Smithsonian Institution a bureau to be known as a National Air and Space Museum, which shall be administered by the Smithsonian Institution with the advice of a board to be composed of the Chief of Staff of the Air Force, or his designee, the Chief of Naval Operations, or his designee, the Chief of Staff of the Army, or his designee, the Commandant of the Marine Corps, or his designee, the Commandant of the Coast Guard, or his designee, the Administrator of the National Aeronautics and Space Administration, or his designee, the Administrator of the Federal Aviation Agency, or his designee, the Secretary of the Smithsonian Institution, and three citizens of the United States appointed by the President from civilian life who shall serve at the pleasure of the President. The members of the board shall serve as such members without compensation but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the board."

SEC. 3. The first sentence of section 1(b) of Public Law 722 of the Seventy-ninth Congress is amended by—

(1) inserting "and space" immediately following "national air" and before "museum"; and

(2) deleting "and salary" and "or the Classification Act of 1923, as amended" so as to read as follows:

"(b) The Secretary of the Smithsonian Institution, with the advice of the board, may appoint and fix the compensation and duties of the head of a national air and space museum whose appointment shall not be subject to the civil service laws."

20 USC 77a.

SEC. 4. Section 2 of Public Law 722 of the Seventy-ninth Congress is amended by—

(1) inserting "and space" immediately after "national air" and before "museum";

(2) inserting "and space flight" immediately after "aviation" wherever "aviation" appears in said section; and

(3) inserting "and space flight" immediately following "aeronautical" and before "equipment" so as to read as follows:

Functions of  
museum.

"SEC. 2. Said national air and space museum shall memorialize the national development of aviation and space flight; collect, preserve, and display aeronautical and space flight equipment of historical interest and significance; serve as a repository for scientific equipment and data pertaining to the development of aviation and space flight; and provide educational material for the historical study of aviation and space flight."

Repeal.  
20 USC 77b.

SEC. 5. Section 3 of Public Law 722 of the Seventy-ninth Congress is repealed.

20 USC 77c.

SEC. 6. The second sentence of section 4(a) of Public Law 722 of the Seventy-ninth Congress is amended by deleting "three" and insert-

ing in lieu thereof "six" so as to read as follows: "The board may function notwithstanding vacancies and six members of the board shall constitute a quorum for the transaction of business."

SEC. 7. Section 4(b) of Public Law 722 of the Seventy-ninth Congress is amended by inserting "and space" immediately after "national air" and before "museum" so as to read as follows:

"(b) The Smithsonian Institution shall include in its annual report of its operations to Congress a statement of the operations of said national air and space museum, including all public and private moneys received and disbursed."

Report to Congress.

SEC. 8. Section 5(a) of Public Law 722 of the Seventy-ninth Congress is amended by—

20 USC 77d.

(1) inserting "and independent agencies" after "departments";

(2) inserting "and space" immediately after "national air" and before "museum";

(3) inserting "spacecraft" and a comma immediately after "aircraft," and before "aircraft parts";

(4) inserting "and spacecraft" immediately after "aircraft" in the phrase "aircraft parts"; and

(5) inserting "and space flight" immediately after "aeronautical" and before "equipment" so as to read as follows:

"SEC. 5. (a) The heads of executive departments and independent agencies of the Government are authorized to transfer or loan to said national air and space museum without charge therefor, aircraft, spacecraft, aircraft and spacecraft parts, instruments, engines, or other aeronautical and space flight equipment or records for exhibition, historical, or educational purposes."

Loans of equipment for exhibition.

SEC. 9. Section 5(b) of Public Law 722 of the Seventy-ninth Congress is amended by inserting "and space" immediately after "national air" and before "museum" so as to read as follows:

20 USC 77d note.

"(b) The Secretary of the Smithsonian Institution, with the advice of the Commission of Fine Arts, is authorized (1) to accept as a gift to the Smithsonian Institution from George H. Stephenson, of Philadelphia, Pennsylvania, a statue of Brigadier General William L. Mitchell of such character as may be deemed appropriate, and (2) without expense to the United States, to cause such statue to be erected at a suitable location on the grounds of the national air and space museum."

Statue of Brig. Gen. William L. Mitchell.

SEC. 10. Section 6 of Public Law 722 of the Seventy-ninth Congress is amended by inserting "and space" immediately after "national air" and before "museum" so as to read as follows:

60 Stat. 998.

"SEC. 6. There is hereby authorized to be appropriated the sum of \$50,000 for the purposes of this Act and there are hereby authorized to be appropriated annually hereafter such sums as may be necessary to maintain and administer said national air and space museum including salaries and all other necessary expenses."

Appropriation.

SEC. 11. Payments of compensation heretofore made to the head of the National Air Museum at rates fixed by the Secretary of the Smithsonian Institution without regard to the Classification Act of 1949, as amended, are hereby ratified and affirmed.

63 Stat. 954.  
5 USC 1071 note.

## PART II—AMENDMENTS TO PUBLIC LAW 85-935

SEC. 12. Section 1 of Public Law 85-935 (72 Stat. 1794) is amended by—

20 USC 77b note.

(1) deleting "for the construction of" and inserting in lieu thereof "and to construct"; and

Construction  
plans.

(2) inserting "and Space" immediately following "National Air" and before "Museum" so as to read as follows:  
 "That the Regents of the Smithsonian Institution are hereby authorized and directed to prepare plans, including drawings and specifications, and to construct a suitable building for a National Air and Space Museum (with requisite equipment, approaches, architectural landscape treatment of the grounds, and connections with public utilities and the Federal heating system) for the use of the Smithsonian Institution, to be located on that part of reservation which is bounded by Fourth Street Southwest on the east, Seventh Street Southwest on the west, Independence Avenue on the south, and Jefferson Drive on the north, title to which is in the United States."

SEC. 13. Section 4 of Public Law 85-935 is amended by:

(1) deleting "shall" and inserting in lieu thereof "may"; and

(2) by adding the following sentence at the end of the section:  
 "When so specified in the pertinent appropriation Act, amounts appropriated under this authorization are available without fiscal year limitation."

so as to read as follows:

Appropriation.

"SEC. 4. That there are hereby authorized to be appropriated to the Regents of the Smithsonian Institution such sums as may be necessary to carry out the provisions of this Act: *Provided*, That appropriations for this purpose, except such part as may be necessary for the incidental expenses of the Regents of the Smithsonian Institution in connection with this project, may be transferred to the General Services Administration for the performance of the work. When so specified in the pertinent appropriation Act, amounts appropriated under this authorization are available without fiscal year limitation."

Approved July 19, 1966.

## Public Law 89-510

### AN ACT

July 19, 1966  
[S. 2999]

To amend section 6 of the Southern Nevada Project Act (Act of October 22, 1965; 79 Stat. 1068).

Southern Nevada  
Project Act,  
amendment.  
43 USC 616 *lll*.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 6 of the Southern Nevada Project Act (Act of October 22, 1965; 79 Stat. 1068) is hereby amended to read as follows:

"SEC. 6. The contract for delivery of water and repayment of reimbursable construction costs of the Southern Nevada Water Project required by section 3 of this Act shall provide that if, within five years from the date of this Act, Basic Management, Inc., or its assignees applies for a contract for the storage and delivery of water in accordance with the provisions of section 5 of the Boulder Canyon Project Act (45 Stat. 1060, as amended; 43 U.S.C. 617d) and the regulations of the Secretary of the Interior issued pursuant to said Act, the rights of the party contracting pursuant to section 3 of this Act shall be subordinate to those of Basic Management, Inc., or its assignees to the extent of 41,266 acre-feet per annum or so much thereof as is required for beneficial consumptive use by it, its right to the storage and delivery of the same having been properly maintained in accordance with the terms of its contract. Nothing contained in this Act shall be construed as affecting the satisfaction of present perfected rights as defined by the decree of the United States Supreme Court in *Arizona v. California*, 367 U.S. 340."

43 USC 616 *iii*.

Approved July 19, 1966.

## Public Law 89-511

## AN ACT

To extend and amend the Library Services and Construction Act.

July 19, 1966  
[H. R. 14050]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Library Services and Construction Act Amendments of 1966".

SEC. 2. Section 2(a) of the Library Services and Construction Act is amended by inserting before the period at the end thereof the following: ", to promote interlibrary cooperation, and to assist the States in providing certain specialized State library services".

SEC. 3. Section 101 of the Library Services and Construction Act is amended by striking out "June 30, 1957, and for each of the next six fiscal years the sum of \$7,500,000, for the fiscal year ending June 30, 1964, the sum of \$25,000,000, and for each of the next two fiscal years such sums as the Congress may determine," and inserting in lieu thereof the following: "June 30, 1967, \$35,000,000; for the fiscal year ending June 30, 1968, \$45,000,000; for the fiscal year ending June 30, 1969, \$55,000,000; for the fiscal year ending June 30, 1970, \$65,000,000; and for the fiscal year ending June 30, 1971, \$75,000,000."

SEC. 4. Section 102 of the Library Services and Construction Act is amended by striking out the last sentence thereof.

SEC. 5. (a) Section 104(a) of the Library Services and Construction Act is amended by striking out "fiscal year ending June 30, 1963" each time that it occurs and inserting in lieu thereof "second preceding fiscal year".

(b) Sections 104(b) and 204(b) of such Act are each amended to read as follows:

"(b) The Commissioner shall from time to time estimate the amount to which a State is entitled under subsection (a), and such amount shall be paid to the State, in advance or by way of reimbursement, at such time or times and in such installments as the Commissioner may determine, after necessary adjustment on account of any previously made overpayment or underpayment."

(c) Section 104(d) of such Act is amended by striking out "(1)", by striking out "to be effective until July 1, 1957" and by striking out paragraph (2) of such subsection.

SEC. 6. Section 201 of the Library Services and Construction Act is amended by striking out "June 30, 1964, the sum of \$20,000,000, and for each of the next two fiscal years such sums as the Congress may determine," and inserting in lieu thereof "June 30, 1967, \$40,000,000; for the fiscal year ending June 30, 1968, \$50,000,000; for the fiscal year ending June 30, 1969, \$60,000,000; for the fiscal year ending June 30, 1970, \$70,000,000; and for the fiscal year ending June 30, 1971, \$80,000,000."

SEC. 7. The last sentence of section 202 of such Act is amended to read as follows: "A State's allotment under this subsection for any fiscal year shall be available for payments with respect to the administration, during such year and the next fiscal year, of its State plan approved under section 203, and for payments with respect to construction projects approved under such State plan during such year or the next fiscal year."

SEC. 8. The second sentence of section 104(a) of the Library Services and Construction Act is repealed, and section 204(a) of such Act is amended to read as follows:

"SEC. 204. (a) From its allotment available therefor under section 202 each State shall be entitled to receive (1) an amount equal to the Federal share (as determined under section 104) of projects

Library Serv-  
ices and Construc-  
tion Act Amend-  
ments of 1966.  
70 Stat. 293.  
20 USC 351.78 Stat. 13.  
20 USC 352.

20 USC 353.

20 USC 355.

20 USC 355,  
355d.

20 USC 355a.

20 USC 355b.

20 USC 355c.

20 USC 355c.

approved under its State plan (as approved by the Commissioner pursuant to section 203) during the period for which such allotment is available, and (2) an amount equal to the Federal share of the total of the sums expended by the State and its political subdivisions for the administration of such State plan during the period for which such allotment is available."

Post, p. 317.

SEC. 9. The Library Services and Construction Act is amended by inserting after title II the following new titles:

### "TITLE III—INTERLIBRARY COOPERATION

#### "AUTHORIZATION OF APPROPRIATIONS

"SEC. 301. There are authorized to be appropriated for the fiscal year ending June 30, 1967, the sum of \$5,000,000; for the fiscal year ending June 30, 1968, \$7,500,000; for the fiscal year ending June 30, 1969, \$10,000,000; for the fiscal year ending June 30, 1970, \$12,500,000; and for the fiscal year ending June 30, 1971, \$15,000,000; which shall be used for making payments to States which have submitted and had approved by the Commissioner State plans for establishing and maintaining local, regional, State, or interstate cooperative networks of libraries.

#### "ALLOTMENTS

"SEC. 302. From the sums appropriated pursuant to section 301 for each fiscal year the Commissioner shall allot \$10,000 each to Guam, American Samoa, and the Virgin Islands, and \$40,000 to each of the other States, and shall allot to each State such part of the remainder of such sums as the population of the State bears to the population of the United States according to the most recent decennial census.

#### "PAYMENTS TO STATES

"SEC. 303. From the allotments available therefor under section 302, the Secretary of the Treasury shall from time to time pay to each State which has a plan approved under section 304 an amount equal to the Federal share which for the fiscal year ending June 30, 1967, shall be 100 per centum of the total sums expended under such plan (including costs of administering such plan), and for any fiscal year thereafter shall be 50 per centum of such sums.

#### "STATE PLANS FOR INTERLIBRARY COOPERATION

"SEC. 304. (a) To be approved for purposes of this title a State plan must—

20 USC 354.

"(1) meet the requirements of paragraphs (1), (2), (4), and (5) of section 103(a);

"(2) provide policies and objectives for the systematic and effective coordination of the resources of school, public, academic, and special libraries and special information centers for improved services of a supplementary nature to the special clientele served by each type of library or center;

"(3) provide appropriate allocation by participating agencies of the total costs of the system;

“(4) provide assurance that every local or other public agency in the State is accorded an opportunity to participate in the system;

“(5) provide criteria which the State agency shall use in evaluating applications for funds under this title and in assigning priority to project proposals; and

“(6) establish a statewide council which is broadly representative of professional library interests and of library users which shall act in an advisory capacity to the State agency.

“(b) The Commissioner shall approve any State plan which meets the conditions specified in subsection (a) of this section.

#### “TITLE IV—SPECIALIZED STATE LIBRARY SERVICES

##### “PART A—STATE INSTITUTIONAL LIBRARY SERVICES

###### “AUTHORIZATION OF APPROPRIATIONS

“SEC. 401. There are authorized to be appropriated for the fiscal year ending June 30, 1967, the sum of \$5,000,000; for the fiscal year ending June 30, 1968, \$7,500,000; for the fiscal year ending June 30, 1969, \$10,000,000; for the fiscal year ending June 30, 1970, \$12,500,000; and for the fiscal year ending June 30, 1971, \$15,000,000; which shall be used for making payments to States which have submitted and had approved by the Commissioner State plans for establishing and improving State institutional library services. For the purposes of this part the term ‘State institutional library services’ means the providing of books, and other library material, and of library services to (A) inmates, patients, or residents of penal institutions, reformatories, residential training schools, orphanages, or general or special institutions or hospitals operated or substantially supported by the State, and (B) students in residential schools for the handicapped (including mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired persons who by reason thereof require special education) operated or substantially supported by the State.

Definition.

###### “ALLOTMENTS

“SEC. 402. From the sums appropriated pursuant to section 401 for each fiscal year the Commissioner shall allot \$10,000 each to Guam, American Samoa, and the Virgin Islands, and \$40,000 to each of the other States, and shall allot to each State such part of the remainder of such sums as the population of the State bears to the population of the United States according to the most recent decennial census.

###### “PAYMENTS TO STATES

“SEC. 403. From the allotments available therefor under section 402, the Secretary of the Treasury shall from time to time pay to each State which has a plan approved under section 404 an amount equal to the Federal share (as determined under section 104, except that the Federal share for the fiscal year ending June 30, 1967, shall be 100 per centum) of the total sums expended by the State under such plan (including costs of administering such plan).

20 USC 355.  
Ante, p. 313.

“STATE PLANS FOR STATE INSTITUTIONAL LIBRARY SERVICES

“SEC. 404. (a) To be approved for purposes of this part a State plan must—

20 USC 354.

“(1) meet the requirements of paragraphs (1), (2), (4), and (5) of section 103(a);

“(2) provide policies and objectives for the establishment or improvement of State institutional library services;

“(3) provide assurance that all eligible State institutions will be accorded an opportunity to participate in the program pursuant to this part;

“(4) provide criteria which the State agency shall use in evaluating applications for funds under this part and in assigning priority to project proposals;

“(5) provide assurances satisfactory to the Commissioner that expenditures made by such State in any fiscal year for State institutional library services will not be less than such expenditures in the preceding fiscal year; and

“(6) establish a council which is broadly representative of State institutions eligible for assistance under this part which shall act in an advisory capacity to the State agency.

“(b) The Commissioner shall approve any State plan which meets the conditions specified in subsection (a) of this section.

“(c) No portion of any money paid to a State under this part shall be applied, directly or indirectly, to the purchase or erection of any building or buildings, or the purchase of any land.

“PART B—LIBRARY SERVICES TO THE PHYSICALLY HANDICAPPED

“AUTHORIZATION OF APPROPRIATIONS

“SEC. 411. There are authorized to be appropriated for the fiscal year ending June 30, 1967, the sum of \$3,000,000; for the fiscal year ending June 30, 1968, \$4,000,000; for the fiscal year ending June 30, 1969, \$5,000,000; for the fiscal year ending June 30, 1970, \$6,000,000; and for the fiscal year ending June 30, 1971, \$7,000,000; which shall be used for making payments to States which have submitted and had approved by the Commissioner State plans for establishing and improving library services to the physically handicapped. For the purposes of this part the term ‘library services to the physically handicapped’ means the providing of library service, through public or other nonprofit libraries, agencies, or organizations, to physically handicapped persons (including the blind and visually handicapped) certified by competent authority as unable to read or to use conventional printed materials as a result of physical limitations.

Definition.

“ALLOTMENTS

“SEC. 412. From the sums appropriated pursuant to section 411 for each fiscal year, the Commissioner shall allot \$5,000 each to Guam, American Samoa, and the Virgin Islands, and \$25,000 to each of the other States, and shall allot to each State such part of the remainder of such sums as the population of the State bears to the population of the United States according to the most recent decennial census.

## "PAYMENTS TO STATES

"SEC. 413. From the allotments available therefor under section 412, the Secretary of the Treasury shall from time to time pay to each State which has a plan approved under section 414 an amount equal to the Federal share (as determined under section 104, except that the Federal share for the fiscal year ending June 30, 1967, shall be 100 per centum) of the total sums expended under such plan (including costs of administering such plan).

20 USC 355.  
Ante, p. 313.

## "STATE PLANS FOR SERVICES TO THE PHYSICALLY HANDICAPPED

"SEC. 414. (a) To be approved for the purposes of this part a State plan must—

"(1) meet the requirements of paragraphs (1), (2), (4), and (5) of section 103(a);

20 USC 354.

"(2) provide policies and objectives for the establishment or improvement of State plans for library services to the physically handicapped;

"(3) provide assurance that all appropriate public or nonprofit libraries, agencies, or organizations for the physically handicapped will be accorded an opportunity to participate in the program pursuant to this part;

"(4) provide criteria which the State agency shall use in evaluating applications for funds under this part and in assigning priority to project proposals;

"(5) provide assurances satisfactory to the Commissioner that funds available from sources other than Federal sources in any fiscal year for expenditures under State plans for library services to the physically handicapped will not be less than actual expenditures from such source in the second preceding fiscal year; and

"(6) establish a council which is representative of eligible agencies which shall act in an advisory capacity to the State agency.

"(b) The Commissioner shall approve, after consultation with the Librarian of Congress where appropriate, any State plan which meets the conditions specified in subsection (a) of this section.

"(c) No part of any money paid to a State under this part shall be applied, directly or indirectly, to the purchase or erection of any building or buildings, or the purchase of any land."

SEC. 10. (a) Title III of the Library Services and Construction Act is hereby designated as title V.

70 Stat. 295;  
78 Stat. 14.  
20 USC 356-358.

(b) Sections 301 through 304 of the Library Services and Construction Act are hereby designated as sections 501 through 504.

(c) Section 502(d)(2) of such Act (as so designated by subsection (b)) is amended by striking out "or title II" and inserting in lieu thereof "title II, title III, or part A or B of title IV".

(d) Section 503 of such Act (as so designated by subsection (b)) is amended by striking out "or 202" and inserting in lieu thereof "202, 302, 402, or 412"; by striking out "and section 203" and inserting in lieu thereof "203, 304, 404, and 414"; by striking out "or 202" and inserting in lieu thereof "202, 302, 402, or 412"; by striking out "or 203", and inserting in lieu thereof "203, 304, 404, or 414"; by striking out "or 201" and inserting in lieu thereof "201, 301, 401, or

411"; and by striking out "and 202" and inserting in lieu thereof "202, 302, 402, and 412".

(e) Section 502(d)(2) of such Act (as so redesignated by subsection (b)) is amended by striking out "301" and inserting in lieu thereof "501".

20 USC 357.  
Ante, p. 317.

Effective date.

SEC. 11. The amendments made by sections 5(a), 7, and 8 shall be effective with respect to fiscal years beginning after June 30, 1966.

SEC. 12. (a) The Library Services and Construction Act, as amended by this Act, is further amended by inserting "the Trust Territory of the Pacific Islands," immediately after "American Samoa," in section 102, section 104(a)(1)(A), the parenthetical phrase in section 104(c), section 104(d), section 202, section 302, section 402, section 412, and section 504(a).

20 USC 353, 355,  
355b.  
Ante, pp. 314-  
317.

(b) Such Act is further amended by inserting "(other than the Trust Territory of the Pacific Islands)" after "except that no payments shall be made to any State" in section 104(a), and by inserting "and the Federal share for the Trust Territory of the Pacific Islands shall be 100 per centum" immediately before the period at the end of section 104(c).

Effective date.

(c) The amendments made by this section shall be effective with respect to fiscal years beginning after June 30, 1966.

Approved July 19, 1966.

## Public Law 89-512

### AN ACT

To amend the Classification Act of 1949 to authorize the establishment of hazardous duty pay in certain cases.

July 19, 1966  
[H. R. 1535]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That title VIII of the Classification Act of 1949, as amended (5 U.S.C. 1131-1133), is amended by adding at the end thereof the following:

"SEC. 804. The Commission shall establish a schedule or schedules of pay differentials for irregular or intermittent duty involving unusual physical hardship or hazard. The appropriate differential shall be paid to any officer or employee to whom this Act applies for any period in which such officer or employee is subjected to physical hardship or hazard not usually involved in carrying out the duties of his position. Such pay differential—

"(1) shall not be applicable with respect to any officer or employee in any position the classification of which takes into account the degree of physical hardship or hazard involved in the performance of the duties thereof;

"(2) shall not exceed an amount equal to 25 per centum of the rate of basic compensation applicable with respect to such officer or employee;

"(3) shall be paid for such minimum periods as the Commission may determine to be appropriate; and

"(4) shall be paid under regulations which shall be prescribed by the Commission."

Federal  
employees.  
Hazardous duty  
pay.  
78 Stat. 401;  
76 Stat. 847.

Effective date.

SEC. 2. The amendment made by the first section of this Act shall become effective on the first day of the first pay period which begins more than one hundred and eighty days after the date of enactment of this Act.

Approved July 19, 1966.

## Public Law 89-513

## AN ACT

July 19, 1966  
[H. R. 13417]

To amend the Act of October 4, 1961, to facilitate the efficient preservation and protection of certain lands in Prince Georges and Charles Counties, Maryland, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) in order to achieve more efficiently the purposes of the Act of October 4, 1961 (75 Stat. 780), the first sentence of section 2(b) of said Act is amended to read as follows: "When the Secretary of the Interior receives a commitment, subject to such conditions as shall be agreeable to him and the potential donor or donors, in accordance with which commitment the property referred to in subsection (a) will be donated to the United States for purposes of this Act, he is authorized to acquire by such means as he finds are in the public interest other land and interests in land lying generally within the area identified as 'Fee Acquisition Area' on the drawing entitled 'Piscataway Park', numbered NCR 69.714-18, and dated January 25, 1966, which is on file and available for public inspection in the offices of the National Park Service, Department of the Interior."

Prince Georges  
and Charles Counties,  
Md.  
Preservation of  
certain lands.

(b) Section 2(b) of said Act is further amended by inserting at the end thereof the following new paragraph:

"With respect to any property acquired within the 'Fee Acquisition Area' except property donated to the United States, the Secretary may convey a freehold or leasehold interest therein, subject to such terms and conditions as assure the Secretary control over the property and its use solely in accordance with the purposes of this Act. When the Secretary exercises his discretion to convey such interest, he shall do so to the highest bidder, in accordance with such regulations as he may prescribe, but such conveyance shall be at not less than the fair market value of the property, as determined by the Secretary. Within the 'Fee Acquisition Area', the Secretary may accept title to any non-Federal property or interest therein and in exchange therefor he may convey to the grantor of such property any federally owned property or interest therein within such area. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor from moneys appropriated to carry out the provisions of this Act or to the Secretary as the circumstances require. The proceeds received from any conveyance under this subsection shall be credited to the Land and Water Conservation Fund in the Treasury of the United States."

(c) The first sentence of section 2(c) of said Act is amended to read as follows: "To further the preservation objective of this Act the Secretary may accept donations of scenic easements in the land within the described area now leased and operated by the Marshall Hall Park, Incorporated, as more specifically described in a deed, recorded in the land records of Charles County, Maryland, in folio 126, liber 131, and the area designated as 'Scenic Protection Area' on the drawing referred to in subsection (b) of this section."

SEC. 2. Section 4 of said Act is amended by striking "\$937,600" and substituting "\$4,132,000".

Approved July 19, 1966.

Public Law 89-514

JOINT RESOLUTION

July 19, 1966  
[H. J. Res. 1178]

To authorize the Commissioners of the District of Columbia to promulgate special regulations for the period of the ninety-third annual session of the Imperial Council, Ancient Arabic Order of the Nobles of the Mystic Shrine for North America, to be held in Washington, District of Columbia, in July 1967, to authorize the granting of certain permits to Imperial Shrine Convention, 1967, Incorporated, on the occasions of such sessions, and for other purposes.

D. C.  
Shrine Conven-  
tion, 1967.  
Special regula-  
tions.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That for the period of the ninety-third annual session of the Imperial Council, Ancient Arabic Order of the Nobles of the Mystic Shrine for North America, to be held in the District of Columbia from July 10 to July 13, 1967, both dates inclusive, the Commissioners are authorized and directed to make all reasonable regulations necessary to secure the preservation of public order and protection of life, health, and property; to make special regulations respecting the standing, movement, and operation of vehicles of whatever character or kind during said period; and to grant under such conditions as they may impose, special licenses to peddlers and vendors for the privilege of selling goods, wares, and merchandise in such places in the District of Columbia, and to charge such fees for such privilege, as they may deem proper.

Definitions.

SEC. 2. For the purposes of this Act—

(a) The term "Commissioners" means the Commissioners of the District of Columbia or their designated agent or agents;

(b) The term "corporation" means the Imperial Shrine Convention, 1967, Incorporated, or its designated agent or agents;

(c) The term "meeting" means the ninety-third annual session of the Imperial Council, Ancient Arabic Order of the Nobles of the Mystic Shrine for North America, to be held in the District of Columbia on July 10, 11, 12, and 13, 1967;

(d) The term "period" or "meeting period" means the ten-day period beginning July 7, 1967, and ending July 16, 1967, both dates inclusive;

(e) The term "Secretary of Defense" means the Secretary of Defense or his designated agent or agents; and

(f) The term "Secretary of the Interior" means the Secretary of the Interior or his designated agent or agents.

Appropriations.

SEC. 3. There are hereby authorized to be appropriated such sums as may be necessary, payable in like manner as other appropriations for the expenses of the District of Columbia, to enable the Commissioners to provide additional municipal services in said District during the meeting period, including employment of personal services without regard to the civil service and classification laws; travel expenses of enforcement personnel, including sanitarians, from other jurisdictions; hire of means of transportation; meals for police, firemen, and other municipal employees; construction, rent, maintenance, and expenses incident to the operation of temporary public comfort stations, first-aid stations, and information booths; and other incidental expenses in the discretion of the Commissioners.

Use of public  
space, conditions.

SEC. 4. The Secretary of the Interior, with the approval of such officer as may exercise jurisdiction over any of the Federal reservations or grounds in the District of Columbia, is authorized to grant to the corporation permits for the use of such reservations or grounds during the meeting period, including a reasonable time prior and subsequent thereto; and the Commissioners are authorized to grant like permits for the use of public space under their jurisdiction. Each such

permit shall be subject to such restrictions, terms, and conditions as may be imposed by the grantor of such permit. With respect to public space, no reviewing stand or any stand or structure for the sale of goods, wares, merchandise, food, or drink shall be built on any sidewalk, street, park, reservation, or other public grounds in the District of Columbia, except with the approval of the corporation, and with the approval of the Secretary of the Interior or the Commissioners, as the case may be, depending on the location of such stand or structure. The reservation, ground, or public space occupied by any such stand or structure shall, within ten days after the end of the meeting period, be restored to its previous condition. The corporation shall indemnify and save harmless the District of Columbia and the appropriate agency or agencies of the Federal Government against any loss or damage to such property and against any liability arising from the use of such property, either by the corporation or a licensee of the corporation.

SEC. 5. The Commissioners are authorized to permit the corporation to install suitable overhead conductors and install suitable lighting or other electrical facilities, with adequate supports, for illumination or other purposes. If it should be necessary to place wires for illuminating or other purposes over any park, reservation, or highway in the District of Columbia, such placing of wires and their removal shall be under the supervision of the official in charge of said park, reservation, or highway. Such conductors with their supports shall be removed within five days after the end of the meeting period. The Commissioners, or such other officials as may have jurisdiction in the premises, shall enforce the provisions of this joint resolution, take needful precautions for the protection of the public, and insure that the pavement of any street, sidewalk, avenue, or alley which is disturbed or damaged is restored to its previous condition. No expense or damage from the installation, operation, or removal of said temporary overhead conductors or said illumination or other electrical facilities shall be incurred by the United States or the District of Columbia, and the corporation shall indemnify and save harmless the District of Columbia and the appropriate agency or agencies of the Federal Government against any loss or damage and against any liability whatsoever arising from any act of the corporation or any agent, licensee, servant, or employee of the corporation.

Lighting in public places, conditions.

SEC. 6. The Secretary of Defense is authorized to lend to the corporation such hospital tents, smaller tents, camp appliances, hospital furniture, ensigns, flags, ambulances, drivers, stretchers, and Red Cross flags and poles (except battle flags) as may be spared without detriment to the public service, and under such conditions as he may prescribe. Such loan shall be returned within five days after the end of the meeting period, the corporation shall indemnify the Government for any loss or damage to any such property, and no expense shall be incurred by the United States Government for the delivery, return, rehabilitation, replacement, or operation of such equipment. The corporation shall give a good and sufficient bond for the safe return of such property in good order and condition, and the whole without expense to the United States.

Equipment loans, authorization and conditions.

SEC. 7. The Commissioners, the Secretary of the Interior, and the corporation are authorized to permit electric lighting, telegraph, telephone, radio broadcasting, and television companies to extend overhead wires to such points along and across the line of any parade as shall be deemed convenient for use in connection with such parade and other meeting purposes. Such wires shall be removed within ten days after the conclusion of the meeting period.

Regulations.

SEC. 8. The regulations and licenses authorized by this Act shall be in full force and effect only during the meeting period, but the expiration of said period shall not prevent the arrest or trial of any person for any violation of such regulations committed during the time they were in force and effect. Such regulations shall be published in one or more of the daily newspapers published in the District of Columbia and no penalty prescribed for the violation of any such regulation shall be enforced until five days after such publication. Any person violating any regulation promulgated by the Commissioners under the authority of this Act shall be fined not more than \$100 or imprisoned for not more than thirty days. Each and every day a violation of any such regulation exists shall constitute a separate offense, and the penalty prescribed shall be applicable to each such separate offense.

Publication.

Violations, penalty.

Indemnification conditions.

SEC. 9. Whenever any provision of this Act requires the corporation to indemnify and save harmless the District of Columbia and the Federal Government or any agency thereof against loss, damage, or liability arising out of the acts of the corporation or its licensee, or to give bond to an agency of the Federal Government guaranteeing the safe return of property belonging to such agency, the requirements of any such provision shall be deemed satisfied upon the submission by the corporation to the Commissioners of the District of Columbia and the Secretary of the Interior on behalf of the several agencies of the Federal Government, of an insurance policy or bond, or both an insurance policy and bond, in such amount or amounts and subject to such terms and conditions, as the said officials in their discretion approve as being necessary to protect the interests of the respective governments.

Capitol Grounds.

SEC. 10. Nothing contained in this Act shall be applicable to the United States Capitol Buildings or Grounds or other properties under the jurisdiction of the Congress or any committee, commission, or officer thereof.

Approved July 19, 1966.

Public Law 89-515

AN ACT

July 19, 1966  
[H. R. 14312]

To increase the authorization for appropriation for continuing work in the Missouri River Basin by the Secretary of the Interior.

Missouri River Basin. Appropriation authorization, increase.

58 Stat. 891.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated for fiscal years 1967 and 1968 the sum of \$60,000,000 for continuing the works in the Missouri River Basin to be undertaken by the Secretary of the Interior pursuant to the comprehensive plan adopted by section 9(a) of the Act approved December 22, 1944 (Public Law Numbered 534, Seventy-eighth Congress), as amended and supplemented by subsequent Acts of Congress. No part of the funds hereby authorized to be appropriated shall be available to initiate construction of any unit of the Missouri River Basin project, whether included in said comprehensive plan or not.

Approved July 19, 1966.

## Public Law 89-516

## AN ACT

To amend the Administrative Expenses Act of 1946, as amended, to provide for reimbursement of certain moving expenses of employees, and to authorize payment of expenses for storage of household goods and personal effects of employees assigned to isolated duty stations within the continental United States.

July 21, 1966  
[H. R. 10607]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) subsection (a) of section 1 of the Administrative Expenses Act of 1946 (60 Stat. 806, as amended; 5 U.S.C. 73b-1(a)), is amended by—

Administrative  
Expenses Act of  
1946, amend-  
ments.

(1) striking the words “the Act of February 14, 1931” appearing in the first parentheses contained therein, and inserting in lieu thereof “section 4 of the Travel Expense Act of 1949 (63 Stat. 166, as amended; 5 U.S.C. 837)”;

46 Stat. 1103;  
63 Stat. 167.

(2) striking the word “seven” appearing in the second parentheses contained therein, and inserting in lieu thereof the word “eleven”;

(3) striking out the first proviso contained therein the words “the Subsistence Expense Act of 1926 (5 U.S.C. 828)” and inserting in lieu thereof the words “section 5 of the Travel Expense Act of 1949 (63 Stat. 166, as amended; 5 U.S.C. 838)”.

44 Stat. 688;  
63 Stat. 167.

(b) Subsection (b) of section 1 of the Administrative Expenses Act of 1946 (60 Stat. 807, as amended; 5 U.S.C. 73b-1(b)), is amended by adding the following words immediately before the period at the end of the first sentence in the subsection “, except that payment of actual expenses may be made whenever, under regulations prescribed by the President, the head of the agency determines that such method of payment is more economical to the Government.”

SEC. 2. The Administrative Expenses Act of 1946 (60 Stat. 806), as amended, is further amended by adding the following new sections:

“SEC. 23. Under such regulations as the President may prescribe and to the extent deemed necessary and appropriate, as provided therein, appropriations or other funds available to the departments for administrative expenses shall be available for the reimbursement of all or part of the following expenses of officers or employees for whom the Government pays expenses of travel and transportation under subsection (a) of section 1 of this Act:

Administrative  
expenses funds,  
availability for  
certain other  
costs.

“(1) The expenses of per diem allowance in lieu of the subsistence expenses of the immediate family of the officer or employee while en route between his old and new official stations, not in excess of the maximum per diem rates prescribed in or pursuant to section 3 of the Travel Expense Act of 1949 (63 Stat. 166, as amended; 5 U.S.C. 836).

Per diem.

“(2) The expenses of per diem allowance in lieu of subsistence of the officer or employee and his spouse, not in excess of the maximum per diem rates prescribed in the Travel Expense Act of 1949 (63 Stat. 166, as amended; 5 U.S.C. 836), and the expenses of transportation to seek permanent residence quarters at a new official station when both the old and new stations are located within the continental United States, excluding Alaska, provided that such expenses may be allowed only for one round trip in connection with each change of station of the officer or employee.

Locating resi-  
dence.

“(3) The subsistence expenses of the officer or employee and his immediate family for a period of thirty days while occupying temporary quarters when the new official station is located within the United States (including the District of Columbia, its territories and possessions, the Commonwealth of Puerto Rico, and the Canal Zone: *Provided*, That the period of residence in temporary quarters may

Temporary  
quarters.

be extended for an additional thirty days when the officer or employee moves to or from Hawaii, Alaska, the territories and possessions, the Commonwealth of Puerto Rico, and the Canal Zone: *Provided further*, That reimbursement for subsistence expenses actually incurred may not exceed an amount determined from such average daily rates per person as may be prescribed in such regulations, but not in excess of the maximum per diem rates prescribed in or pursuant to section 3 of the Travel Expense Act of 1949 (63 Stat. 166, as amended; 5 U.S.C. 836), for the localities in which the temporary quarters are located, for the first ten days of such period, two-thirds of such rates for the second ten days, and one-half for the balance of such period, including the additional thirty days.

Sale of residence.

“(4) The expenses of the sale of the residence (or the settlement of an unexpired lease) of the officer or employee at the old official station and purchase of a home at the new official station required to be paid by him when the old and new official stations are located within the United States (including the District of Columbia), its territories and possessions, the Commonwealth of Puerto Rico, and the Canal Zone, but reimbursement for brokerage fees on the sale of the residence and other expenses under this subsection shall not exceed those customarily charged in the locality where the residence is located and no reimbursement shall be made for losses on the sale of the residence. This provision applies regardless of whether the title to the residence or the unexpired lease is in the name of the officer or employee alone, in the joint names of the officer or employee and a member of his immediate family, or in the name of a member of his immediate family alone.

Family or self, allowance.

“SEC. 24. Under such regulations as the President may prescribe and to the extent deemed necessary and appropriate, as provided therein, and notwithstanding other reimbursement authorized under this Act, an officer or employee who is reimbursed under section 1(a) or section 23 of this Act shall, if he has an immediate family, receive an amount not to exceed two weeks' basic compensation, or, if he does not have an immediate family, an amount not to exceed one week's basic compensation: *Provided*, That such amounts shall not exceed amounts determined from the maximum rate of grade GS-13 in the General Schedule of the Classification Act of 1949, as amended.

Ante, p. 288.

Storage.  
72 Stat. 843.  
5 USC 73b-3.

“SEC. 25. Under such regulations as the President may prescribe—  
“(a) Whenever any civilian officer or employee (including any new appointee in accordance with section 7(b) of this Act, as amended) is assigned to a permanent duty station at an isolated location in the continental United States, excluding Alaska, to which he cannot take or at which he is unable to use his household goods and personal effects because of the absence of residence quarters at such location, nontemporary storage expenses or storage at Government-owned facilities (including related transportation and other expenses), whichever is more economical, may be allowed such officer or employee under regulations issued by the head of the Executive Department or agency concerned. In no instance shall the weight of the property stored under this subsection, together with the weight transported under section 1 or section 7(b) of this Act, exceed the total maximum weight the officer or employee would be entitled to have moved, and the period of nontemporary storage shall not exceed three years.

60 Stat. 806.  
5 USC 73b-1.

“(b) This section does not authorize reimbursement to officers and employees traveling under orders issued more than sixty days prior to the effective date of this section.

Transfers between departments.

“SEC. 26. Under such regulations as the President may prescribe and notwithstanding the provisions of the fourth proviso of section 1(a)

of this Act, in transfers between departments for reasons of reduction in force or transfer of function, expenses authorized under section 1, subsections (a) and (b) and subsections (e) and (f) other than expenses authorized in connection with transfers to foreign countries, and under sections 23 and 24 of this Act may be paid in whole or in part by the department from which the officer or employee is transferred or by the department to which he is transferred, as may be agreed upon by the heads of the departments concerned.

60 Stat. 608;  
74 Stat. 796,  
797.  
5 USC 73b-1.

"SEC. 27. Under such regulations as the President may prescribe, a former officer or employee separated by reason of reduction in force or transfer of function who is reemployed within one year of the date of such separation by a nontemporary appointment at a different geographical location from that where such separation occurred may be allowed and paid the expenses authorized by section 1 of this Act, and may receive the benefits authorized by sections 23 and 24 of this Act, in the same manner as though he had been transferred to the location of reemployment from the location where separated in the interest of the Government without a break in service.

Separations.

"SEC. 28. Notwithstanding the provisions of subsections (a) and (b) of section 1, and of sections 23, 24, 25, and 27 of this Act, the travel and transportation expenses, including storage of household goods and personal effects, and other relocation allowances shall not be allowed thereunder when a civilian officer or employee is transferred within the continental United States, excluding Alaska, unless and until such officer or employee shall agree in writing to remain in the Government service for twelve months following his transfer, unless separated for reasons beyond his control and acceptable to the department or agency concerned. In case of violation of such agreement, any moneys expended by the United States under said sections of this Act on account of such officer or employee shall be recoverable from him as a debt due the United States."

Conditions.

SEC. 3. Regulations under this Act shall be prescribed within ninety days following the date of enactment but shall be retroactive to such date.

Effective date.

Approved July 21, 1966.

## Public Law 89-517

### AN ACT

To authorize the Secretary of the Interior to accept a donation by the State of Indiana of the George Rogers Clark Memorial for establishment as the George Rogers Clark National Historical Park, and for other purposes.

July 23, 1966  
[H. R. 9599]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is authorized to accept the donation by the State of Indiana of approximately seventeen acres of land comprising the George Rogers Clark Memorial in Vincennes, Indiana, for establishment and administration as the George Rogers Clark National Historical Park.

George Rogers  
Clark National  
Historical Park,  
Ind.

SEC. 2. The Secretary of the Interior may enter into cooperative agreements with the owners of property in Vincennes, Indiana, historically associated with George Rogers Clark and the Northwest Territory for the inclusion of such property in the George Rogers Clark National Historical Park. Under such agreements the Secretary may assist in the preservation, renewal, and interpretation of the property.

SEC. 3. The Secretary of the Interior shall administer, protect, develop, and maintain the George Rogers Clark National Historical Park in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented.

Administration.

Approved July 23, 1966.

## Public Law 89-518

July 25, 1966  
[H. R. 8337]

## AN ACT

To amend the District of Columbia Practical Nurses' Licensing Act, and for other purposes.

D.C.  
Practical  
Nurses' Licensing  
Act, amendment.

"Washington  
metropolitan  
area."

License without  
examination.

Application for  
reconsideration.

Effective date.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 2 of the District of Columbia Practical Nurses' Licensing Act (74 Stat. 803; sec. 2-421, D.C. Code) is amended by adding at the end thereof the following new paragraph:

"(e) The term 'Washington metropolitan area' means that area comprising the District of Columbia, Montgomery and Prince Georges Counties, Maryland, the counties of Arlington and Fairfax, Virginia, and the cities of Alexandria, Falls Church, and Fairfax, Virginia, and shall include those areas adjacent to the District of Columbia within a radius of thirty miles from the United States Capitol Building."

SEC. 2. Section 10 of the District of Columbia Practical Nurses' Licensing Act (sec. 2-429, D.C. Code) is amended—

(1) by inserting "(a)" immediately after "SEC. 10."; and

(2) by adding at the end thereof the following new subsection:

"(b) (1) Upon receipt of an application, accompanied by the required fee for an original license, the Commissioners shall issue a license to practice as a licensed practical nurse, without written examination, to any person who shall make application therefor prior to the expiration of the ninetieth day immediately following the effective date of this subsection if (A) the Commissioners find that such person (i) is at least twenty-one years of age; (ii) is of good moral character; (iii) is in good physical and mental health as certified by a physician licensed to practice in the District of Columbia; (iv) has resided in the District of Columbia and been actively engaged in caring for the sick in the Washington metropolitan area for the year immediately preceding the effective date of this Act; (v) has had three or more years of experience in the care of the sick prior to the effective date of this Act; and (vi) has submitted evidence satisfactory to the Commissioners that she is competent to practice as a licensed practical nurse, and (B) either the application is endorsed by two physicians licensed to practice in the District of Columbia who have personal knowledge of the applicant's nursing qualifications and by two persons who have employed the applicant in the capacity of practical nurse, or the applicant is listed on a nurses' registry licensed in the District of Columbia.

"(2) Any person whose application under subsection (a) was not approved because such person did not meet the requirement of clause (4) of such subsection may have such application reconsidered in accordance with the requirements of paragraph (1) of this subsection if, no later than the ninetieth day following the effective date of this subsection, such person makes a written request to the Commissioners for such reconsideration. Such application shall be reconsidered without additional charge to such person other than the repayment to the District of Columbia of any fee or portion thereof, paid in connection with the submission of such application under subsection (a), which may have been refunded to such person, and such person may submit, without charge, such additional information in support of such application as she may desire."

SEC. 3. The amendments made by this Act shall take effect on the thirtieth day following the date of the enactment of this Act.

Approved July 25, 1966.

## Public Law 89-519

## AN ACT

To establish the District of Columbia Bail Agency, and for other purposes.

July 26, 1966  
[H. R. 15860]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "District of Columbia Bail Agency Act".

D. C. Bail  
Agency Act.

SEC. 2. There is hereby created for the District of Columbia the District of Columbia Bail Agency (hereinafter referred to as the "agency") which shall secure pertinent data and provide for any judicial officer in the District of Columbia reports containing verified information concerning any individual with respect to whom a bail determination is to be made.

SEC. 3. As used in this Act—

Definitions.

(1) the term "judicial officer" means, unless otherwise indicated, the Supreme Court of the United States, the United States Court of Appeals for the District of Columbia Circuit, the District of Columbia Court of Appeals, United States District Court for the District of Columbia, the District of Columbia Court of General Sessions, and the Juvenile Court of the District of Columbia (but only with respect to proceedings under Section 11-1556 of the D.C. Code) or any justice or judge of such courts or a United States Commissioner; and

(2) The term "bail determination" means any order by a judicial officer respecting the terms and conditions of release (including any order setting the amount of bail bond or any other kind of security given to assure appearance in court) of—

(A) any person arrested in the District of Columbia, or

(B) any material witness in any criminal proceeding in a court referred to in paragraph (1),

for trial or sentencing or pending appeal.

SEC. 4. (a) The agency shall, except when impracticable, interview any person detained pursuant to law or charged with an offense in the District of Columbia who is to appear before a United States Commissioner or whose case arose in or is before any court named in section 3(1) of this Act. Such interview when requested by a judicial officer shall also be undertaken with respect to any person charged with intoxication or traffic violation. The agency shall seek independent verification of information obtained during the interview, shall secure any such person's prior criminal record which shall be made available by the Metropolitan Police Department, and shall prepare a written report of such information for submission to the appropriate judicial officer. The agency shall present such report with or without a recommendation for release on personal recognizance, personal bond, or other nonfinancial conditions, but with no other recommendation, to the appropriate judicial officer and shall provide copies of such report to the United States Attorney for the District of Columbia, to the Corporation Counsel of the District of Columbia (if pertinent) and to counsel for the person concerning whom the report is made. The report shall include but not be limited to information concerning the person accused, his family, his community ties, residence, employment, prior criminal record if any, and may include such additional verified information as may become available to the agency.

Report.

(b) The agency when requested by any appellate court or a judge or justice thereof, or by any other judicial officer, shall furnish a report as provided in section 4(a) respecting any person whose case is pending before any such appellate court or judicial officer or in whose

behalf an application for a bail determination shall have been submitted.

(c) Such information as may be contained in the agency's files or presented in its report or which shall be divulged during the course of any hearing shall be used only for the purpose of a bail determination and shall otherwise be confidential except for members of the agency staff, and such members shall not be subject to subpoena concerning information in their possession and such information shall not be the subject of court process for use in any other proceeding.

(d) The preparation by the agency and the submission of its report as provided in section 4 shall be accomplished at the earliest practicable opportunity.

(e) A judicial officer in making a bail determination shall consider the agency's report and its accompanying recommendation, if any. The judicial officer may impose such terms and set such conditions upon release as shall appear warranted by the facts presented, except that such judicial officer may not establish any term or condition for release not otherwise authorized by law (including the Bail Reform Act of 1966 (Public Law 89-465)).

SEC. 5. (a) The agency shall function under authority of and be responsible to an executive committee of five members of which three shall constitute a quorum. The executive committee shall be composed of the respective chief judges of the United States Court of Appeals for the District of Columbia Circuit, the United States District Court for the District of Columbia, the District of Columbia Court of Appeals, the District of Columbia Court of General Sessions, or if circumstances may require, the designee of any such chief judge; and a fifth member who shall be selected by such chief judges.

(b) Within thirty days of the date of enactment of this Act, the executive committee shall meet and shall appoint a Director of the Agency who shall be a member of the bar of the District of Columbia.

SEC. 6. The Director of the agency shall be responsible for the supervision and execution of the duties of the agency. The Director shall receive such compensation as may be set by the executive committee but not in excess of that amount classified as GS-15 in the Classification Act of 1949, as amended. The Director shall hold office at the pleasure of the executive committee.

SEC. 7. The Director, subject to the approval of the executive committee, shall employ a chief assistant and such assisting and clerical staff and may make assignments of such agency personnel as may be necessary properly to conduct the business of the agency. The staff of the agency, other than clerical, shall be drawn from law students, graduate students, or such other available sources as may be approved by the executive committee. The chief assistant to the Director shall receive compensation as may be set by the executive committee, but in an amount not in excess of that classified as GS-11 in the Classification Act of 1949, as amended, and shall hold office at the pleasure of the executive committee. All other employees of the agency shall receive compensation as set by the executive committee, but in amounts not in excess of that classified as GS-7 in said Classification Act; salaries of clerical personnel shall be set at levels comparable to those allowed in the offices of the Legal Aid Agency and the United States Attorney for the District of Columbia. From time to time, the Director, subject to the approval of the executive committee, may set merit and longevity salary increases.

SEC. 8. The Director shall on June 15 of each year submit to the executive committee a report as to the agency's administration of its

Ante. p. 214.  
Executive com-  
mittee.  
Membership.

Director.

Ante, p. 288.

Personnel, em-  
ployment and  
classification.

Report to execu-  
tive committee,  
Congress, etc.

responsibilities for the previous period of June 1 through May 31, a copy of which report will be transmitted by the executive committee to the Congress of the United States, and to the Commissioners of the District of Columbia. The Director shall include in his report, to be prepared as directed by the Commissioners of the District of Columbia, a statement of financial condition, revenues, and expenses for the past June 1 through May 31 period.

SEC. 9. For the purpose of carrying out the provisions of this Act, there are authorized to be appropriated to the District of Columbia such sums as may be necessary, but not to exceed \$130,000 in any one fiscal year, which shall be disbursed by the Commissioners of the District of Columbia. Budget estimates for the agency shall be prepared by the Director and shall be subject to the approval of the executive committee.

SEC. 10. The Bail Reform Act of 1966 (Public Law 89-465) shall apply to any person detained pursuant to law or charged with an offense in the District of Columbia.

SEC. 11. (a) Except as provided in subsection (b) hereof, this Act shall take effect on the date of its enactment.

(b) Sections 6, 7, and 8 shall take effect on the date of enactment of the first Act appropriating moneys to carry out the purposes of this Act which is enacted after the date of enactment of this Act, and section 4 shall take effect on the ninetieth day after the date of enactment of said first appropriation Act.

Approved July 26, 1966.

Ante. p. 214.

Effective dates.

## Public Law 89-520

### AN ACT

To make further provision for the retirement of the Comptroller General.

July 26, 1966  
[S. 3150]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 303 of the Budget and Accounting Act, 1921, as amended (31 U.S.C. 43), is hereby further amended by adding at the end thereof the following paragraph:

"Notwithstanding the preceding paragraph of this section, any person appointed to the Office of Comptroller General after January 1, 1966, and who at the time of his appointment is or has been subject to the provisions of the Civil Service Retirement Act, shall be subject to all of the provisions of that Act, unless he shall in writing elect to be subject to the provisions of the preceding paragraph of this section. Such election may be made at any time, but not later than sixty days after the expiration of the first ten years of service as Comptroller General, and shall be irrevocable. Any Comptroller General making such an election under this paragraph shall be entitled to a refund of the lump-sum credit to his account in the Civil Service retirement and disability fund, but shall receive no benefits under the Civil Service Retirement Act."

Comptroller  
General.  
Further retire-  
ment provisions.  
67 Stat. 229.

70 Stat. 736.  
5 USC 2251  
note

SEC. 2. Section 319 of the Budget and Accounting Act, 1921, as amended (31 U.S.C. 43b), is hereby amended by substituting a colon for the period at the end of subsection (a) and adding the following: "Provided, That in the case of a Comptroller General who elects in accordance with the third paragraph of section 303 of this Act to be subject to the provisions of the second paragraph of such section, the election permitted by this section may be made within sixty days after the making of the election permitted by the third paragraph of section 303."

Dependents'  
annuities.  
73 Stat. 197.

Approved July 26, 1966.

## Public Law 89-521

## AN ACT

July 27, 1966  
[H. R. 14888]

To amend the Act of February 28, 1947, as amended, to authorize the Secretary of Agriculture to cooperate in screw-worm eradication in Mexico.

Screw-worms.  
Eradication in  
Mexico.  
21 USC 114b.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the first section of the Act of February 28, 1947 (61 Stat. 7) is amended by striking out in the first sentence "or rinderpest", and inserting in lieu thereof a comma and the following: "rinderpest, or screw-worm".

SEC. 2. Such Act is further amended by adding a new section as follows:

"SEC. 5. In carrying out this Act the Secretary of Agriculture is further authorized to cooperate with other public and private organizations and individuals."

Approved July 27, 1966.

## Public Law 89-522

## AN ACT

July 30, 1966  
[S. 3093]

To amend the Acts of March 3, 1931, and October 9, 1962, relating to the furnishing of books and other materials to the blind so as to authorize the furnishing of such books and other materials to other handicapped persons.

Handicapped.  
Reading mate-  
rials, etc.  
46 Stat. 1487;  
71 Stat. 630.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act entitled "An Act to provide books for the adult blind", approved March 3, 1931, as amended (2 U.S.C. 135a, 135b), is amended to read as follows: "That there is authorized to be appropriated annually to the Library of Congress, in addition to appropriations otherwise made to said Library, such sums for expenditure under the direction of the Librarian of Congress as may be necessary to provide books published either in raised characters, on sound-reproduction recordings or in any other form, and for purchase, maintenance, and replacement of reproducers for such sound-reproduction recordings, for the use of the blind and for other physically handicapped residents of the United States, including the several States, Territories, insular possessions, and the District of Columbia, all of which books, recordings, and reproducers will remain the property of the Library of Congress but will be loaned to blind and to other physically handicapped readers certified by competent authority as unable to read normal printed material as a result of physical limitations, under regulations prescribed by the Librarian of Congress for this service. In the purchase of books in either raised characters or in sound-reproduction recordings the Librarian of Congress, without reference to the provisions of section 3709 of the Revised Statutes of the United States (41 U.S.C. 5), shall give preference to nonprofitmaking institutions or agencies whose activities are primarily concerned with the blind and with other physically handicapped persons, in all cases where the prices or bids submitted by such institutions or agencies are, by said Librarian, under all the circumstances and needs involved, determined to be fair and reasonable.

"SEC. 2. (a) The Librarian of Congress may contract or otherwise arrange with such public or other nonprofit libraries, agencies, or organizations as he may deem appropriate to serve as local or regional centers for the circulation of (1) books, recordings, and reproducers referred to in the first section of this Act, and (2) musical scores, instructional texts, and other specialized materials referred to in the Act of October 9, 1962, as amended (2 U.S.C. 135a-1), under such conditions and regulations as he may prescribe. In the lending of such

Local or re-  
gional center for  
circulation of  
books, etc.

76 Stat. 763.

books, recordings, reproducers, musical scores, instructional texts, and other specialized materials, preference shall at all times be given to the needs of the blind and of the other physically handicapped persons who have been honorably discharged from the Armed Forces of the United States.

“(b) There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this section.”

Appropriation.

SEC. 2. The Act entitled “An Act to establish in the Library of Congress a library of musical scores and other instructional materials to further educational, vocational, and cultural opportunities in the field of music for blind persons”, approved October 9, 1962 (2 U.S.C. 135a-1), is amended to read as follows:

Musical scores, texts, etc.

“(a) The Librarian of Congress shall establish and maintain a library of musical scores, instructional texts, and other specialized materials for the use of the blind and for other physically handicapped residents of the United States and its possessions in furthering their educational, vocational, and cultural opportunities in the field of music. Such scores, texts, and materials shall be made available on a loan basis under regulations developed by the Librarian or his designee in consultation with persons, organizations, and agencies engaged in work for the blind and for other physically handicapped persons.

“(b) There are authorized to be appropriated such amounts as may be necessary to carry out the provisions of this Act.”

Appropriation.

Approved July 30, 1966.

Public Law 89-523

AN ACT

To amend section 4071 of the Internal Revenue Code of 1954.

August 1, 1966  
[H. R. 318]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 4071 of the Internal Revenue Code of 1954 (relating to tax on tires and inner tubes) is amended by redesignating subsections (b) and (c) as (c) and (d) and by inserting after subsection (a) the following new subsection:

Excise taxes.  
Tires and tubes.  
70 Stat. 388.  
26 USC 4071.

“(b) SPECIAL RULE FOR MANUFACTURERS WHO SELL AT RETAIL.—Under regulations prescribed by the Secretary or his delegate, if the manufacturer, producer, or importer of any tire or inner tube delivers such tire or tube to a retail store or retail outlet of such manufacturer, producer, or importer, he shall be liable for tax under subsection (a) in respect of such tire or tube in the same manner as if it had been sold at the time it was delivered to such retail store or outlet. This subsection shall not apply to an article in respect to which tax has been imposed by subsection (a). Subsection (a) shall not apply to an article in respect of which tax has been imposed by this subsection.”

(b) The amendments made by subsection (a) shall take effect on the first day of the first calendar quarter which begins more than 20 days after the date on which this Act is enacted.

Effective date.

SEC. 2. Section 4226 of the Internal Revenue Code of 1954 (relating to floor stocks taxes) is amended by adding at the end thereof the following new subsection:

70 Stat. 391.  
26 USC 4226.

“(e) TAX ON CERTAIN TIRES AND TUBES.—On any tire or inner tube which, on the first day of the first calendar quarter which begins more than 20 days after the date of the enactment of this subsection, is held at a retail store or retail outlet of the manufacturer, producer, or

importer of such tire or tube, he shall be liable for tax under section 4071(a) in the same manner as if such tire or inner tube had been sold by him on such first day. This subsection shall not apply to an article in respect of which tax has been imposed by section 4071 of the Internal Revenue Code of 1954. Such section 4071 shall not apply to an article in respect of which tax has been imposed by this subsection."

Approved August 1, 1966.

Public Law 89-524

AN ACT

August 1, 1966  
[S. 2948]

To set aside certain lands in Montana for the Indians of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana.

Indians.  
Confederated  
Salish and  
Kootenai Tribes,  
Mont.  
Lands.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all of the right, title, and interest of the United States in the 487 acres, more or less, described below are hereby declared to be held in trust for the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana.

PRINCIPAL MERIDIAN, MONTANA

Township 18 north, range 21 west, section 8, lot 7; section 17, lot 2. The areas described aggregate 66.54 acres.

Township 19 north, range 23 west, section 31, northeast quarter southwest quarter.

The area described contains 40 acres.

Beginning at the southwest corner of southeast quarter southeast quarter section 14, township 18 north, range 20 west, principal meridian, from the initial point—

north 0 degrees 01 minutes west, 660 feet, east 330 feet,  
north 0 degrees 01 minutes west, 1,320 feet, east 990 feet,  
south 0 degrees 01 minutes east, 275.9 feet,  
south 59 degrees 0 minutes west, 849.6 feet,  
south 45 degrees 33 minutes east, 43.1 feet,  
south 58 degrees 50 minutes west, 96 feet,  
south 31 degrees 10 minutes east, 130 feet,  
south 56 degrees 37 minutes east, 298 feet,  
south 0 degrees 22 minutes east, 72.7 feet,  
north 56 degrees 37 minutes west, 377.6 feet,  
south 0 degrees 22 minutes east, 462.8 feet,  
north 89 degrees 35 minutes east, 314.3 feet,  
south 0 degrees 22 minutes east, 589.5 feet,  
west 858 feet to the point of beginning.

The tract as described contains 28.66 acres, more or less.

Township 21 north, range 20 west, section 36, southeast quarter southeast quarter, east half east half east half northeast quarter southwest quarter southwest quarter southeast quarter, north half southeast quarter southwest quarter southeast quarter, east half east half southwest quarter southeast quarter southwest quarter southeast quarter, southeast quarter southeast quarter southwest quarter southeast quarter, northeast quarter southwest quarter southeast quarter.

The areas described aggregate 58.4375 acres.

Beginning at the northwest corner of section 1, township 20 north, range 20 west, principal meridian, Montana.

Thence from the initial point, east along north line of said section 1,660 feet, south 0 degrees 01 minutes east, 396 feet, west 660 feet, north 0 degrees 01 minutes west, 396 feet, to the point of beginning.

The area described contains 6 acres, more or less.

Township 22 north, range 24 west, section 33, southeast quarter southeast quarter.

The area described contains 40 acres.

Township 21 north, range 20 west, section 11, east half southeast quarter northeast quarter, section 12, northeast quarter northwest quarter, southwest quarter northwest quarter, south half northwest quarter northwest quarter, northeast quarter northwest quarter northwest quarter, south half northwest quarter northwest quarter northwest quarter, northeast quarter northwest quarter northwest quarter northwest quarter.

The areas described aggregate 137.5 acres.

Township 16 north, range 19 west, section 16, west half east half southwest quarter, northwest quarter southwest quarter.

The area described contains 80 acres.

Beginning at the southwest corner of section 16, township 16 north, range 19 west, from the initial point—

north 0 degrees 02 minutes west 1,320 feet, east 1,317.36 feet, south 0 degrees 02 minutes east 528 feet, west 462 feet, south 0 degrees 22 minutes east, 792 feet, west 857.34 feet, along section line to point of beginning, excepting east half northwest quarter northeast quarter southwest quarter southwest quarter and west half west half northeast quarter northeast quarter southwest quarter southwest quarter section 16, township 16 north, range 19 west.

The area described contains 29.725 acres, more or less.

The areas of the tracts listed above aggregate 486.8625 acres, more or less.

SEC. 2. This Act shall become effective when the Tribal Council of the Confederated Salish and Kootenai Tribes by resolution accepts the transfer of the property involved.

Effective date.

SEC. 3. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission. The Court of Claims is directed to make the same determination in connection with any claim against the United States adjudicated by it.

25 USC 70a.

Approved August 1, 1966.

## Public Law 89-525

### AN ACT

To amend various provisions of the laws administered by the Farm Credit Administration to improve operations thereunder, and for other purposes.

August 2, 1966  
[S. 2822]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the laws administered by the Farm Credit Administration relating to Federal land banks, Federal intermediate credit banks, banks for cooperatives, farm credit board elections and compensation of Federal Farm Credit Board, are amended as hereinafter provided.

Farm Credit  
Administration.

## FEDERAL LAND BANKS

SEC. 2. Title I of the Federal Farm Loan Act, as amended, is amended by inserting immediately before the period at the end of paragraph First of section 12 thereof (12 U.S.C. 771 First) and immediately before the period at the end of the first sentence and immediately before the second comma in the second sentence of paragraph Second of section 13 thereof (12 U.S.C. 781 Second) the following: "and which mortgages may include farm land within other farm credit districts to the extent authorized by the Farm Credit Administration".

39 Stat. 370.

48 Stat. 42.

## FEDERAL INTERMEDIATE CREDIT BANKS

SEC. 3. Title II of the Federal Farm Loan Act, as amended, is amended—

70 Stat. 663.

(a) in section 202(a) thereof (12 U.S.C. 1031), by deleting "and" at the end of paragraph (2), by substituting "; and" for the period at the end of paragraph (3) and by adding the following new paragraph:

"(4) to purchase for investment obligations of the Federal land banks and the banks for cooperatives and, to the extent authorized by the Farm Credit Administration, obligations of any agencies of the United States."; and

42 Stat. 1458.

(b) by changing section 208(b) thereof (12 U.S.C. 1092) to read as follows: "The Farm Credit Administration may require reports in such form as it may specify from any or all of the Federal intermediate credit banks whenever in its judgment the same are necessary for a full and complete knowledge of its or their financial condition or operations."

## BANKS FOR COOPERATIVES

SEC. 4. (a) Sections 41 and 34 of the Farm Credit Act of 1933, as amended (12 U.S.C. 1134c and 1134j), are each amended—

49 Stat. 317.

(i) by striking from clause (a) in the first sentence thereof the following: ", for any of the purposes and subject to the conditions and limitations set forth in such Act, as amended"; and

(ii) by adding the following sentence immediately after the first sentence thereof: "Loans to cooperative associations made by any bank for cooperatives shall bear such rates of interest as the board of directors of the bank shall from time to time determine with the approval of the Farm Credit Administration, but in no case shall the rate of interest exceed 6 per centum per annum on the unpaid principal of a loan."

69 Stat. 662.

(b) The Agricultural Marketing Act, as amended, is amended by deleting subsection (a) of section 8 thereof (12 U.S.C. 1141f(a)).

## FARM CREDIT BOARD ELECTIONS

SEC. 5. The Farm Credit Act of 1937, as amended, is amended by substituting "sixty" for "thirty" in the last sentence of section 5(e) thereof (12 U.S.C. 640e) and in the third last sentence of section 5(f) thereof (12 U.S.C. 640f) and by inserting the following immediately before the period at the end of each of such sentences: ", except that

50 Stat. 705.

for elections to fill vacancies the Farm Credit Administration may specify a shorter period than sixty days but not less than thirty days". This section shall be effective after the calendar year in which it is enacted.

FEDERAL FARM CREDIT BOARD

SEC. 6. Section 4(f) of the Farm Credit Act of 1953 (12 U.S.C. 636c(f)) is amended by substituting "\$100" for "\$50" therein.

67 Stat. 392.

Approved August 2, 1966.

Public Law 89-526

AN ACT

August 4, 1966  
[H. R. 8317]

To amend section 116 of title 28, United States Code, relating to the United States District Court for the Eastern and Western Districts of Oklahoma.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) section 116(b) of title 28, United States Code, is amended to read as follows:

U.S. Courts.  
Eastern and  
Western Districts,  
Okla.  
62 Stat. 888.

"(b) The Eastern District comprises the counties of Adair, Atoka, Bryan, Carter, Cherokee, Choctaw, Coal, Haskell, Hughes, Johnston, Latimer, Le Flore, Love, McCurtain, McIntosh, Marshall, Murray, Muskogee, Okfuskee, Okmulgee, Pittsburg, Pontotoc, Pushmataha, Seminole, Sequoyah, and Wagoner.

"Court for the Eastern District shall be held at Ada, Ardmore, Durant, Hugo, Muskogee, Okmulgee, Poteau, and S. McAlester."

(b) Section 116(c) of title 28, United States Code, is amended to read as follows:

"(c) The Western District comprises the counties of Alfalfa, Beaver, Beckham, Blaine, Caddo, Canadian, Cimarron, Cleveland, Comanche, Cotton, Custer, Dewey, Ellis, Garfield, Garvin, Grady, Grant, Greer, Harmon, Harper, Jackson, Jefferson, Kay, Kingfisher, Kiowa, Lincoln, Logan, McClain, Major, Noble, Oklahoma, Payne, Pottawatomie, Roger Mills, Stephens, Texas, Tillman, Washita, Woods, and Woodward.

"Court for the Western District shall be held at Chickasha, Enid, Guthrie, Lawton, Mangum, Oklahoma City, Pauls Valley, Ponca City, Shawnee, and Woodward."

SEC. 2. The amendments made by this Act shall take effect on the sixtieth day after the date of enactment of this Act.

Effective date.

Approved August 4, 1966.

Public Law 89-527

AN ACT

August 5, 1966  
[H. R. 139]

To provide for the striking of medals to commemorate the one thousandth anniversary of the founding of Poland.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury (hereinafter referred to as the "Secretary") shall strike and furnish for the Polish American Congress, Inc. (hereinafter referred to as the "corporation"), a not-for-profit organization observing the one thousandth anniversary of the founding of the Polish nation, to which more than fifteen million Americans can

Poland.  
1000th anniversary  
medals.

trace their proud ancestry, national medals in commemoration of such anniversary.

SEC. 2. Such medals shall be of such sizes, materials, and designs, and shall be so inscribed, as the corporation may determine with the approval of the Secretary.

SEC. 3. Not more than one million of such medals may be produced. Production shall be in such quantities, not less than two thousand, as may be ordered by the corporation, but no work may be commenced on any order unless the Secretary has received security satisfactory to him for the payment of the cost of the production of such order. Such cost shall include labor, material, dies, use of machinery, and overhead expenses, as determined by the Secretary. No medals may be produced pursuant to this Act after December 31, 1967.

SEC. 4. Upon receipt of payment for such medals in the amount of the cost thereof as determined pursuant to section 3, the Secretary shall deliver the medals as the corporation may request.

Approved August 5, 1966.

Public Law 89-528

AN ACT

August 5, 1966  
[H. R. 14324]

To authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes.

National Aeronautics and Space Administration Authorization Act, 1967.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated to the National Aeronautics and Space Administration the sum of \$5,000,419,000, as follows:

(a) For "Research and development," \$4,248,600,000, for the following programs:

- (1) Gemini, \$40,600,000;
- (2) Apollo, \$2,974,200,000;
- (3) Advanced missions, \$8,000,000;
- (4) Physics and astronomy, \$129,900,000;
- (5) Lunar and planetary exploration, \$210,900,000;
- (6) Bioscience, \$35,400,000;
- (7) Meteorological satellites, \$43,600,000;
- (8) Communication and applications technology satellites, \$26,400,000;
- (9) Launch vehicle development, \$33,700,000;
- (10) Launch vehicle procurement, \$142,750,000;
- (11) Space vehicle systems, \$36,000,000;
- (12) Electronics systems, \$36,800,000;
- (13) Human factor systems, \$17,000,000;
- (14) Basic research, \$23,000,000;
- (15) Space power and electric propulsion systems, \$44,500,000;
- (16) Nuclear rockets, \$53,000,000;
- (17) Chemical propulsion, \$41,000,000;
- (18) Aeronautics, \$35,000,000;
- (19) Tracking and data acquisition, \$270,850,000;
- (20) Sustaining university program, \$41,000,000;
- (21) Technology utilization, \$5,000,000.

(b) For "Construction of facilities," including land acquisitions, \$95,919,000, as follows:

- (1) Electronics Research Center, Cambridge, Massachusetts, \$7,500,000;
- (2) Goddard Space Flight Center, Greenbelt, Maryland, \$710,000;

- (3) Jet Propulsion Laboratory, Pasadena, California, \$350,000;
- (4) John F. Kennedy Space Center, NASA, Kennedy Space Center, Florida, \$37,876,000;
- (5) Langley Research Center, Hampton, Virginia, \$6,100,000;
- (6) Lewis Research Center, Cleveland and Sandusky, Ohio, \$16,000,000;
- (7) Manned Spacecraft Center, Houston, Texas, \$12,800,000;
- (8) Michoud Assembly Facility, New Orleans and Slidell, Louisiana, \$700,000;
- (9) Mississippi Test Facility, Mississippi, \$1,700,000;
- (10) Wallops Station, Wallops Island, Virginia, \$205,000;
- (11) Various locations, \$6,478,000;
- (12) Facility planning and design not otherwise provided for, \$5,500,000.

(c) For "Administrative operations," \$655,900,000.

(d) Appropriations for "Research and development" may be used (1) for any items of a capital nature (other than acquisition of land) which may be required for the performance of research and development contracts and (2) for grants to nonprofit institutions of higher education, or to nonprofit organizations whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities; and title to such facilities shall be vested in the United States unless the Administrator determines that the national program of aeronautical and space activities will best be served by vesting title in any such grantee institution or organization. Each such grant shall be made under such conditions as the Administrator shall determine to be required to insure that the United States will receive therefrom benefit adequate to justify the making of that grant. None of the funds appropriated for "Research and development" pursuant to this Act may be used for construction of any major facility, the estimated cost of which, including collateral equipment, exceeds \$250,000, unless the Administrator or his designee has notified the Speaker of the House of Representatives and the President of the Senate and the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate of the nature, location, and estimated cost of such facility.

Construction of major facilities. Prior notice to Congress.

(e) When so specified in an appropriation Act, (1) any amount appropriated for "Research and development" or for "Construction of facilities" may remain available without fiscal year limitation, and (2) maintenance and operation of facilities, and support services contracts may be entered into under the "Administrative operations" appropriation for periods not in excess of twelve months beginning at any time during the fiscal year.

(f) Appropriations made pursuant to subsection 1(c) may be used, but not to exceed \$35,000, for scientific consultations or extraordinary expenses upon the approval or authority of the Administrator and his determination shall be final and conclusive upon the accounting officers of the Government.

Scientific consultations.

(g) No part of the funds appropriated pursuant to subsection 1(c) for maintenance, repairs, alterations, and minor construction shall be used for the construction of any new facility the estimated cost of which, including collateral equipment, exceeds \$100,000.

(h) When so specified in an appropriation Act, any appropriation authorized under this Act to the National Aeronautics and Space Administration may initially be used, during the fiscal year 1967, to finance work or activities for which funds have been provided in any other appropriation available to the Administration and appropriate

adjustments between such appropriations shall subsequently be made in accordance with generally accepted accounting principles.

Cost variations.

SEC. 2. Authorization is hereby granted whereby any of the amounts prescribed in paragraphs (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), and (11), of subsection 1(b) may, in the discretion of the Administrator of the National Aeronautics and Space Administration, be varied upward 5 per centum to meet unusual cost variations, but the total cost of all work authorized under such paragraphs shall not exceed a total of \$90,419,000.

Transfer of funds.

SEC. 3. Not to exceed one-half of 1 per centum of the funds appropriated pursuant to subsection 1(a) hereof may be transferred to the "Construction of facilities" appropriation, and, when so transferred, together with \$10,000,000 of the funds appropriated pursuant to subsection 1(b) hereof (other than funds appropriated pursuant to paragraph (12) of such subsection) shall be available for expenditure to construct, expand, or modify laboratories and other installations at any location (including locations specified in subsection 1(b)), if (1) the Administrator determines such action to be necessary because of changes in the national program of aeronautical and space activities or new scientific or engineering developments, and (2) he determines that deferral of such action until the enactment of the next authorization Act would be inconsistent with the interest of the Nation in aeronautical and space activities. The funds so made available may be expended to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment. No portion of such sums may be obligated for expenditure or expended to construct, expand, or modify laboratories and other installations unless (A) a period of thirty days has passed after the Administrator or his designee has transmitted to the Speaker of the House of Representatives and to the President of the Senate and to the Committee on Science and Astronautics of the House of Representatives and to the Committee on Aeronautical and Space Sciences of the Senate a written report containing a full and complete statement concerning (1) the nature of such construction, expansion, or modification, (2) the cost thereof including the cost of any real estate action pertaining thereto, and (3) the reason why such construction, expansion, or modification is necessary in the national interest, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

Reports to Congress.

Restrictions.

SEC. 4. Notwithstanding any other provision of this Act—

(1) no amount appropriated pursuant to this Act may be used for any program deleted by the Congress from requests as originally made to either the House Committee on Science and Astronautics or the Senate Committee on Aeronautical and Space Sciences,

(2) no amount appropriated pursuant to this Act may be used for any program in excess of the amount actually authorized for that particular program by sections 1(a) and 1(c), and

(3) no amount appropriated pursuant to this Act may be used for any program which has not been presented to or requested of either such committee,

unless (A) a period of thirty days has passed after the receipt by the Speaker of the House of Representatives and the President of the Senate and each such committee of notice given by the Administrator or his designee containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action, or (B) each such committee before

the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

SEC. 5. It is the sense of Congress that it is in the national interest that consideration be given to geographical distribution of Federal research funds whenever feasible, and that the National Aeronautics and Space Administration should explore ways and means of distributing its research and development funds whenever feasible.

SEC. 6. This Act may be cited as the "National Aeronautics and Space Administration Authorization Act, 1967".

Approved August 5, 1966.

Geographical  
distribution of  
funds.

Short title.

Public Law 89-529

AN ACT

To amend title 10, United States Code, to authorize the award of trophies for the recognition of special accomplishments related to the armed forces, and for other purposes.

August 11, 1966  
[H. R. 13374]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That title 10, United States Code, is amended as follows:

Armed Forces.  
Accomplish-  
ments, recognition.  
10 USC 1121-  
1124.

(1) Chapter 57 is amended by adding the following new section at the end thereof:

**"§ 1125. Recognition for accomplishments: award of trophies**

"The Secretary of Defense may—

"(1) award medals, trophies, badges, and similar devices to members, units, or agencies of an armed force under his jurisdiction for excellence in accomplishments or competitions related to that armed force; and

"(2) provide badges or buttons in recognition of special service, good conduct, and discharge under conditions other than dishonorable."

(2) The analysis of chapter 57 is amended by adding the following new item:

"1125. Recognition for accomplishments: award of trophies."

(3) Chapter 631 is amended by repealing section 7218.

(4) The analysis of chapter 631 is amended by striking out the following item:

Repeal.  
10 USC 7201-  
7230.

"7218. Recognition for accomplishments, special service, and good conduct."

Approved August 11, 1966.

Public Law 89-530

AN ACT

To increase the amount authorized to be appropriated for the development of the Arkansas Post National Memorial.

August 11, 1966  
[H. R. 12389]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 3 of the Act entitled "An Act to provide for the establishment of the Arkansas Post National Memorial, in the State of Arkansas", approved July 6, 1960 (74 Stat. 334; Public Law 86-595), is amended by striking out "\$125,000" and inserting in lieu thereof "\$550,000".

Arkansas Post  
National Memo-  
rial.  
Appropriation  
increase.  
16 USC 431 note.

Approved August 11, 1966.

## Public Law 89-531

August 11, 1966  
[S. 3249]

## AN ACT

To consent to the interstate compact defining the boundary between the States of Arizona and California.

Arizona and  
California.  
Compact.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is given to the interstate compact defining the boundary between the States of Arizona and California, ratified by the State of Arizona in an act approved by the Governor of such State on April 2, 1963, and by the State of California in an act approved by the Governor of such State on June 11, 1963. Such compact reads as follows:

“INTERSTATE COMPACT DEFINING THE BOUNDARY BETWEEN THE STATES OF ARIZONA AND CALIFORNIA

“ARTICLE I. PURPOSE.

“The boundary between the States of Arizona and California on the Colorado River has become indefinite and uncertain because of meanderings in the main channel of the Colorado River with the result that a state of confusion exists as to the true and correct location of the boundary, and the enforcement and administration of the laws of the two states and of the United States have been rendered difficult.

“The purpose of this compact is to fix by reference to stations of longitude and latitude the location of the boundary line between Arizona and California on the Colorado River from the southern boundary of the state of Nevada to the point on the international boundary which is common to the boundaries of Arizona and California and the United Mexican States.

“ARTICLE II. DESCRIPTION.

“The boundary between the states of Arizona and California on the Colorado River from the point where the oblique boundary between California and Nevada intersects the thirty-fifth degree of north latitude, said point being common to the boundaries of the states of Arizona, California and Nevada, to the point on the international boundary which is common to the boundaries of Arizona, California and the United Mexican States, shall be in accordance with the following description in general terms of 34 points on the boundary:

“GENERAL DESCRIPTION OF BOUNDARY BETWEEN ARIZONA AND CALIFORNIA.—

“Point No. 1. The intersection of the boundary line common to California and Nevada and the centerline of the channel of the Colorado River as constructed by the U.S. Bureau of Reclamation, said point being common to the boundaries of Arizona, California, and Nevada, where the 35th degree of north latitude intersects the centerline of said channel; thence downstream along and with the centerline of said channel to the southerly end of said construction to

“Point No. 2, which is located in the center of the channel of the Colorado River approximately one-half mile northerly from the A.T. & S.F. Railway Bridge at Topock; thence downstream on a straight line to

“Point No. 3, which lies in the Colorado River vertically below the centerline of the A.T. & S.F. Railway tracks at a point mid-

way face-to-face of abutments of the A.T. & S.F. Railway Bridge at Topock, Arizona; thence on a straight line downstream to

“Point No. 4, which lies in the Colorado River vertically below the centerline of U.S. Highway 66 at a point where said centerline intersects the center of the center pier of the highway bridge; thence on a straight line to

“Point No. 5, which lies in the Colorado River vertically below the center of the span of the gas line bridge owned by the El Paso Natural Gas Co. and the Pacific Gas and Electric Co., crossing the Colorado River at Topock, Arizona; thence downstream in a southerly direction through Havasu Lake along a line midway between the right and left shore lines of said lake as they exist at mean operating level (elevation 448.00 above Mean Sea Level) as controlled at Parker Dam to

“Point No. 6, which is the center of the overflow section of Parker Dam across the Colorado River; thence downstream midway between the shore lines on the right and left banks of the Colorado River to

“Point No. 7, which lies in the center of the Colorado River approximately 2,050 feet upstream from the earth fill of Headgate Rock Dam; thence on a straight line to

“Point No. 8, which is the center of the earth fill of Headgate Rock Dam; thence on a straight line to

“Point No. 9, which lies on the centerline of the river approximately 3,625 feet westerly from Point No. 8; thence on a straight line to

“Point No. 10, which lies in the center of the Colorado River at a point where the parallel of  $34^{\circ} 10'$  north latitude intersects said centerline; thence on a straight line to

“Point No. 11, which lies in the Colorado River vertically below the centerline of Arizona Highway No. 72 midway between the abutments of the highway bridge; thence down the Colorado River midway between the right and left shore lines across islands which may exist between those waterlines to

“Point No. 12, which is at the center of the earth fill section of the Palo Verde Diversion Dam; thence down to the Colorado River midway between the shore lines on the right and left banks to

“Point No. 13, which is vertically below the center of the center-span of the highway bridge across the Colorado River at Ehrenberg, Arizona (U.S. Highway 60-70; thence down the Colorado River midway between the shore lines on the right and left banks to

“Point No. 14, which is the center of the Cibola Bridge midway between abutments; thence down the Colorado River midway between the shore lines on the right and left banks, ignoring future channelization by the U.S. Bureau of Reclamation to

“Point No. 15, which lies on the centerline of the Colorado River approximately 8,400 feet northward of the center of the overflow section of Imperial Dam; thence on a straight line to

“Point No. 16, which is the center of the overflow section of Imperial Dam; thence on a straight line normal to the longitudinal axis of Imperial Dam to

“Point No. 17, which lies at the intersection of the last described line with a line extending northeasterly from the center of the overflow section of Laguna Dam and normal to the longitudinal axis of the said Laguna Dam; thence southeasterly on a straight line to

“Point No. 18, which is at the center of the overflow section of Laguna Dam; thence on a straight line to

“Point No. 19, which lies on the centerline of the Colorado River approximately 5800 feet southwesterly of Point 18; thence down the Colorado River midway between the shore lines on the right and left banks, around a curve to the eastward to

“Point No. 20, which lies on the centerline of the Colorado River where said centerline intersects the section line between Sections 4 and 9, Township 8 South, Range 22 West, Gila and Salt River Meridian; thence departing from the river on a westerly course along the extension of the above-mentioned section line about 0.65 mile to

“Point No. 21, which will be the northwest corner of the northeast quarter of Section 8, Township 8 South, Range 22 West, Gila and Salt River Meridian, which shall be resurveyed in establishing this boundary; thence southerly along the centerline of said Section 8 about one-half mile to

“Point No. 22, which is the northeast corner of the southwest quarter of Section 8, Township 8 South, Range 22 West, Gila and Salt River Meridian; thence westerly about one and one-half miles to

“Point No. 23, which is the west quarter corner of Section 7, Township 8 South, Range 22 West, Gila and Salt River Meridian; thence southerly about one-half mile to

“Point No. 24, which is the southwest corner of Section 7, Township 8 South, Range 22 West, Gila and Salt River Meridian; thence westerly about one mile to

“Point No. 25, which is the southwest corner of Section 12, Township 8 South, Range 23 West, Gila and Salt River Meridian; thence southerly about one-half mile to

“Point No. 26, which is the west quarter corner of Section 13, Township 8 South, Range 23 West, Gila and Salt River Meridian; thence westerly about 1.93 miles to

“Point No. 27, which lies on the east shoulder of the north-south road through the Indian School approximately 370 feet due east of the northwest corner of the southwest quarter of the southwest quarter of Section 25, Township 16 South, Range 22 East, San Bernardino Meridian; thence southerly along and with the easterly shoulder line of the said north-south road approximately 700 feet to

“Point No. 28, which lies on the easterly shoulder line of said north-south road due east of the northeast corner of the stone retaining wall around the Indian School Hospital; thence due west to

“Point No. 29, which is the base of the northeast corner of said retaining wall; thence southerly along and with the westerly shoulder of said north-south road to

“Point No. 30, which lies on the westerly shoulder line of said north-south road 330 feet south of and approximately 110 feet east of the northeast corner of Section 35, Township 16 South, Range 22 East, San Bernardino Meridian; thence due west approximately 110 feet to

“Point No. 31, which lies on the east line of Section 35, Township 16 South, Range 22 East, San Bernardino Meridian, exactly 330 feet south of the northeast corner of said Section 35; thence southerly along the east line of said section 35 to

“Point No. 32, which lies at the center of the Colorado River, i.e., midway between the north and south shore lines just down-

stream from the centerline of the old U.S. Highway 80 bridge across the Colorado River; thence down the centerline of the Colorado River midway between the shore lines on the right and left banks to

“Point No. 33, which is a point in the Colorado River vertically below the center of the new U.S. Highway 80 Bridge; thence down the centerline of the Colorado River midway between the shore lines on the right and left banks to

“Point No. 34, which is the intersection of the centerline of the Colorado River and the International Boundary Line between California and the United Mexican States, which point is common to the boundaries of Arizona, the United Mexican States, and California.

These points will be marked on existing bridges and dams and where appropriate will be monumented. Between each of these points will be a number of subpoints not monumented. The total number of points and subpoints will approximate 234. The United States Coast and Geodetic Survey will locate the above mentioned 34 points on the boundary by precise geodetic surveys. The Coast and Geodetic Survey will locate the remaining approximately 200 unmonumented subpoints by precise photogrammetric methods and will provide a list of the geographic positions and state coordinate positions (transverse Mercator system for Arizona and Lambert system for California) of each of the 234 points on the boundary. The approximately 200 unmonumented subpoints will be identified on copies of the aerial photographs by the States of Arizona and California to define the boundary; the Coast and Geodetic Survey will then locate the point so identified by analytic aerotriangulation (photogrammetric methods).

“When the survey and boundary description has been completed by the United States Coast and Geodetic Survey and the Boundary Commissions of Arizona and California have each certified that it is in conformity with the General Description of Boundary between Arizona and California set forth herein, it shall be attached hereto and marked Exhibit “A” and made a part hereof as though fully incorporated herein as the permanent description of the boundary between the states of Arizona and California.

#### “ARTICLE III. RATIFICATION AND EFFECTIVE DATE.

“This compact shall become operative when it has been ratified and approved by the legislatures of the states of Arizona and California, and approved by the Congress of the United States.

“Executed in duplicate this 12th day of March, A.D., One Thousand Nine Hundred and Sixty-three, at Sacramento, California.

#### “FOR THE STATE OF ARIZONA

“WAYNE M. AKIN,

“Chairman of the Arizona Interstate Stream Commission,  
Chairman.

“ROBERT W. PICKRELL,

“Attorney General, Member.

“OBED M. LASSEN,

“State Land Commissioner, Member.

“Attested:

“HOWARD F. THOMPSON,

“Executive Secretary, Colorado River Boundary Commission  
of Arizona.

**"FOR THE STATE OF CALIFORNIA**

"F. J. HORTIG,

"Executive Officer, State Lands Commission. Chairman.

"STANLEY MOSK,

"Attorney General, Member.

"WILLIAM E. WARNE,

"Director, Department of Water Resources, Member.

"Attested:

"BERRIEN E. MOORE,

"Executive Secretary, Colorado River Boundary Commission of California".

SEC. 2. The right to alter, amend, or repeal this Act is expressly reserved.

Approved August 11, 1966.

Public Law 89-532

AN ACT

August 11, 1966  
[S. 3498]

To facilitate the carrying out of the obligations of the United States under the Convention on the Settlement of Investment Disputes Between States and Nationals of Other States, signed on August 27, 1965, and for other purposes.

Convention on  
the Settlement of  
Investment Dis-  
putes Act of 1966.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Convention on the Settlement of Investment Disputes Act of 1966".

SEC. 2. The President may make such appointments of representatives and panel members as may be provided for under the convention.

SEC. 3. (a) An award of an arbitral tribunal rendered pursuant to chapter IV of the convention shall create a right arising under a treaty of the United States. The pecuniary obligations imposed by such an award shall be enforced and shall be given the same full faith and credit as if the award were a final judgment of a court of general jurisdiction of one of the several States. The Federal Arbitration Act (9 U.S.C. 1 et seq.) shall not apply to enforcement of awards rendered pursuant to the convention.

(b) The district courts of the United States (including the courts enumerated in title 28, United States Code, section 460) shall have exclusive jurisdiction over actions and proceedings under paragraph (a) of this section, regardless of the amount in controversy.

Approved August 11, 1966.

Public Law 89-533

AN ACT

August 11, 1966  
[H. R. 11980]

To authorize the Secretary of the Army to donate two obsolete German weapons to the Federal Republic of Germany.

Federal Republic of Germany.  
Obsolete German weapons, donation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Army is authorized to transfer to the Federal Republic of Germany, without compensation, one German gun, 21 cm K38, and one German tank, Pzkw III, with flamethrower, which are now the property of the United States in the custody of the Secretary of the Army. However, nothing contained in this Act shall authorize the expenditure of any funds of the United States to defray any cost of transportation or handling incident to such transfer.

Approved August 11, 1966.

## Public Law 89-534

## AN ACT

To amend title 10, United States Code, to provide gold star lapel buttons for the next of kin of members of the armed forces who lost or lose their lives in war or as a result of cold war incidents.

August 11, 1966  
[H. R. 3013]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 57 of title 10, United States Code, is amended—*

(1) by adding the following new section at the end thereof:

**“§ 1124. Gold star lapel button: eligibility and distribution**

“(a) A lapel button, to be known as the gold star lapel button, shall be designed, as approved by the Secretary of Defense, to identify widows, parents, and next of kin of members of the armed forces of the United States—

“(1) Who lost their lives during World War I, World War II, or during any subsequent period of armed hostilities in which the United States was engaged before July 1, 1958; or

“(2) who lost or lose their lives after June 30, 1958—

“(i) while engaged in an action against an enemy of the United States;

“(ii) while engaged in military operations involving conflict with an opposing foreign force; or

“(iii) while serving with friendly foreign forces engaged in an armed conflict in which the United States is not a belligerent party against an opposing armed force.

“(b) Under regulations to be prescribed by the Secretary of Defense, the Secretary concerned, upon application to him, shall furnish one gold star lapel button without cost to the widow and to each parent and next of kin of a member who lost or loses his or her life under any circumstances prescribed in subsection (a).

“(c) Not more than one gold star lapel button may be furnished to any one individual except that, when a gold star lapel button furnished under this section has been lost, destroyed, or rendered unfit for use without fault or neglect on the part of the person to whom it was furnished, the button may be replaced upon application and payment of an amount sufficient to cover the cost of manufacture and distribution.

“(d) In this section—

“(1) ‘widow’ includes widower;

“(2) ‘parents’ includes mother, father, stepmother, stepfather, mother through adoption, father through adoption, and foster parents who stood in loco parentis;

“(3) ‘next of kin’ includes only children, brothers, sisters, half brothers, and half sisters;

“(4) ‘children’ includes stepchildren and children through adoption;

“(5) ‘World War I’ includes the period from April 6, 1917, to March 3, 1921; and

“(6) ‘World War II’ includes the period from September 8, 1939, to July 25, 1947, at 12 o’clock noon.”; and

(2) By adding the following new item at the end of the analysis:

“1124. Gold star lapel button: eligibility and distribution.”

SEC. 2. The Act of August 1, 1947 (61 Stat. 710), as amended (36 U.S.C. 182a-182d), is repealed.

Approved August 11, 1966.

Armed Forces.  
Gold Star Lapel  
buttons.  
10 USC 1121-  
1124.

Definitions.

Repeal.

## Public Law 89-535

## AN ACT

August 11, 1966  
[S. 2412]

To terminate use restrictions on certain real property previously conveyed to the city of Kodiak, Alaska, by the United States.

Kodiak, Alaska.  
Real property  
restrictions, ter-  
mination.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the restriction contained in the Act entitled "An Act to direct the Secretary of the Interior to convey abandoned school properties in the Territory of Alaska to local school officials", approved August 23, 1950 (64 Stat. 470), limiting the use of any real property conveyed under such Act to school or other public purposes, is hereby terminated with respect to that real property conveyed under such Act to the local school officials of Kodiak, Alaska, which property is more particularly described in United States survey numbered 1594: *Provided, however,* That all revenues derived from sales, leases, or other disposition of such lands or interests therein shall be used for public school purposes.

Approved August 11, 1966.

## Public Law 89-536

## AN ACT

August 11, 1966  
[H. R. 7327]

To amend a limitation on the salary of the Academic Dean of the Naval Postgraduate School.

72 Stat. 1513.

Ante, p. 288.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 7043 (b) of title 10, United States Code, is amended by deleting the following, "prescribes, but not more than \$13,500 a year." and substituting in lieu thereof the following: "prescribes, but not more than the rate of compensation provided for grade 18 of the general schedule of the Classification Act of 1949, as amended."

Approved August 11, 1966.

## Public Law 89-537

## AN ACT

August 12, 1966  
[H. R. 15225]

To amend section 15d of the Tennessee Valley Authority Act of 1933 to increase the amount of bonds which may be issued by the Tennessee Valley Authority.

TVA.  
Bonds, in-  
crease.  
73 Stat. 280.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the first sentence of subsection (a) of section 15d of the Tennessee Valley Authority Act of 1933, as amended (16 U.S.C. 831n-4), is amended by striking out "\$750,000,000" and inserting in lieu thereof "\$1,750,000,000".

Approved August 12, 1966.

## Public Law 89-538

## AN ACT

August 14, 1966  
[H. R. 14875]

To amend section 1035 of title 10, United States Code, and other laws, to authorize members of the uniformed services who are on duty outside the United States or its possessions to deposit their savings with a uniformed service, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That chapter 53 of title 10, United States Code, is amended as follows:

(1) By amending section 1035 to read as follows:

**“§ 1035. Deposits of savings**

“(a) Under joint regulations prescribed by the Secretaries concerned, a member of the armed force who is on a permanent duty assignment outside the United States or its possessions may deposit during that tour of duty not more than his unallotted current pay and allowances in amounts of \$5 or more, with any branch, office, or officer of a uniformed service. Amounts so deposited shall be deposited in the Treasury and kept as a separate fund, and shall be accounted for in the same manner as public funds.

“(b) Interest at a rate prescribed by the President, not to exceed 10 per centum a year, will accrue on amounts deposited under this section. However, the maximum amount upon which interest may be paid under this Act to any member is \$10,000. Interest under this subsection shall terminate ninety days after the member's return to the United States or its possessions.

“(c) Except as provided in joint regulations prescribed by the Secretaries concerned, payments of deposits, and interest thereon, may not be made to the member while he is on duty outside the United States or its possessions.

“(d) An amount deposited under this section, with interest thereon, is exempt from liability for the member's debts, including any indebtedness to the United States or any instrumentality thereof, and is not subject to forfeiture by sentence of a court-martial.”

(2) By amending the item in the analysis relating to section 1035 to read as follows:

“1035. Deposits of savings.”

SEC. 2. (a) Notwithstanding the first section of this Act, an amount on deposit under section 1035 of title 10, United States Code, on the date of enactment of this Act, shall accrue interest at the rate and under the conditions in effect on the day before the date of enactment of this Act, until the member's current enlistment terminates or earlier, as may be jointly prescribed by the Secretaries concerned. However, a member who is on a permanent duty assignment outside the United States or its possessions on the date of enactment of this Act, or who reports for that duty on or after that date but before the termination of his current enlistment, will be entitled to interest on such deposit, on and after that date, at the rate and under the conditions prescribed pursuant to section 1. Payments of deposits, and interest thereon, may be made to the member's heirs or legal representative.

(b) Any amounts deposited between May 4, 1966, and the date of enactment of this Act while a member was assigned to permanent duty within the United States and its possessions, and any amounts deposited between May 4, 1966, and the date of enactment of this Act by a member on permanent duty assignment outside the United States and its possessions which are in excess of his unallotted pay and al-

Uniformed serv-  
ices.  
Savings de-  
posits.  
10 USC 1031-  
1040.  
70A Stat. 80.

lowances for that period, shall accrue interest at the rate in effect before enactment of this Act.

70A Stat. 619.

SEC. 3. (a) Section 3(a) of the Act of August 10, 1956, as amended (33 U.S.C. 857a(a)), is amended by adding the following new clause:

“(12) Section 1035, Deposits of Savings.”

(b) Section 221(a) of the Public Health Service Act, as amended (42 U.S.C. 213a(a)), is amended by adding the following new clause:

“(11) Section 1035, Deposits of Savings.”

(c) Regulations prescribed by the Secretary of Commerce and the Secretary of Health, Education, and Welfare under subsections (a) and (b) shall be prescribed jointly with regulations prescribed by the Secretaries concerned under section 1035 of title 10, United States Code.

Approved August 14, 1966, 11:50 a.m.

### Public Law 89-539

August 19, 1966  
[H. R. 13772]

#### AN ACT

To authorize the disposal of metallurgical grade manganese ore from the national stockpile and the supplemental stockpile.

Metallurgical  
grade manganese.  
Disposal.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately one million nine hundred thousand short dry tons of metallurgical grade manganese ore now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98-98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(b)). Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided*, That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

60 Stat. 596.

73 Stat. 607.

Approved August 19, 1966.

### Public Law 89-540

August 19, 1966  
[H. R. 15485]

#### AN ACT

To authorize the exchange of certain fluor spar and ferromanganese held in the national and supplemental stockpiles.

Fluorspar and  
ferromanganese.  
Disposal.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Administrator of General Services may from time to time release to the Colorado Fuel and Iron Corporation (in one or more portions, as he deems appropriate) the materials stored at the Pueblo, Colorado, plant of such corporation and described in section 2 in exchange for new materials. Such new materials shall be of at least the same quantity and quality as the materials in the portion released, and shall be provided by such corporation, and placed in storage at a new location at such plant, before the release of such portion. Such new location shall be subject to the approval of, and shall be prepared for the storage of the new materials in a manner satisfactory to, the Administrator of General Services. Such exchange, including the preparation of the new storage location and the placing of such new materials in storage,

shall be at the expense of the Colorado Fuel and Iron Corporation and shall be subject to such other terms and conditions as the Administrator of General Services deems appropriate.

SEC. 2. The materials authorized to be released under the first section consist of approximately 25,105 short dry tons of metallurgical grade fluorspar now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98-98h) and approximately 6,667 short tons of ferromanganese now held in the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1704(b)).

Approved August 19, 1966.

60 Stat. 596.

73 Stat. 607.

## Public Law 89-541

### AN ACT

August 22, 1966  
[H. R. 10284]

To provide that the Federal office building under construction in Fort Worth, Texas, shall be named the "Fritz Garland Lanham Federal Office Building" in memory of the late Fritz Garland Lanham, a Representative from the State of Texas from 1919 to 1947.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Federal office building under construction in Fort Worth, Texas, and scheduled for completion in 1966, shall be named the "Fritz Garland Lanham Federal Office Building" in memory of the late Fritz Garland Lanham, a distinguished Member of the House of Representatives from the State of Texas from 1919 to 1947. Any reference to such building in any law, regulation, document, record, map, or other paper of the United States shall be deemed a reference to such building as the "Fritz Garland Lanham Federal Office Building."

Approved August 22, 1966.

Fritz Garland  
Lanham Federal  
Office Building.  
Designation.

## Public Law 89-542

### AN ACT

August 23, 1966  
[S. 3484]

To amend the Act of June 3, 1966 (Public Law 89-441, 80 Stat. 192), relating to the Great Salt Lake relicted lands.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 6 of the Act of June 3, 1966 (Public Law 89-441, 80 Stat. 192), is amended by changing the period at the end of the section to a comma and adding the following: "excepting for land rental rates which rates shall be subject to change based upon fair rental value as determined by the Secretary of the Interior and shall be subject to review and appropriate modification not less frequently than every five years by the Secretary of the Interior in accordance with rules and regulations of the Department of the Interior."

Approved August 23, 1966.

Great Salt Lake  
relicted lands.

## Public Law 89-543

August 23, 1966  
[H. R. 11671]

## AN ACT

To approve a contract negotiated with the El Paso County Water Improvement District Numbered 1, Texas, to authorize the execution, and for other purposes.

El Paso County  
Water Improvement  
District No. 1.  
Contract.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the proposed contract designated "FST031765" negotiated by the Secretary of the Interior with the El Paso County Water Improvement District Numbered 1, Texas, to extend the period for repayment of reimbursable costs incurred on the Rio Grande project for construction and for rehabilitation and betterment work and to establish a variable repayment schedule for such costs allocated to this district is approved and the Secretary of the Interior is hereby authorized to execute such contract on behalf of the United States.

Approved August 23, 1966.

## Public Law 89-544

August 24, 1966  
[H. R. 13881]

## AN ACT

To authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs, cats, and certain other animals intended to be used for purposes of research or experimentation, and for other purposes.

Dogs, cats, and  
other animals in-  
tended for research  
or experimental  
use.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in order to protect the owners of dogs and cats from theft of such pets, to prevent the sale or use of dogs and cats which have been stolen, and to insure that certain animals intended for use in research facilities are provided humane care and treatment, it is essential to regulate the transportation, purchase, sale, housing, care, handling, and treatment of such animals by persons or organizations engaged in using them for research or experimental purposes or in transporting, buying, or selling them for such use.

SEC. 2. When used in this Act—

Definitions.

(a) The term "person" includes any individual, partnership, firm, joint stock company, corporation, association, trust, estate, or other legal entity;

(b) The term "Secretary" means the Secretary of Agriculture;

(c) The term "commerce" means commerce between any State, territory, possession, or the District of Columbia, or the Commonwealth of Puerto Rico, and any place outside thereof; or between points within the same State, territory, or possession, or the District of Columbia, or the Commonwealth of Puerto Rico, but through any place outside thereof; or within any territory, possession, or the District of Columbia;

(d) The term "dog" means any live dog (*Canis familiaris*);

(e) The term "cat" means any live cat (*Felis catus*);

(f) The term "research facility" means any school, institution, organization, or person that uses or intends to use dogs or cats in research, tests, or experiments, and that (1) purchases or transports dogs or cats in commerce, or (2) receives funds under a grant, award, loan, or contract from a department, agency, or instrumentality of the United States for the purpose of carrying out research, tests, or experiments;

(g) The term "dealer" means any person who for compensation or profit delivers for transportation, or transports, except as a common carrier, buys, or sells dogs or cats in commerce for research purposes;

(h) The term "animal" means live dogs, cats, monkeys (nonhuman primate mammals), guinea pigs, hamsters, and rabbits.

SEC. 3. The Secretary shall issue licenses to dealers upon application therefor in such form and manner as he may prescribe and upon payment of such fee established pursuant to section 23 of this Act: *Provided*, That no such license shall be issued until the dealer shall have demonstrated that his facilities comply with the standards promulgated by the Secretary pursuant to section 13 of this Act: *Provided, however*, That any person who derives less than a substantial portion of his income (as determined by the Secretary) from the breeding and raising of dogs or cats on his own premises and sells any such dog or cat to a dealer or research facility shall not be required to obtain a license as a dealer under this Act. The Secretary is further authorized to license, as dealers, persons who do not qualify as dealers within the meaning of this Act upon such persons' complying with the requirements specified above and agreeing, in writing, to comply with all the requirements of this Act and the regulations promulgated by the Secretary hereunder.

Licenses to dealers.

SEC. 4. No dealer shall sell or offer to sell or transport or offer for transportation to any research facility any dog or cat, or buy, sell, offer to buy or sell, transport or offer for transportation in commerce to or from another dealer under this Act any dog or cat, unless and until such dealer shall have obtained a license from the Secretary and such license shall not have been suspended or revoked.

License requirement.

SEC. 5. No dealer shall sell or otherwise dispose of any dog or cat within a period of five business days after the acquisition of such animal or within such other period as may be specified by the Secretary.

SEC. 6. Every research facility shall register with the Secretary in accordance with such rules and regulations as he may prescribe.

Registration.

SEC. 7. It shall be unlawful for any research facility to purchase any dog or cat from any person except a person holding a valid license as a dealer issued by the Secretary pursuant to this Act unless such person is exempted from obtaining such license under section 3 of this Act.

Purchase restrictions.

SEC. 8. No department, agency, or instrumentality of the United States which uses animals for research or experimentation shall purchase or otherwise acquire any dog or cat for such purposes from any person except a person holding a valid license as a dealer issued by the Secretary pursuant to this Act unless such person is exempted from obtaining such license under section 3 of this Act.

Transactions by U.S. agencies.

SEC. 9. When construing or enforcing the provisions of this Act, the act, omission, or failure of any individual acting for or employed by a research facility or a dealer, or a person licensed as a dealer pursuant to the second sentence of section 3, within the scope of his employment or office, shall be deemed the act, omission, or failure of such research facility, dealer, or other person as well as of such individual.

Enforcement.

SEC. 10. Research facilities and dealers shall make, and retain for such reasonable period of time as the Secretary may prescribe, such records with respect to the purchase, sale, transportation, identification, and previous ownership of dogs and cats but not monkeys, guinea pigs, hamsters, or rabbits as the Secretary may prescribe, upon forms supplied by the Secretary. Such records shall be made available at all reasonable times for inspection by the Secretary, by any Federal officer or employee designated by the Secretary.

Recordkeeping.

SEC. 11. All dogs and cats delivered for transportation, transported, purchased, or sold in commerce by any dealer shall be marked or identified at such time and in such humane manner as the Secretary may prescribe.

Identification.

SEC. 12. The Secretary is authorized to promulgate humane standards and recordkeeping requirements governing the purchase, han-

Humane standards, promulgation.

dling, or sale of dogs or cats by dealers or research facilities at auction sales.

SEC. 13. The Secretary shall establish and promulgate standards to govern the humane handling, care, treatment, and transportation of animals by dealers and research facilities. Such standards shall include minimum requirements with respect to the housing, feeding, watering, sanitation, ventilation, shelter from extremes of weather and temperature, separation by species, and adequate veterinary care. The foregoing shall not be construed as authorizing the Secretary to prescribe standards for the handling, care, or treatment of animals during actual research or experimentation by a research facility as determined by such research facility.

Compliance by  
U.S. agencies.

SEC. 14. Any department, agency, or instrumentality of the United States having laboratory animal facilities shall comply with the standards promulgated by the Secretary for a research facility under section 13.

SEC. 15. (a) The Secretary shall consult and cooperate with other Federal departments, agencies, or instrumentalities concerned with the welfare of animals used for research or experimentation when establishing standards pursuant to section 13 and in carrying out the purposes of this Act.

(b) The Secretary is authorized to cooperate with the officials of the various States or political subdivisions thereof in effectuating the purposes of this Act and of any State, local, or municipal legislation or ordinance on the same subject.

Investigations  
or inspections.

SEC. 16. The Secretary shall make such investigations or inspections as he deems necessary to determine whether any dealer or research facility has violated or is violating any provision of this Act or any regulation issued thereunder. The Secretary shall promulgate such rules and regulations as he deems necessary to permit inspectors to confiscate or destroy in a humane manner any animals found to be suffering as a result of a failure to comply with any provision of this Act or any regulation issued thereunder if (1) such animals are held by a dealer, or (2) such animals are held by a research facility and are no longer required by such research facility to carry out the research, test, or experiment for which such animals have been utilized.

SEC. 17. The Secretary shall issue rules and regulations requiring licensed dealers and research facilities to permit inspection of their animals and records at reasonable hours upon request by legally constituted law enforcement agencies in search of lost animals.

SEC. 18. Nothing in this Act shall be construed as authorizing the Secretary to promulgate rules, regulations, or orders for the handling, care, treatment, or inspection of animals during actual research or experimentation by a research facility as determined by such research facility.

Suspension of  
dealer's license.

SEC. 19. (a) If the Secretary has reason to believe that any person licensed as a dealer has violated or is violating any provision of this Act or any of the rules or regulations promulgated by the Secretary hereunder, the Secretary may suspend such person's license temporarily, but not to exceed twenty-one days, and, after notice and opportunity for hearing, may suspend for such additional period as he may specify or revoke such license, if such violation is determined to have occurred and may make an order that such person shall cease and desist from continuing such violation.

Judicial review.

(b) Any dealer aggrieved by a final order of the Secretary issued pursuant to subsection (a) of this section may, within sixty days after entry of such an order, seek review of such order in the manner provided in section 10 of the Administrative Procedure Act (5 U.S.C. 1009).

(c) Any dealer who violates any provision of this Act shall, on conviction thereof, be subject to imprisonment for not more than one year or a fine of not more than \$1,000, or both.

Penalty.

SEC. 20. (a) If the Secretary has reason to believe that any research facility has violated or is violating any provision of this Act or any of the rules or regulations promulgated by the Secretary hereunder and if, after notice and opportunity for hearing, he finds a violation, he may make an order that such research facility shall cease and desist from continuing such violation. Such cease and desist order shall become effective fifteen days after issuance of the order. Any research facility which knowingly fails to obey a cease-and-desist order made by the Secretary under this section shall be subject to a civil penalty of \$500 for each offense, and each day during which such failure continues shall be deemed a separate offense.

Violations by research facilities.

Penalty.

(b) Any research facility aggrieved by a final order of the Secretary issued pursuant to subsection (a) of this section may, within sixty days after entry of such order, seek review of such order in the district court for the district in which such research facility is located in the manner provided in section 10 of the Administrative Procedure Act (5 U.S.C. 1009).

Judicial review.

SEC. 21. The Secretary is authorized to promulgate such rules, regulations, and orders as he may deem necessary in order to effectuate the purposes of this Act.

60 Stat. 243.

Rules and regulations.

SEC. 22. If any provision of this Act or the application of any such provision to any person or circumstances shall be held invalid, the remainder of this Act and the application of any such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 23. The Secretary shall charge, assess, and cause to be collected reasonable fees for licenses issued. Such fees shall be adjusted on an equitable basis taking into consideration the type and nature of the operations to be licensed and shall be deposited and covered into the Treasury as miscellaneous receipts. There are hereby authorized to be appropriated such funds as Congress may from time to time provide.

License fees.

Appropriation.

SEC. 24. The regulations referred to in section 10 and section 13 shall be prescribed by the Secretary as soon as reasonable but not later than six months from the date of enactment of this Act. Additions and amendments thereto may be prescribed from time to time as may be necessary or advisable. Compliance by dealers with the provisions of this Act and such regulations shall commence ninety days after the promulgation of such regulations. Compliance by research facilities with the provisions of this Act and such regulations shall commence six months after the promulgation of such regulations, except that the Secretary may grant extensions of time to research facilities which do not comply with the standards prescribed by the Secretary pursuant to section 13 of this Act provided that the Secretary determines that there is evidence that the research facilities will meet such standards within a reasonable time.

Effective dates.

Approved August 24, 1966.

## Public Law 89-545

August 27, 1966  
[H. R. 15456]

## AN ACT

Making appropriations for the Legislative Branch for the fiscal year ending June 30, 1967, and for other purposes.

Legislative  
Branch Approp-  
riation Act,  
1967.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch for the fiscal year ending June 30, 1967, and for other purposes, namely:

## SENATE

COMPENSATION OF THE VICE PRESIDENT AND SENATORS, MILEAGE OF THE PRESIDENT OF THE SENATE AND SENATORS, AND EXPENSE ALLOWANCES OF THE VICE PRESIDENT AND LEADERS OF THE SENATE

COMPENSATION OF THE VICE PRESIDENT AND SENATORS

For compensation of the Vice President and Senators of the United States, \$3,296,735.

MILEAGE OF PRESIDENT OF THE SENATE AND OF SENATORS

For mileage of the President of the Senate and of Senators, \$58,370.

EXPENSE ALLOWANCES OF THE VICE PRESIDENT, AND MAJORITY AND MINORITY LEADERS

For expense allowance of the Vice President, \$10,000; Majority Leader of the Senate, \$3,000; and Minority Leader of the Senate, \$3,000; in all, \$16,000.

SALARIES, OFFICERS, AND EMPLOYEES

For compensation of officers, employees, clerks to Senators, and others as authorized by law, including agency contributions and longevity compensation as authorized, which shall be paid from this appropriation without regard to the below limitations, as follows:

OFFICE OF THE VICE PRESIDENT

For clerical assistance to the Vice President, at rates of compensation to be fixed by him in basic multiples of \$5 per month, \$203,515.

CHAPLAIN

Chaplain of the Senate, \$15,540.

OFFICE OF THE SECRETARY

For office of the Secretary, \$1,369,630, including \$150,220 required for the purposes specified and authorized by section 74b of Title 2, United States Code: *Provided*, That the reporters of debates in the office of the Secretary are hereby designated the official reporters of debates of the Senate.

COMMITTEE EMPLOYEES

For professional and clerical assistance to standing committees and the Select Committee on Small Business, \$3,367,430.

## CONFERENCE COMMITTEES

For clerical assistance to the Conference of the Majority, at rates of compensation to be fixed by the chairman of said committee, \$99,435.

For clerical assistance to the Conference of the Minority, at rates of compensation to be fixed by the chairman of said committee, \$99,435.

## ADMINISTRATIVE AND CLERICAL ASSISTANTS TO SENATORS

For administrative and clerical assistants and messenger service for Senators, \$17,171,215.

## OFFICE OF SERGEANT AT ARMS AND DOORKEEPER

For office of Sergeant at Arms and Doorkeeper, \$3,364,025: *Provided*, That effective on the first day of the first month following date of enactment, the basic per annum compensation of one offset press operator, Service Department shall be \$2,700 in lieu of \$2,340, that the Sergeant at Arms may employ a telecommunications adviser at \$5,520 basic per annum, an additional Sergeant, Capitol Police force at \$2,880 basic per annum, an additional Lieutenant, Capitol Police force at \$3,480 basic per annum, and twenty-five additional Privates, Capitol Police force at \$2,160 basic per annum each: *Provided further*, That appointees to the Capitol Police force positions authorized herein shall have the equivalent of at least one year's police experience.

## OFFICES OF THE SECRETARIES FOR THE MAJORITY AND THE MINORITY

For the offices of the Secretary for the Majority and the Secretary for the Minority, \$166,675.

## OFFICES OF THE MAJORITY AND MINORITY WHIPS

For four clerical assistants, two for the Majority Whip and two for the Minority Whip, at rates of compensation to be fixed in basic multiples of \$60 per annum by the respective Whips, \$18,460 each; in all, \$36,920.

## OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE

For salaries and expenses of the Office of the Legislative Counsel of the Senate, \$317,895.

## CONTINGENT EXPENSES OF THE SENATE

## SENATE POLICY COMMITTEES

For salaries and expenses of the Majority Policy Committee and the Minority Policy Committee, \$204,150 for each such committee; in all, \$408,300.

## AUTOMOBILES AND MAINTENANCE

For purchase, exchange, driving, maintenance, and operation of four automobiles, one for the Vice President, one for the President Pro Tempore, one for the Majority Leader, and one for the Minority Leader, \$43,660.

## FURNITURE

For service and materials in cleaning and repairing furniture, and for the purchase of furniture, \$31,190: *Provided*, That the furniture purchased is not available from other agencies of the Government.

## INQUIRIES AND INVESTIGATIONS

For expenses of inquiries and investigations ordered by the Senate, or conducted pursuant to section 134(a) of Public Law 601, Seventy-ninth Congress, including \$396,615 for the Committee on Appropriations, to be available also for the purposes mentioned in Senate Resolution Numbered 193, agreed to October 14, 1943, \$5,420,000.

60 Stat. 831.  
2 USC 190b.

## FOLDING DOCUMENTS

For the employment of personnel for folding speeches and pamphlets at a gross rate of not exceeding \$2.32 per hour per person, \$40,715.

## MAIL TRANSPORTATION

For maintaining, exchanging, and equipping motor vehicles for carrying the mails and for official use of the offices of the Secretary and Sergeant at Arms, \$16,560.

## MISCELLANEOUS ITEMS

For miscellaneous items, exclusive of labor, \$3,743,160, including \$275,000 for payment to the Architect of the Capitol in accordance with section 4 of Public Law 87-82, approved July 6, 1961.

75 Stat. 199.  
40 USC 174j-4.

## POSTAGE STAMPS

For postage stamps for the offices of the Secretaries for the Majority and Minority, \$140; and for air-mail and special delivery stamps for office of the Secretary, \$160; office of the Sergeant at Arms, \$125; Senators and the President of the Senate, as authorized by law, \$90,400; in all, \$90,825.

## STATIONERY (REVOLVING FUND)

For stationery for Senators and the President of the Senate, \$249,600: *Provided*, That effective with the fiscal year 1967 and thereafter the allowance for stationery for each Senator from States having a population of ten million or more inhabitants shall be at the rate of \$3,000 per annum; and for stationery for committees and officers of the Senate, \$13,200; in all, \$262,800, to remain available until expended.

## COMMUNICATIONS

For an amount for communications which may be expended interchangeably for payment, in accordance with such limitations and restrictions as may be prescribed by the Committee on Rules and Administration, of charges on official telegrams and long-distance telephone calls made by or on behalf of Senators or the President of the Senate, such telephone calls to be in addition to those authorized by the provisions of the Legislative Branch Appropriation Act, 1947 (60 Stat. 392; 2 U.S.C. 46c, 46d, 46e), as amended, and the First Deficiency Appropriation Act, 1949 (63 Stat. 77; 2 U.S.C. 46d-1), \$15,150.

*Infra.*  
68 Stat. 400;  
79 Stat. 268.

## ADMINISTRATIVE PROVISIONS

Effective July 1, 1966, the paragraph relating to official long-distance telephone calls to and from Washington, District of Columbia, under the heading "Contingent Expenses of the Senate" in Public Law 479,

Long-distance  
telephone calls.

Seventy-ninth Congress, as amended (2 U.S.C. 46c), is amended to read as follows:

79 Stat. 268.

"There shall be paid from the contingent fund of the Senate, in accordance with rules and regulations prescribed by the Committee on Rules and Administration of the Senate, toll charges on not to exceed three thousand strictly official long-distance telephone calls to and from Washington, District of Columbia, aggregating not more than fifteen thousand minutes each fiscal year for each Senator and the Vice President of the United States: *Provided*, That not more than fifteen hundred calls aggregating not more than seventy-five hundred minutes made in the first six months of each fiscal year shall be paid for under this sentence. The toll charges on an additional fifteen hundred such calls aggregating not more than seventy-five hundred minutes each fiscal year for each Senator from any State having a population of ten million or more inhabitants shall also be paid from the contingent fund of the Senate: *Provided*, That not more than seven hundred and fifty calls aggregating not more than three thousand seven hundred and fifty minutes made in the first six months of each fiscal year shall be paid for under this sentence."

Effective the first day of the first month following date of enactment the table contained in section 4(f) of the Federal Employees' Salary Increase Act of 1955 (Public Law 94, Eighty-fourth Congress, approved June 28, 1955), as amended, is amended to read as follows:

78 Stat. 538.  
2 USC 60f note.

States having a population of—	Amount of Increase
Less than 3,000,000.....	\$12,780
3,000,000 but less than 4,000,000.....	17,760
4,000,000 but less than 5,000,000.....	20,760
5,000,000 but less than 7,000,000.....	23,760
7,000,000 but less than 9,000,000.....	26,760
9,000,000 but less than 10,000,000.....	29,760
10,000,000 but less than 11,000,000.....	34,740
11,000,000 but less than 12,000,000.....	37,740
12,000,000 but less than 13,000,000.....	40,740
13,000,000 but less than 15,000,000.....	43,740
15,000,000 but less than 17,000,000.....	46,740
17,000,000 or more.....	49,740

Effective the first day of the first month following date of enactment the paragraph relating to rates of compensation of employees of committees of the Senate, contained in the Legislative Branch Appropriation Act, 1956, as amended (2 U.S.C. 72a-1a), is amended by striking out so much of the second sentence thereof as follows: "First Supplemental Appropriation Act, 1947;" and inserting in lieu thereof the following: "the basic compensation of any employee of a standing or select committee of the Senate (including the majority and minority policy committees and the majority conference of the Senate and minority conference of the Senate but excluding the Committee on Appropriations), or a joint committee of the two Houses the expenses of which are paid from the contingent fund of the Senate, whose basic compensation may be fixed under such provisions at a rate of \$8,000 per annum, may be fixed at a rate not in excess of \$8,040 per annum, except that the basic compensation of one such employee may be fixed at a rate not in excess of \$8,880 per annum, and the basic compensation of two such employees may be fixed at a rate not in excess of \$8,460 per annum. The basic compensation of any employee of the Committee on Appropriations whose basic compensation may be fixed at a rate of \$8,000 per annum under such provisions may be fixed at a rate not in excess of \$8,040 per annum, except that the basic compensation of one such employee may be fixed at a rate not in excess of \$8,880 per annum, and the basic

Committee Em-  
ployees.  
Compensation.

69 Stat. 505.

compensation of seventeen such employees may be fixed at a rate not in excess of \$8,460 per annum.

The third paragraph under the heading "Administrative Provisions" in the appropriation for the Senate in the Legislative Branch Appropriation Act, 1959, as amended (2 U.S.C. 43b), is amended by inserting after the words "six round trips" the following: "(or the equivalent thereof in one-way trips)".

72 Stat. 443;  
79 Stat. 269.

## HOUSE OF REPRESENTATIVES

### SALARIES, MILEAGE FOR THE MEMBERS, AND EXPENSE ALLOWANCE OF THE SPEAKER

#### COMPENSATION OF MEMBERS

For compensation of Members (wherever used herein the term "Member" shall include Members of the House of Representatives and the Resident Commissioner from Puerto Rico), \$14,148,975.

#### MILEAGE OF MEMBERS AND EXPENSE ALLOWANCE OF THE SPEAKER

For mileage of Members and expense allowance of the Speaker, as authorized by law, \$200,000.

#### SALARIES, OFFICERS AND EMPLOYEES

For compensation of officers and employees, as authorized by law, as follows:

##### OFFICE OF THE SPEAKER

For the Office of the Speaker, \$129,100.

##### OFFICE OF THE PARLIAMENTARIAN

For the Office of the Parliamentarian, \$107,685, including the Parliamentarian and \$2,000 for preparing the Digest of the Rules, as authorized by law.

#### COMPILATION OF PRECEDENTS OF HOUSE OF REPRESENTATIVES

For compiling the precedents of the House of Representatives, as heretofore authorized, \$10,000.

##### OFFICE OF THE CHAPLAIN

For the Office of the Chaplain, \$15,540.

##### OFFICE OF THE CLERK

For the Office of the Clerk, including \$145,670 for the House Recording Studio, \$1,711,500.

##### OFFICE OF THE SERGEANT AT ARMS

For the Office of the Sergeant at Arms, \$1,081,000.

##### OFFICE OF THE DOORKEEPER

For the Office of the Doorkeeper, \$1,753,000.

## OFFICE OF THE POSTMASTER

For the Office of the Postmaster, including \$10,900 for employment of substitute messengers and extra services of regular employees when required at the basic salary rate of not to exceed \$2,100 per annum each, \$524,500.

## COMMITTEE EMPLOYEES

For committee employees, including the Committee on Appropriations, \$4,100,000, of which such amount as may be necessary may be transferred to the appropriation under this heading for the fiscal year 1966.

## SPECIAL AND MINORITY EMPLOYEES

For six minority employees, \$121,650.

For the House Democratic Steering Committee, \$41,825.

For the House Republican Conference, \$41,825.

For the office of the majority floor leader, including \$3,000 for official expenses of the majority leader, \$99,600.

For the office of the minority floor leader, including \$3,000 for official expenses of the minority leader, \$90,400.

For the office of the majority whip, including \$11,300 basic lump-sum clerical assistance, \$67,000.

For the office of the minority whip, including \$11,300 basic lump-sum clerical assistance, \$67,000.

For two printing clerks, one for the majority caucus room and one for the minority caucus room, to be appointed by the majority and minority leaders, respectively, \$16,500.

For a technical assistant in the office of the attending physician, to be appointed by the attending physician, subject to the approval of the Speaker, \$14,650.

## OFFICIAL REPORTERS OF DEBATES

For official reporters of debates, \$264,000.

## OFFICIAL REPORTERS TO COMMITTEES

For official reporters to committees, \$266,200.

## COMMITTEE ON APPROPRIATIONS

For salaries and expenses, studies and examinations of executive agencies, by the Committee on Appropriations, and temporary personal services for such committee, to be expended in accordance with section 202(b) of the Legislative Reorganization Act, 1946, and to be available for reimbursement to agencies for services performed, \$725,000.

60 Stat. 834.  
2 USC 72a.

## OFFICE OF THE LEGISLATIVE COUNSEL

For salaries and expenses of the Office of the Legislative Counsel of the House, \$319,500.

## MEMBERS' CLERK HIRE

For clerk hire, necessarily employed by each Member in the discharge of his official and representative duties, \$35,000,000.

## CONTINGENT EXPENSES OF THE HOUSE

## FURNITURE

For furniture and materials for repairs of the same, including tools and machinery for furniture repair shops, and for the purchase of packing boxes, \$300,000.

## MISCELLANEOUS ITEMS

For miscellaneous items, exclusive of salaries unless specifically ordered by the House of Representatives, including the sum of \$332,000 for payment to the Architect of the Capitol in accordance with section 208 of the Act approved October 9, 1940 (Public Law 812); the exchange, operation, maintenance, and repair of the Clerk's motor vehicles; the exchange, operation, maintenance, and repair of the publications and distribution service motortruck; the exchange, maintenance, operation, and repair of the post office motor vehicles for carrying the mails; not to exceed \$5,000 for the purposes authorized by section 1 of House Resolution 348, approved June 29, 1961; the sum of \$600 for hire of automobile for the Sergeant at Arms; materials for folding; and for stationery for the use of committees, departments, and officers of the House; \$7,000,000.

54 Stat. 1056.  
40 USC 174k.

## REPORTING HEARINGS

For stenographic reports of hearings of committees other than special and select committees, \$223,000.

## SPECIAL AND SELECT COMMITTEES

For salaries and expenses of special and select committees authorized by the House, \$4,600,000.

## OFFICE OF THE COORDINATOR OF INFORMATION

For salaries and expenses of the Office of the Coordinator of Information, \$141,000.

## TELEGRAPH AND TELEPHONE

For telegraph and telephone service, exclusive of personal services, \$2,880,000.

## STATIONERY (REVOLVING FUND)

For a stationery allowance for each Member for the first session of the Ninetieth Congress, as authorized by law, \$1,046,400, to remain available until expended.

## ATTENDING PHYSICIAN'S OFFICE

For medical supplies, equipment, and contingent expenses of the emergency room and for the attending physician and his assistants, including (1) an allowance of fifteen hundred dollars to be paid to the attending physician in equal monthly installments as authorized by the Act approved June 27, 1940 (54 Stat. 629); (2) an allowance of one hundred dollars per month to each medical officer while on duty in the attending physician's office; and (3) an allowance of one hundred dollars per month each to five assistants as provided by the House

resolutions adopted July 1, 1930, January 20, 1932, November 18, 1940, and May 21, 1959, and Public Law 242, Eighty-fourth Congress, \$24,645.

69 Stat. 512.

#### POSTAGE STAMP ALLOWANCES

Postage stamp allowances for the first session of the Ninetieth Congress, as follows: Postmaster, \$400; Clerk, \$800; Sergeant at Arms, \$600; Doorkeeper, \$500; airmail and special-delivery postage stamps for each Member, the Speaker, the majority and minority leaders, the majority and minority whips, and to each standing committee, as authorized by law; \$228,550.

#### REVISION OF LAWS

For preparation and editing of the laws as authorized by 1 U.S.C. 202, 203, 213, \$28,000, to be expended under the direction of the Committee on the Judiciary.

61 Stat. 637.

#### SPEAKER'S AUTOMOBILE

For purchase, exchange, hire, driving, maintenance, repair, and operation of an automobile for the Speaker, \$12,700.

#### MAJORITY LEADER'S AUTOMOBILE

For purchase, exchange, hire, driving, maintenance, repair, and operation of an automobile for the majority leader of the House, \$12,700.

#### MINORITY LEADER'S AUTOMOBILE

For purchase, exchange, hire, driving, maintenance, repair, and operation of an automobile for the minority leader of the House, \$12,700.

#### NEW EDITION OF THE UNITED STATES CODE

For preparation of a new edition of the United States Code, \$150,000, to be immediately available and to remain available until expended, and to be expended under the direction of the Committee on the Judiciary.

#### NEW EDITION OF THE DISTRICT OF COLUMBIA CODE

For preparation of a new edition of the District of Columbia Code, \$100,000, to remain available until expended, and to be expended under the direction of the Committee on the Judiciary.

#### ADMINISTRATIVE PROVISION

Salaries or wages paid out of the items herein for the House of Representatives shall hereafter be computed at basic rates, plus increased and additional compensation, as authorized and provided by law.

#### JOINT ITEMS

For joint committees, as follows:

#### JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES

For an amount to enable the Joint Committee on Reduction of Non-essential Federal Expenditures to carry out the duties imposed upon

79 Stat. 1026.

it by section 601 of the Revenue Act of 1941 (55 Stat. 726), to remain available during the existence of the Committee, \$36,425, to be disbursed by the Secretary of the Senate.

#### CONTINGENT EXPENSES OF THE SENATE

##### JOINT ECONOMIC COMMITTEE

For salaries and expenses of the Joint Economic Committee, \$372,000.

##### JOINT COMMITTEE ON ATOMIC ENERGY

For salaries and expenses of the Joint Committee on Atomic Energy, \$358,000.

##### JOINT COMMITTEE ON PRINTING

For salaries and expenses of the Joint Committee on Printing, \$156,000.

#### CONTINGENT EXPENSES OF THE HOUSE

##### JOINT COMMITTEE ON INTERNAL REVENUE TAXATION

For salaries and expenses of the Joint Committee on Internal Revenue Taxation, \$435,000.

##### JOINT COMMITTEE ON IMMIGRATION AND NATIONALITY POLICY

For salaries and expenses of the Joint Committee on Immigration and Nationality Policy, \$24,755.

##### JOINT COMMITTEE ON DEFENSE PRODUCTION

For salaries and expenses of the Joint Committee on Defense Production as authorized by the Defense Production Act of 1950, as amended, \$83,000.

For other joint items, as follows:

##### CAPITOL POLICE

##### GENERAL EXPENSES

For purchasing and supplying uniforms; the purchase, maintenance, and repair of police motor vehicles, including two-way police radio equipment; contingent expenses, including \$25 per month for extra services performed for the Capitol Police Board by such member of the staff of the Sergeant at Arms of the Senate or the House, as may be designated by the Chairman of the Board; \$95,500.

##### CAPITOL POLICE BOARD

To enable the Capitol Police Board to provide additional protection for the Capitol Buildings and Grounds, including the Senate and House Office Buildings and the Capitol Power Plant, \$809,000. Such sum shall be expended only for payment of salaries and other expenses of personnel detailed from the Metropolitan Police of the District of Columbia, and the Commissioners of the District of Columbia are authorized and directed to make such details upon the request of the Board. Personnel so detailed shall, during the period of such detail, serve under the direction and instructions of the Board

69 Stat. 798.  
50 USC app.  
2061.

Detail personnel.

and are authorized to exercise the same authority as members of such Metropolitan Police and members of the Capitol Police and to perform such other duties as may be assigned by the Board. Reimbursement for salaries and other expenses of such detail personnel shall be made to the government of the District of Columbia, and any sums so reimbursed shall be credited to the appropriation or appropriations from which such salaries and expenses are payable and shall be available for all the purposes thereof: *Provided*, That any person detailed under the authority of this paragraph or under similar authority in the Legislative Branch Appropriation Act, 1942, and the Second Deficiency Appropriation Act, 1940, from the Metropolitan Police of the District of Columbia shall be deemed a member of such Metropolitan Police during the period or periods of any such detail for all purposes of rank, pay, allowances, privileges, and benefits to the same extent as though such detail had not been made, and at the termination thereof any such person who was a member of such police on July 1, 1940, shall have a status with respect to rank, pay, allowances, privileges, and benefits which is not less than the status of such person in such police at the end of such detail: *Provided further*, That the Commissioners of the District of Columbia are directed (1) to pay the deputy chief of police detailed under the authority of this paragraph the salary of the rank of deputy chief of police plus \$1,625 and such increases in basic compensation as may be subsequently provided by law so long as this position is held by the present incumbent, (2) to pay the two detective lieutenants detailed under the authority of this paragraph and serving as acting detective captains the salary of the rank of detective captains plus \$1,625 and such increases in basic compensation as may be subsequently provided by law so long as these positions are held by the present incumbents, (3) to pay the detective sergeant detailed under the authority of this paragraph and serving as acting detective lieutenant the salary of the rank of detective lieutenant plus \$1,625 and such increases in basic compensation as may be subsequently provided by law so long as this position is held by the present incumbent, and (4) to pay the three detectives permanently detailed under the authority of this paragraph and serving as acting detective sergeants the salary of the rank of detective sergeants and such increases in basic compensation as may be subsequently provided by law.

No part of any appropriation contained in this Act shall be paid as compensation to any person appointed after June 30, 1935, as an officer or member of the Capitol Police who does not meet the standards to be prescribed for such appointees by the Capitol Police Board: *Provided*, That the Capitol Police Board is hereby authorized to detail police from the House Office, Senate Office, and Capitol buildings for police duty on the Capitol Grounds and on the Library of Congress Grounds.

#### EDUCATION OF PAGES

For education of congressional pages and pages of the Supreme Court, pursuant to section 243 of the Legislative Reorganization Act, 1946, \$86,308, which amount shall be advanced and credited to the applicable appropriation of the District of Columbia, and the Board of Education of the District of Columbia is hereby authorized to employ such personnel for the education of pages as may be required and to pay compensation for such services in accordance with such rates of compensation as the Board of Education may prescribe.

Reimbursement  
to D. C. govern-  
ment.

55 Stat. 456.

54 Stat. 629.

60 Stat. 839.  
2 USC 88a.

## OFFICIAL MAIL COSTS

For expenses necessary under section 2 of Public Law 286, Eighty-third Congress, \$7,248,000, to be available immediately.

The foregoing amounts under "other joint items" shall be disbursed by the Clerk of the House.

67 Stat. 614;  
74 Stat. 663, 728.  
39 USC 4167 and  
note.

## STATEMENTS OF APPROPRIATIONS

For the preparation, under the direction of the Committees on Appropriations of the Senate and House of Representatives, of the statements for the second session of the Eighty-ninth Congress, showing appropriations made, indefinite appropriations, and contracts authorized, together with a chronological history of the regular appropriation bills as required by law, \$13,000, to be paid to the persons designated by the chairmen of such committees to supervise the work.

## ARCHITECT OF THE CAPITOL

## OFFICE OF THE ARCHITECT OF THE CAPITOL

## SALARIES

For the Architect of the Capitol, Assistant Architect of the Capitol, and Second Assistant Architect of the Capitol and other personal services at rates of pay provided by law, \$647,700.

Appropriations under the control of the Architect of the Capitol shall be available for expenses of travel on official business not to exceed in the aggregate under all funds the sum of \$20,000.

## CONTINGENT EXPENSES

To enable the Architect of the Capitol to make surveys and studies and to meet unforeseen expenses in connection with activities under his care, \$50,000.

## CAPITOL BUILDINGS AND GROUNDS

## CAPITOL BUILDINGS

For necessary expenditures for the Capitol Building and electrical substations of the Senate and House Office Buildings, under the jurisdiction of the Architect of the Capitol, including improvements, maintenance, repair, equipment, supplies, material, fuel, oil, waste, and appurtenances; furnishings and office equipment; special and protective clothing for workmen; uniforms or allowances therefor as authorized by the Act of September 1, 1954, as amended (5 U.S.C. 2131); personal and other services; cleaning and repairing works of art, without regard to section 3709 of the Revised Statutes, as amended; purchase or exchange, maintenance and operation of a passenger motor vehicle; purchase of necessary reference books and periodicals; for expenses of attendance, when specifically authorized by the Architect of the Capitol, at meetings or conventions in connection with subjects related to work under the Architect of the Capitol, \$1,786,000, of which \$100,000 shall remain available until expended.

68 Stat. 1114;  
79 Stat. 1122.  
41 USC 5.

## CAPITOL GROUNDS

For care and improvement of grounds surrounding the Capitol, the Senate and House Office Buildings, and the Capitol Power Plant;

personal and other services; care of trees; planting; fertilizers; repairs to pavements, walks, and roadways; waterproof wearing apparel; maintenance of signal lights; and for snow removal by hire of men and equipment or under contract without regard to section 3709 of the Revised Statutes, as amended; \$695,400.

41 USC 5.

#### SENATE OFFICE BUILDINGS

For maintenance, miscellaneous items and supplies, including furniture, furnishings, and equipment, and for labor and material incident thereto, and repairs thereof; for purchase of waterproof wearing apparel, and for personal and other services; including eight attendants at \$1,800 each; for the care and operation of the Senate Office Buildings; including the subway and subway transportation systems connecting the Senate Office Buildings with the Capitol; uniforms or allowances therefor as authorized by the Act of September 1, 1954, as amended (5 U.S.C. 2131); to be expended under the control and supervision of the Architect of the Capitol; in all, \$2,530,000.

68 Stat. 1114;  
79 Stat. 1122.

#### SENATE GARAGE

For maintenance, repairs, alterations, personal and other services, and all other necessary expenses, \$57,900.

#### HOUSE OFFICE BUILDINGS

For maintenance, including equipment; waterproof wearing apparel; uniforms or allowances therefor as authorized by the Act of September 1, 1954, as amended (5 U.S.C. 2131); prevention and eradication of insect and other pests without regard to section 3709 of the Revised Statutes, as amended; miscellaneous items; and for all necessary services, including the position of Superintendent of Garages at a gross annual rate of \$12,000; \$4,019,000.

#### CAPITOL POWER PLANT

For lighting, heating, and power (including the purchase of electrical energy) for the Capitol, Senate and House Office Buildings, Supreme Court Building, Congressional Library Buildings, and the grounds about the same, Botanic Garden, Senate garage, and for air-conditioning refrigeration not supplied from plants in any of such buildings; for heating the Government Printing Office, Washington City Post Office, and Folger Shakespeare Library, reimbursement for which shall be made and covered into the Treasury; personal and other services, fuel, oil, materials, waterproof wearing apparel, and all other necessary expenses in connection with the maintenance and operation of the plant; \$2,778,000: *Provided*, That not to exceed \$25,000 of the unobligated balance of the appropriation under this head for the fiscal year 1966 is hereby continued available until June 30, 1967.

79 Stat. 277.

#### LIBRARY BUILDINGS AND GROUNDS

##### STRUCTURAL AND MECHANICAL CARE

For necessary expenditures for mechanical and structural maintenance, including improvements, equipment, supplies, waterproof wearing apparel, and personal and other services, \$1,392,000, of which not to exceed \$10,000 shall be available for expenditure without regard

41 USC 5.

to section 3709 of the Revised Statutes, as amended, and of which not to exceed \$626,000 shall remain available until June 30, 1968.

79 Stat. 277.

The unobligated balance of the appropriation under this head for the fiscal year 1966 is hereby continued available until June 30, 1967.

#### FURNITURE AND FURNISHINGS

For furniture, partitions, screens, shelving, and electrical work pertaining thereto and repairs thereof, office and library equipment, apparatus, and labor-saving devices, \$325,000.

#### BOTANIC GARDEN

##### SALARIES AND EXPENSES

For all necessary expenses incident to maintaining, operating, repairing, and improving the Botanic Garden and the nurseries, buildings, grounds, collections, and equipment pertaining thereto, including personal services; waterproof wearing apparel; not to exceed \$25 for emergency medical supplies; traveling expenses, including bus-fares, not to exceed \$275; the prevention and eradication of insect and other pests and plant diseases by purchase of materials and procurement of personal services by contract without regard to the provisions of any other Act; purchase and exchange of motortrucks; purchase and exchange, maintenance, repair, and operation of a passenger motor vehicle; purchase of botanical books, periodicals, and books of reference, not to exceed \$100; all under the direction of the Joint Committee on the Library; \$504,600.

#### LIBRARY OF CONGRESS

##### SALARIES AND EXPENSES

For necessary expenses of the Library of Congress, not otherwise provided for, including development and maintenance of the Union Catalogs; custody, care, and maintenance of the Library Buildings; special clothing; cleaning, laundering, and repair of uniforms; and expenses of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, \$13,753,300, including \$880,000 to be available for reimbursement to the General Services Administration for rental of suitable space in the District of Columbia or its immediate environs for the Library of Congress, together with \$478,000 to be derived by transfer from the appropriations made for the Office of Education, Department of Health, Education, and Welfare.

#### COPYRIGHT OFFICE

##### SALARIES AND EXPENSES

For necessary expenses of the Copyright Office, including publication of the decisions of the United States courts involving copyrights, \$2,266,000.

#### LEGISLATIVE REFERENCE SERVICE

##### SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of section 203 of the Legislative Reorganization Act of 1946, as amended (2 U.S.C. 166), \$2,938,000: *Provided*, That no part of this appropriation may

60 Stat. 836.

be used to pay any salary or expense in connection with any publication, or preparation of material therefor (except the Digest of Public General Bills), to be issued by the Library of Congress unless such publication has obtained prior approval of either the Committee on House Administration or the Senate Committee on Rules and Administration.

#### DISTRIBUTION OF CATALOG CARDS

##### SALARIES AND EXPENSES

For necessary expenses for the preparation and distribution of catalog cards and other publications of the Library, \$4,564,000: *Provided*, That \$200,000 of this appropriation shall be apportioned for use pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665), only to the extent necessary to provide for expenses (excluding permanent personal services) for workload increases not anticipated in the budget estimates and which cannot be provided for by normal budgetary adjustments.

#### BOOKS FOR THE GENERAL COLLECTIONS

For necessary expenses (except personal services) for acquisition of books, periodicals, and newspapers, and all other material for the increase of the Library, \$800,000, to remain available until expended, including \$25,000 to be available solely for the purchase, when specifically approved by the Librarian, of special and unique materials for additions to the collections.

#### BOOKS FOR THE LAW LIBRARY

For necessary expenses (except personal services) for acquisition of books, legal periodicals, and all other material for the increase of the law library, \$125,000, to remain available until expended.

#### BOOKS FOR THE BLIND

##### SALARIES AND EXPENSES

For salaries and expenses to carry out the provisions of the Act approved March 3, 1931 (2 U.S.C. 135a), as amended, \$3,097,000.

46 Stat. 1487;  
71 Stat. 630.

#### ORGANIZING AND MICROFILMING THE PAPERS OF THE PRESIDENTS

##### SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the Act of August 16, 1957 (71 Stat. 368), as amended by the Act of April 27, 1964 (78 Stat. 183), \$112,800, to remain available until expended.

2 USC 131 note.

#### PRESERVATION OF MOTION PICTURES

For expenses necessary for the preservation of motion pictures now in the custody of the Library, \$50,000.

#### COLLECTION AND DISTRIBUTION OF LIBRARY MATERIALS

##### (SPECIAL FOREIGN CURRENCY PROGRAM)

For necessary expenses for carrying out the provisions of section 104(n) of the Agricultural Trade Development and Assistance Act

72 Stat. 1790.

of 1954, as amended (7 U.S.C. 1704(n)), to remain available until expended, \$2,268,000, of which \$2,088,000 shall be available only for payments in foreign currencies which the Treasury Department shall determine to be excess to the normal requirements of the United States.

#### ADMINISTRATIVE PROVISIONS

Appropriations in this Act available to the Library of Congress for salaries shall be available for expenses of investigating the loyalty of Library employees; special and temporary services (including employees engaged by the day or hour or in piecework); and services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a).

60 Stat. 810.  
Employment of  
aliens.

Not to exceed ten positions in the Library of Congress may be exempt from the provisions of appropriation Acts concerning the employment of aliens during the current fiscal year, but the Librarian shall not make any appointment to any such position until he has ascertained that he cannot secure for such appointments a person in any of the categories specified in such provisions who possesses the special qualifications for the particular position and also otherwise meets the general requirements for employment in the Library of Congress.

Disbursement of  
funds.

Funds available to the Library of Congress may be expended to reimburse the Department of State for medical services rendered to employees of the Library of Congress stationed abroad; for purchase or hire of passenger motor vehicles; and for payment of travel, storage and transportation of household goods, and transportation and per diem expenses for families en route (not to exceed twenty four), subject to such rules and regulations as may be issued by the Librarian of Congress.

### GOVERNMENT PRINTING OFFICE

#### PRINTING AND BINDING

For authorized printing and binding for the Congress; for printing and binding for the Architect of the Capitol; expenses necessary for preparing the semimonthly and session index to the Congressional Record, as authorized by law (44 U.S.C. 182); printing, binding, and distribution of the Federal Register (including the Code of Federal Regulations) as authorized by law (44 U.S.C. 309, 311, 311a); and printing and binding of Government publications authorized by law to be distributed without charge to the recipients; \$21,500,000: *Provided*, That this appropriation shall not be available for printing and binding part 2 of the annual report of the Secretary of Agriculture (known as the Yearbook of Agriculture): *Provided further*, That this appropriation shall be available for the payment of obligations incurred under the appropriations for similar purposes for preceding fiscal years.

49 Stat. 1546.

49 Stat. 502;  
67 Stat. 388;  
77 Stat. 343;  
56 Stat. 1045.

#### OFFICE OF SUPERINTENDENT OF DOCUMENTS

##### SALARIES AND EXPENSES

For necessary expenses of the Office of Superintendent of Documents, including compensation of all employees in accordance with the Act entitled "An Act to regulate and fix rates of pay for employees and officers of the Government Printing Office", approved June 7, 1924 (44 U.S.C. 40); travel expenses (not to exceed \$1,500);

43 Stat. 658.

price lists and bibliographies; repairs to buildings, elevators, and machinery; and supplying books to depository libraries; \$6,155,900: *Provided*, That \$200,000 of this appropriation shall be apportioned for use pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665), with the approval of the Public Printer, only to the extent necessary to provide for expenses (excluding permanent personal services) for workload increases not anticipated in the budget estimates and which cannot be provided for by normal budgetary adjustments.

#### SELECTION OF SITE AND GENERAL PLANS AND DESIGNS OF BUILDINGS

No further orders shall be placed for any work under any professional service-type contract, or for any additional force account work entered into or undertaken with funds appropriated under this heading in the Legislative Branch Appropriation Act, 1965, and the unobligated balance of such appropriation is hereby rescinded.

78 Stat. 549.

#### GOVERNMENT PRINTING OFFICE REVOLVING FUND

For additional capital for the "Government Printing Office revolving fund", \$15,000,000, to remain available until expended: *Provided*, That during the current fiscal year said revolving fund shall be available for the hire of one passenger motor vehicle and for the purchase of one passenger motor vehicle for replacement only.

#### GENERAL PROVISIONS

SEC. 102. No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles.

SEC. 103. Whenever any office or position not specifically established by the Legislative Pay Act of 1929 is appropriated for herein or whenever the rate of compensation or designation of any position appropriated for herein is different from that specifically established for such position by such Act, the rate of compensation and the designation of the position, or either, appropriated for or provided herein, shall be the permanent law with respect thereto: *Provided*, That the provisions herein for the various items of official expenses of Members, officers, and committees of the Senate and House, and clerk hire for Senators and Members shall be the permanent law with respect thereto: *Provided further*, That the provisions relating to positions and salaries thereof carried in House Resolutions 416, 543, 625, 640, 661, 669, 690, and 855 of the Eighty-ninth Congress shall be the permanent law with respect thereto.

46 Stat. 32.  
2 USC 60a note.

SEC. 104. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 105. Effective on the first day of the first month following date of enactment, the basic per annum compensation of the Captain, Capitol Police force shall be \$4,260; the basic per annum compensation of Lieutenants and Special Officers, Capitol Police force shall be \$3,480 each; and the basic per annum compensation of Sergeants, Capitol Police force shall be \$2,880 each. Effective on the first day of the first month following enactment of H.R. 15857, Eighty-ninth Congress, or similar legislation, amending the District of Columbia Police and Fireman's Salary Act of 1958, the basic per annum compensation of the Captain, Capitol Police force shall be \$4,320; the

Capitol Police  
force, compensa-  
tion.Post, p. 1591.  
78 Stat. 880.  
D.C. Code 4-  
823.

basic per annum compensation of Lieutenants and Special Officers, Capitol Police force shall be \$3,600 each; and the basic per annum compensation of Sergeants, Capitol Police force shall be \$2,940 each.

Short title.

This Act may be cited as the "Legislative Branch Appropriation Act, 1967".

Approved August 27, 1966.

Public Law 89-546

August 27, 1966  
[H. J. Res. 810]

JOINT RESOLUTION

To authorize the President to proclaim the 8th day of September 1966 as "International Literacy Day".

International  
Literacy Day.  
Proclamation.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President is hereby authorized and requested to issue a proclamation designating the 8th day of September 1966 as International Literacy Day, and calling upon the people of the United States to observe such day with appropriate ceremonies and activities.

Approved August 27, 1966.

Public Law 89-547

August 27, 1966  
[H. J. Res. 1207]

JOINT RESOLUTION

To authorize the Administrator of General Services to accept title to the John Fitzgerald Kennedy Library, and for other purposes.

John F. Kennedy  
Library.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Administrator of General Services is hereby authorized to accept title to the structure or structures to be erected and equipped at Cambridge, Massachusetts, by the John Fitzgerald Kennedy Library, Incorporated, to be transferred to the United States Government, without reimbursement, for use as a Presidential archival depository to be known as the John Fitzgerald Kennedy Library, and to maintain, operate, and protect such depository as a part of the National Archives system. The Administrator may enter into such agreements with the officers of the John Fitzgerald Kennedy Library, Incorporated, as are necessary to complete the transfer of title to the United States and may do so without regard to the provision of section 507(f)(1) of the Federal Property and Administrative Services Act of 1949, as amended (44 U.S.C. 397(f)(1)), that the Administrator shall not enter into any such agreement until the expiration of the first period of sixty calendar days of continuous session of the Congress following the date on which a report in writing of any such proposed Presidential archival depository is transmitted by the Administrator to the President of the Senate and the Speaker of the House of Representatives.

Approved August 27, 1966, 10:45 a.m.

69 Stat. 695.

## Public Law 89-548

## AN ACT

August 30, 1966  
[H. R. 13277]

To amend the Revised Organic Act of the Virgin Islands to provide for the reapportionment of the Legislature of the Virgin Islands.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 5(b) of the Revised Organic Act of the Virgin Islands (48 U.S.C. 1571(b)), is amended to read as follows:

Virgin Islands.  
Legislature, re-  
apportionment.  
68 Stat. 498.

“(b) The legislature shall be composed of fifteen members to be known as senators. The apportionment of the legislature shall be as provided by the laws of the Virgin Islands: *Provided*, That such apportionment shall not deny to any person in the Virgin Islands the equal protection of the law: *And provided further*, That every voter in any district election or at large election shall be permitted to vote for the whole number of persons to be elected in that district election or at large election as the case may be. Until the legislature shall provide otherwise, four members shall be elected at large, five shall be elected from the District of Saint Thomas, five from the District of Saint Croix, and one from the District of Saint John, as those Districts were constituted on July 22, 1954.”

SEC. 2. This Act shall be effective with respect to the legislature to be elected at the regular general election in November 1966, and thereafter.

Effective date.

Approved August 30, 1966.

## Public Law 89-549

## JOINT RESOLUTION

August 31, 1966  
[H. J. Res. 1284]

Making continuing appropriations for the fiscal year 1967, and for other purposes.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That clause (c) of section 102 of the joint resolution of June 30, 1966 (Public Law 89-481), is hereby amended by striking out “August 31, 1966” and inserting in lieu thereof “September 30, 1966”.

Continuing ap-  
propriations,  
1967.  
Ante, p. 234.

Approved August 31, 1966.

## Public Law 89-550

## AN ACT

September 1, 1966  
[H. R. 17419]

To amend the Act incorporating the American Legion so as to redefine eligibility for membership therein.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 3 of the Act entitled “An Act To Incorporate the American Legion”, approved September 16, 1919 (41 Stat. 285; 36 U.S.C. 43), is hereby amended to read as follows:

American Legion.

69 Stat. 379.

“SEC. 3. The purpose of this corporation shall be: To uphold and defend the Constitution of the United States of America; to promote peace and good will among the peoples of the United States and all

Purpose.

the nations of the earth; to preserve the memories and incidents of the two World Wars and the other great hostilities fought to uphold democracy; to cement the ties and comradeship born of service; and to consecrate the efforts of its members to mutual helpfulness and service to their country."

SEC. 2. That section 5 of said Act of September 16, 1919 (41 Stat. 285; 36 U.S.C. 45), is hereby amended to read as follows:

"SEC. 5. No person shall be a member of this corporation unless he has served in the naval or military services of the United States at some time during any of the following periods: April 6, 1917, to November 11, 1918; December 7, 1941, to September 2, 1945; June 25, 1950, to July 27, 1953; August 5, 1964, to the date of cessation of hostilities as determined by the Government of the United States, all dates inclusive, or who, being a citizen of the United States at the time of entry therein, served in the military or naval service of any of the governments associated with the United States during said wars or hostilities: *Provided, however,* That such person shall have an honorable discharge or separation from such service or continues to serve honorably after any of the aforesaid terminal dates."

Approved September 1, 1966, 1:22 p.m.

## Public Law 89-551

### AN ACT

September 1, 1966  
[H. R. 8760]

To amend the provisions of the Oil Pollution Act, 1961 (33 U.S.C. 1001-1015), to implement the provisions of the International Convention for the Prevention of the Pollution of the Sea by Oil, 1954, as amended, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the "Oil Pollution Act, 1961" approved August 30, 1961 (33 U.S.C. 1001-1015), is amended as follows:

(1) Section 1 is amended by inserting after the title "International Convention for the Prevention of the Pollution of the Sea by Oil, 1954" the phrase "as amended," and by changing the designation of the Act from "Oil Pollution Act, 1961" to "Oil Pollution Act, 1961, as amended,".

(2) Section 2 (33 U.S.C. 1001) is amended—

(A) in subsection (a) by changing the semicolon to a comma at the end thereof and by adding "as amended,";

(B) in subsection (c) by changing the reference at the end thereof from "D. 158/53;" to "D. 86/59;";

(C) by amending subsection (e) to read as follows:

"(e) The term 'oil' means crude oil, fuel oil, heavy diesel oil, and lubricating oil, and 'oily' shall be construed accordingly. An 'oily mixture' means a mixture with an oil content of one hundred parts or more in one million parts of mixture."

(D) by amending subsection (i) to read as follows:

"(i) The term 'ship', subject to the exceptions provided in paragraph (1) of this subsection, means any seagoing vessel of any type whatsoever of American registry or nationality, including floating craft, whether self-propelled or towed by another vessel making a sea voyage; and 'tanker', as a type included within the term 'ship', means a ship in which the greater part of the cargo space is constructed or

Membership re-  
quirements.

Oil Pollution  
Act, 1961, amend-  
ments.  
75 Stat. 402.

12 UST 2989.

Definitions.

adapted for the carriage of liquid cargoes in bulk and which is not, for the time being, carrying a cargo other than oil in that part of its cargo space.

"(1) The following categories of vessels are excepted from all provisions of the Act: Vessels excepted.

"(i) tankers of under one hundred and fifty tons gross tonnage and other ships of under five hundred tons gross tonnage.

"(ii) ships for the time being engaged in the whaling industry when actually employed on whaling operations.

"(iii) ships for the time being navigating the Great Lakes of North America and their connecting and tributary waters as far east as the lower exit of Saint Lambert lock at Montreal in the Province of Quebec, Canada.

"(iv) naval ships and ships for the time being used as naval auxiliaries."

(E) by adding a new subsection (j) reading as follows:

"(j) The term 'from the nearest land' means from the baseline from which the territorial sea of the territory in question is established in accordance with the Geneva Convention on the Territorial Sea and the Contiguous Zone, 1958." "From the nearest land."

15 UST 1606.

(3) Section 3 (33 U.S.C. 1002) is amended to read as follows:

"SEC. 3. Subject to the provisions of sections 4 and 5, it shall be unlawful for any person to discharge oil or oily mixture from: Discharge of oil, prohibitions.

"(a) a tanker within any of the prohibited zones.

"(b) a ship, other than a tanker, within any of the prohibited zones, except when the ship is proceeding to a port not provided with facilities adequate for the reception, without causing undue delay, it may discharge such residues and oily mixture as would remain for disposal if the bulk of the water had been separated from the mixture: *Provided*, such discharge is made as far as practicable from land.

"(c) a ship of twenty thousand tons gross tonnage or more, including a tanker, for which the building contract is placed on or after the effective date of this Act. However, if in the opinion of the master, special circumstances make it neither reasonable nor practicable to retain the oil or oily mixture on board, it may be discharged outside the prohibited zones. The reasons for such discharge shall be reported in accordance with the regulations prescribed by the Secretary." Special circumstances.

(4) Section 4 (33 U.S.C. 1003) is amended to read as follows: Exceptions.

"SEC. 4. Section 3 shall not apply to—

"(a) the discharge of oil or oily mixture from a ship for the purpose of securing the safety of a ship, preventing damage to a ship or cargo, or saving life at sea; or

"(b) the escape of oil, or of oily mixture, resulting from damage to a ship or unavoidable leakage, if all reasonable precautions have been taken after the occurrence of the damage or discovery of the leakage for the purpose of preventing or minimizing the escape;

“(c) the discharge of residue arising from the purification or clarification of fuel oil or lubricating oil: *Provided*, That such discharge is made as far from land as practicable.”

(5) Section 5 (33 U.S.C. 1004) is amended to read as follows:

Oily mixtures  
from bilges.

“SEC. 5. Section 3 shall not apply to the discharge from the bilges of a ship of an oily mixture containing no oil other than lubricating oil which has drained or leaked from machinery spaces.”

(6) Section 9 (33 U.S.C. 1008) is amended to read as follows:

Oil record  
books.

“SEC. 9. (a) The Secretary shall have printed separate oil record books, containing instructions and spaces for inserting information in the form prescribed by the Convention, which shall be published in regulations prescribed by the Secretary.

“(b) If subject to this Act, every ship using oil fuel and every tanker shall be provided, without charge, an oil record book which shall be carried on board. The provisions of section 140 of title 5, United States Code, shall not apply. The ownership of the booklet shall remain in the United States Government. This book shall be available for inspection as provided in this Act and for surrender to the United States Government pursuant to regulations of the Secretary.

65 Stat. 290.

“(c) The oil record book shall be completed on each occasion, whenever any of the following operations takes place in the ship:

“(1) ballasting of and discharge of ballast from cargo tanks of tankers;

“(2) cleaning of cargo tanks of tankers;

“(3) settling in slop tanks and discharge of water from tankers;

“(4) disposal from tankers of oily residues from slop tanks or other sources;

“(5) ballasting, or cleaning during voyage, of bunker fuel tanks of ships other than tankers;

“(6) disposal from ships other than tankers of oily residues from bunker fuel tanks or other sources;

“(7) accidental or other exceptional discharges or escapes of oil from tankers or ships other than tankers.

“In the event of such discharge or escape of oil or oily mixture, as is referred to in subsection 3(c) and section 4 of this Act, a statement shall be made in the oil record book of the circumstances of, and reason for, the discharge or escape.

“(d) Each operation described in subsection 9(c) of the Act shall be fully recorded without delay in the oil record book so that all the entries in the book appropriate to that operation are completed. Each page of the book shall be signed by the officer or officers in charge of the operations concerned and, when the ship is manned, by the master of the ship.

“(e) Oil record books shall be kept in such manner and for such length of time as set forth in the regulations prescribed by the Secretary.

Penalty.

“(f) If any person fails to comply with the requirements imposed by or under this section, he shall be liable on conviction to a fine not exceeding \$1,000 nor less than \$500 and if any person makes an entry in any records kept in accordance with this Act or regulations prescribed thereunder by the Secretary which is to his knowledge false or misleading in any material particular, he shall be liable on conviction to a fine not exceeding \$1,000 nor less than \$500 or imprisonment for a term not exceeding six months, or both.”

(7) Section 10 (33 U.S.C. 1009) is amended by changing the phrase at the end thereof from "and 9" to "9, and 12."

(8) Section 12 (33 U.S.C. 1011) is amended to read as follows: Prohibited zones.  
 "SEC. 12. (a) All sea areas within fifty miles from the nearest land shall be prohibited zones, subject to extensions or reduction effectuated in accordance with the terms of the Convention, which shall be published in regulations prescribed by the Secretary.

"(b) With respect to the reduction or extension of the zones described under the terms of the Convention, the Secretary shall give notice thereof by publication of such information in Notices to Mariners issued by the United States Coast Guard and United States Navy."

(9) Section 13 (33 U.S.C. 1012) is repealed. Repeal.

(10) Section 17 (33 U.S.C. 1015) is amended to read as follows: Effective date.  
 "SEC. 17. (a) This Act shall become effective upon the date of its enactment or upon the date the amended Convention becomes effective as to the United States, whichever is the later date.

"(b) Any rights or liabilities existing on the effective date of this Act shall not be affected by the enactment of this Act. Any procedures or rules or regulations in effect on the effective date of this Act shall remain in effect until modified or superseded under the authority of this Act. Any reference in any other law or rule or regulation prescribed pursuant to law to the 'International Convention for the Prevention of the Pollution of the Sea by Oil, 1954,' shall be deemed to be a reference to that Convention as revised by the 'Amendments of the International Convention for the Prevention of Pollution of the Sea by Oil, 1954,' which were adopted by a Conference of Contracting Governments convened at London on April 11, 1962. Any reference in any other law or rule or regulation prescribed pursuant to law to the 'Oil Pollution Act, 1961,' approved August 30, 1961 (33 U.S.C. 1001-1015), shall be deemed to be a reference to that Act as amended by this Act." 12 UST 2989.

Approved September 1, 1966. 75 Stat. 402.

## Public Law 89-552

### AN ACT

To amend the Organic Act of Guam in order to authorize the legislature thereof to provide by law for the election of its members from election districts. September 2, 1966  
[H. R. 13298]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 10 of the Organic Act of Guam (48 U.S.C. 1423), is amended to read as follows: Guam,  
Legislative  
redistricting.  
64 Stat. 387.

"SEC. 10. (a) The legislative power and authority of Guam shall be vested in a legislature, consisting of a single house, to be designated the 'Legislature of Guam', herein referred to as the legislature.

"(b) The legislature shall be composed of not to exceed twenty-one members, to be known as senators, elected at large, or elected from legislative districts, or elected in part at large and in part from legislative districts, as the laws of Guam may direct: *Provided*, That any districting and any apportionment pursuant to this authorization and provided for by the laws of Guam shall not deny to any person in Guam the equal protection of the laws: *And provided further*, That in any elections to the legislature, every elector shall be permitted to vote for

the whole number of at-large candidates to be elected, and every elector residing in a legislative district shall be permitted to vote for the whole number of candidates to be elected within that district.

“(c) The laws of Guam shall not alter the manner in which members of the legislature are to be elected as provided in subsection (b) of this section more often than at ten-year intervals: *Provided*, That any districting and related apportionment pursuant to this section shall be based upon the then most recent Federal population census of Guam, and any such districting and apportionment shall be reexamined following each successive Federal population census of Guam and shall be modified, if necessary, to be consistent with that census.

“(d) General elections to the legislature shall be held on the Tuesday next after the first Monday in November, biennially in even-numbered years. The legislature in all respects shall be organized and shall sit according to the laws of Guam.”

SEC. 2. As soon as practicable after enactment of this Act, and subject to the conditions and requirements of section 10 of the Organic Act of Guam, as amended by section 1 hereof, the laws of Guam shall be amended to make provision for the manner of the election of members of the legislature. Until the laws of Guam shall make such provision, the method of electing the legislature shall remain as it is upon the date of enactment of this Act.

Approved September 2, 1966.

## Public Law 89-553

### AN ACT

To amend the Small Reclamation Projects Act of 1956.

September 2, 1966  
[S. 602]

Small Reclamation  
Projects Act  
of 1956, amend-  
ments.

43 USC 422b.

43 USC 422d.  
Contents of  
proposals.

*Infra.*

Loans and  
grants.

Limitations.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Small Reclamation Projects Act of 1956 (70 Stat. 1044), as amended (43 U.S.C. 422a et seq.) is hereby further amended as follows:

(1) In section 2, by striking out the second sentence of subsection (d) and the first two provisos thereto and inserting in lieu thereof the following: “The term ‘project’ shall not include any such undertaking, unit, or program the cost of which exceeds \$10,000,000, and no loan, grant, or combination thereof for any project shall be in excess of \$6,500,000;” and by striking out “*And provided further*,” and inserting in lieu thereof “*Provided*,”;

(2) In section 4, by adding at the end of subsection (a) the following: “The costs of means and measures to prevent loss of and damage to fish and wildlife resources shall be considered as project costs and allocated as may be appropriate among project functions.”;

(3) In section 4, subsection (b), by striking out the word “construction” from the phrase which now reads “and willing to finance otherwise than by loan and grant under this Act such portion of the cost of construction” and inserting in lieu thereof “the project”; by inserting at the end of the parenthetical phrase which follows thereafter “, except as provided in subsection 5(b)(2) hereof,”; and by changing the colon (:) to a period (.) and striking out the remainder of said subsection;

(4) In section 5, by striking out the present text of items (a), (b), and (c) and inserting in lieu thereof the following:

“(a) the maximum amount of any loan to be made to the organization and the time and method of making the same available to the organization. Said loan shall not exceed the lesser of (1) \$6,500,000 or (2) the estimated total cost of the project minus the contribution of

the local organization as provided in section 4(b) and the amount of the grant approved;

“(b) the maximum amount of any grant to be accorded the organization. Said grant shall not exceed the sum of the following: (1) the costs of investigations, surveys, and engineering and other services necessary to the preparation of proposals and plans for the project allocable to fish and wildlife enhancement or public recreation; (2) one-half the costs of acquiring lands or interests therein for a reservoir or other area to be operated for fish and wildlife enhancement or public recreation purposes; (3) one-half the costs of basic public outdoor recreation facilities or facilities serving fish and wildlife enhancement purposes exclusively; (4) one-half the costs of construction of joint use facilities properly allocable to fish and wildlife enhancement or public recreation; and (5) that portion of the estimated cost of constructing the project which, if it were constructed as a Federal reclamation project, would be properly allocable to functions, other than recreation and fish and wildlife enhancement, which are nonreimbursable under general provisions of law applicable to such projects;

“(c) a plan of repayment by the organization of (1) the sums lent to it in not more than fifty years from the date when the principal benefits of the project first become available; (2) interest, as determined by the Secretary of the Treasury, as of the beginning of the fiscal year in which the contract is executed, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations, which are neither due nor callable for redemption for fifteen years from date of issue, and by adjusting such average rate to the nearest one-eighth of 1 per centum, on that portion of the loan which is attributable to furnishing irrigation benefits in each particular year to land held in private ownership by any one owner in excess of one hundred and sixty irrigable acres; and (3) in the case of any project involving an allocation to domestic, industrial, or municipal water supply, or commercial power, interest on the unamortized balance of an appropriate portion of the loan at a rate as determined in (2) above;”;

Repayment provisions.

(5) In section 8, by striking out “Act of August 14, 1946 (60 Stat. 1080)” and inserting in lieu thereof “Fish and Wildlife Coordination Act (48 Stat. 401), as amended (16 U.S.C. 661 et seq.)”;

(6) In section 10, by striking out “\$100,000,000” and inserting in lieu thereof “\$200,000,000”.

43 USC 422h,  
16 USC 661-  
666c,  
72 Stat. 563,  
43 Stat. 422j.

SEC. 2. Nothing contained in this Act shall be applicable to or affect in any way the terms on which any loan or grant has been made prior to the effective date of this Act.

Approved September 2, 1966.

## Public Law 89-554

## AN ACT

September 6, 1966  
[H. R. 10 104]

To enact title 5, United States Code, "Government Organization and Employees", codifying the general and permanent laws relating to the organization of the Government of the United States and to its civilian officers and employees.

Title 5, USC,  
Government Or-  
ganization and  
Employees.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the laws relating to the organization of the Government of the United States and to its civilian officers and employees, generally, are revised, codified, and enacted as title 5 of the United States Code, entitled "Government Organization and Employees", and may be cited as "5 U.S.C., § ", as follows:

## TITLE 5—GOVERNMENT ORGANIZATION AND EMPLOYEES

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### PART I—THE AGENCIES GENERALLY

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#### CHAPTER 1—ORGANIZATION

Sec.
101. Executive departments.
102. Military departments.
103. Government corporation.
104. Independent establishment.
105. Executive agency.

#### § 101. Executive departments

The Executive departments are:

- The Department of State.
- The Department of the Treasury.
- The Department of Defense.
- The Department of Justice.
- The Post Office Department.
- The Department of the Interior.
- The Department of Agriculture.
- The Department of Commerce.
- The Department of Labor.
- The Department of Health, Education, and Welfare.

#### § 102. Military departments

The military departments are:

- The Department of the Army.
- The Department of the Navy.
- The Department of the Air Force.

#### § 103. Government corporation

For the purpose of this title—

- (1) "Government corporation" means a corporation owned or controlled by the Government of the United States; and

(2) "Government controlled corporation" does not include a corporation owned by the Government of the United States.

#### **§ 104. Independent establishment**

For the purpose of this title, "independent establishment" means—

(1) an establishment in the executive branch which is not an Executive department, military department, Government corporation, or part thereof, or part of an independent establishment; and

(2) the General Accounting Office.

#### **§ 105. Executive agency**

For the purpose of this title, "Executive agency" means an Executive department, a Government corporation, and an independent establishment.

### **CHAPTER 3—POWERS**

Sec.

301. Departmental regulations.

302. Delegation of authority.

303. Oaths to witnesses.

304. Subpenas.

305. Systematic agency review of operations.

#### **§ 301. Departmental regulations**

The head of an Executive department or military department may prescribe regulations for the government of his department, the conduct of its employees, the distribution and performance of its business, and the custody, use, and preservation of its records, papers, and property. This section does not authorize withholding information from the public or limiting the availability of records to the public.

#### **§ 302. Delegation of authority**

(a) For the purpose of this section, "agency" has the meaning given it by section 5721 of this title.

(b) In addition to the authority to delegate conferred by other law, the head of an agency may delegate to subordinate officials the authority vested in him—

(1) by law to take final action on matters pertaining to the employment, direction, and general administration of personnel under his agency; and

(2) by section 324 of title 44 to authorize the publication of advertisements, notices, or proposals.

#### **§ 303. Oaths to witnesses**

An employee of an Executive department lawfully assigned to investigate frauds on or attempts to defraud the United States, or irregularity or misconduct of an employee or agent of the United States, may administer an oath to a witness attending to testify or depose in the course of the investigation.

#### **§ 304. Subpenas**

(a) The head of an Executive department or military department or bureau thereof in which a claim against the United States is pending may apply to a judge or clerk of a court of the United States to issue a subpoena for a witness within the jurisdiction of the court to appear at a time and place stated in the subpoena before an individual authorized to take depositions to be used in the courts of the United States, to give full and true answers to such written interrogatories and cross-interrogatories as may be submitted with the application, or to be orally examined and cross-examined on the subject of the claim.

(b) If a witness, after being served with a subpoena, neglects or refuses to appear, or, appearing, refuses to testify, the judge of the district in which the subpoena issued may proceed, on proper process, to enforce obedience to the subpoena, or to punish for disobedience, in the same manner as a court of the United States may in case of process of subpoena ad testificandum issued by the court.

### § 305. Systematic agency review of operations

(a) For the purpose of this section, "agency" means an Executive agency, but does not include—

- (1) a Government controlled corporation;
- (2) the Tennessee Valley Authority;
- (3) The Alaska Railroad;
- (4) the Virgin Islands Corporation;
- (5) the Atomic Energy Commission;
- (6) the Central Intelligence Agency;
- (7) the Panama Canal Company; or
- (8) the National Security Agency, Department of Defense.

(b) Under regulations prescribed and administered by the Director of the Bureau of the Budget, each agency shall review systematically the operations of each of its activities, functions, or organization units, on a continuing basis.

(c) The purpose of the reviews includes—

- (1) determining the degree of efficiency and economy in the operation of the agency's activities, functions, or organization units;
- (2) identifying the units that are outstanding in those respects; and
- (3) identifying the employees whose personal efforts have caused their units to be outstanding in efficiency and economy of operations.

## CHAPTER 5—ADMINISTRATIVE PROCEDURE

### SUBCHAPTER I—GENERAL PROVISIONS

Sec.

501. Advertising practice; restrictions.  
 502. Administrative practice; Reserves and National Guardsmen.  
 503. Witness fees and allowances.

### SUBCHAPTER II—ADMINISTRATIVE PROCEDURE

Sec.

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 552. Publication of information, rules, opinions, orders, and public records.  
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 554. Adjudications.  
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 556. Hearings; presiding employees; powers and duties; burden of proof; evidence; record as basis of decision.  
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## SUBCHAPTER III—ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

Sec.

571. Purpose.

572. Definitions.

573. Administrative Conference of the United States.

574. Powers and duties of the Conference.

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### SUBCHAPTER I—GENERAL PROVISIONS

#### § 501. Advertising practice; restrictions

An individual, firm, or corporation practicing before an agency of the United States may not use the name of a Member of either House of Congress or of an individual in the service of the United States in advertising the business.

#### § 502. Administrative practice; Reserves and National Guardsmen

Membership in a reserve component of the armed forces or in the National Guard does not prevent an individual from practicing his civilian profession or occupation before, or in connection with, an agency of the United States.

#### § 503. Witness fees and allowances

(a) For the purpose of this section, "agency" has the meaning given it by section 5721 of this title.

(b) A witness is entitled to the fees and allowances allowed by statute for witnesses in the courts of the United States when—

(1) he is subpoenaed under section 304(a) of this title; or

(2) he is subpoenaed to and appears at a hearing before an agency authorized by law to hold hearings and subpoena witnesses to attend the hearings.

### SUBCHAPTER II—ADMINISTRATIVE PROCEDURE

#### § 551. Definitions

For the purpose of this subchapter—

(1) "agency" means each authority of the Government of the United States, whether or not it is within or subject to review by another agency, but does not include—

(A) the Congress;

(B) the courts of the United States;

(C) the governments of the territories or possessions of the United States;

(D) the government of the District of Columbia;

or except as to the requirements of section 552 of this title—

(E) agencies composed of representatives of the parties or of representatives of organizations of the parties to the disputes determined by them;

(F) courts martial and military commissions;

(G) military authority exercised in the field in time of war or in occupied territory; or

(H) functions conferred by sections 1738, 1739, 1743, and 1744 of title 12; chapter 2 of title 41; or sections 1622, 1884, 1891-1902, and former section 1641(b)(2), of title 50, appendix;

(2) "person" includes an individual, partnership, corporation, association, or public or private organization other than an agency;

(3) "party" includes a person or agency named or admitted as a party, or properly seeking and entitled as of right to be admitted as a party, in an agency proceeding, and a person or agency admitted by an agency as a party for limited purposes;

(4) "rule" means the whole or a part of an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy or describing the organization, procedure, or practice requirements of an agency and includes the approval or prescription for the future of rates, wages, corporate or financial structures or reorganizations thereof, prices, facilities, appliances, services or allowances therefor or of valuations, costs, or accounting, or practices bearing on any of the foregoing;

(5) "rule making" means agency process for formulating, amending, or repealing a rule;

(6) "order" means the whole or a part of a final disposition, whether affirmative, negative, injunctive, or declaratory in form, of an agency in a matter other than rule making but including licensing;

(7) "adjudication" means agency process for the formulation of an order;

(8) "license" includes the whole or a part of an agency permit, certificate, approval, registration, charter, membership, statutory exemption or other form of permission;

(9) "licensing" includes agency process respecting the grant, renewal, denial, revocation, suspension, annulment, withdrawal, limitation, amendment, modification, or conditioning of a license;

(10) "sanction" includes the whole or a part of an agency—

(A) prohibition, requirement, limitation, or other condition affecting the freedom of a person;

(B) withholding of relief;

(C) imposition of penalty or fine;

(D) destruction, taking, seizure, or withholding of property;

(E) assessment of damages, reimbursement, restitution, compensation, costs, charges, or fees;

(F) requirement, revocation, or suspension of a license;

or

(G) taking other compulsory or restrictive action;

(11) "relief" includes the whole or a part of an agency—

(A) grant of money, assistance, license, authority, exemption, exception, privilege, or remedy;

(B) recognition of a claim, right, immunity, privilege, exemption, or exception; or

(C) taking of other action on the application or petition of, and beneficial to, a person;

(12) "agency proceeding" means an agency process as defined by paragraphs (5), (7), and (9) of this section; and

(13) "agency action" includes the whole or a part of an agency rule, order, license, sanction, relief, or the equivalent or denial thereof, or failure to act.

**§ 552. Publication of information, rules, opinions, orders, and public records**

(a) This section applies, according to the provisions thereof, except to the extent that there is involved—

(1) a function of the United States requiring secrecy in the public interest; or

(2) a matter relating solely to the internal management of an agency.

(b) Each agency shall separately state and currently publish in the Federal Register—

(1) descriptions of its central and field organizations, including delegations of final authority by the agency, and the established places at which, and methods whereby, the public may obtain information or make submittals or requests;

(2) statements of the general course and method by which its functions are channeled and determined, including the nature and requirements of the formal or informal procedures available and forms and instructions as to the scope and contents of all papers, reports, or examinations; and

(3) substantive rules adopted as authorized by law and statements of general policy or interpretations adopted by the agency for public guidance, except rules addressed to and served on named persons in accordance with law.

A person may not be required to resort to organization or procedure not so published.

(c) Each agency shall publish or, in accordance with published rule, make available to public inspection all final opinions or orders in the adjudication of cases (except those required for good cause to be held confidential and not cited as precedents) and all rules.

(d) Except as otherwise required by statute, matters of official record shall be made available, in accordance with published rule, to persons properly and directly concerned, except information held confidential for good cause found.

**§ 553. Rule making**

(a) This section applies, according to the provisions thereof, except to the extent that there is involved—

(1) a military or foreign affairs function of the United States;

or

(2) a matter relating to agency management or personnel or to public property, loans, grants, benefits, or contracts.

(b) General notice of proposed rule making shall be published in the Federal Register, unless persons subject thereto are named and either personally served or otherwise have actual notice thereof in accordance with law. The notice shall include—

(1) a statement of the time, place, and nature of public rule making proceedings;

(2) reference to the legal authority under which the rule is proposed; and

(3) either the terms or substance of the proposed rule or a description of the subjects and issues involved.

Except when notice or hearing is required by statute, this subsection does not apply—

(A) to interpretative rules, general statements of policy, or rules of agency organization, procedure, or practice; or

(B) when the agency for good cause finds (and incorporates the finding and a brief statement of reasons therefor in the rules issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.

(c) After notice required by this section, the agency shall give interested persons an opportunity to participate in the rule making through submission of written data, views, or arguments with or without opportunity for oral presentation. After consideration of the relevant matter presented, the agency shall incorporate in the rules adopted a concise general statement of their basis and purpose. When rules are required by statute to be made on the record after opportunity for an agency hearing, sections 556 and 557 of this title apply instead of this subsection.

(d) The required publication or service of a substantive rule shall be made not less than 30 days before its effective date, except—

(1) a substantive rule which grants or recognizes an exemption or relieves a restriction;

(2) interpretative rules and statements of policy; or

(3) as otherwise provided by the agency for good cause found and published with the rule.

(e) Each agency shall give an interested person the right to petition for the issuance, amendment, or repeal of a rule.

#### § 554. Adjudications

(a) This section applies, according to the provisions thereof, in every case of adjudication required by statute to be determined on the record after opportunity for an agency hearing, except to the extent that there is involved—

(1) a matter subject to a subsequent trial of the law and the facts de novo in a court;

(2) the selection or tenure of an employee, except a hearing examiner appointed under section 3105 of this title;

(3) proceedings in which decisions rest solely on inspections, tests, or elections;

(4) the conduct of military or foreign affairs functions;

(5) cases in which an agency is acting as an agent for a court; or

(6) the certification of worker representatives.

(b) Persons entitled to notice of an agency hearing shall be timely informed of—

(1) the time, place, and nature of the hearing;

(2) the legal authority and jurisdiction under which the hearing is to be held; and

(3) the matters of fact and law asserted.

When private persons are the moving parties, other parties to the proceeding shall give prompt notice of issues controverted in fact or law; and in other instances agencies may by rule require responsive pleading. In fixing the time and place for hearings, due regard shall be had for the convenience and necessity of the parties or their representatives.

(c) The agency shall give all interested parties opportunity for—

(1) the submission and consideration of facts, arguments, offers of settlement, or proposals of adjustment when time, the nature of the proceeding, and the public interest permit; and

(2) to the extent that the parties are unable so to determine a controversy by consent, hearing and decision on notice and in accordance with sections 556 and 557 of this title.

(d) The employee who presides at the reception of evidence pursuant to section 556 of this title shall make the recommended decision or initial decision required by section 557 of this title, unless he becomes unavailable to the agency. Except to the extent required for the disposition of ex parte matters as authorized by law, such an employee may not—

(1) consult a person or party on a fact in issue, unless on notice and opportunity for all parties to participate; or

(2) be responsible to or subject to the supervision or direction of an employee or agent engaged in the performance of investigative or prosecuting functions for an agency.

An employee or agent engaged in the performance of investigative or prosecuting functions for an agency in a case may not, in that or a factually related case, participate or advise in the decision, recommended decision, or agency review pursuant to section 557 of this title, except as witness or counsel in public proceedings. This subsection does not apply—

(A) in determining applications for initial licenses;

(B) to proceedings involving the validity or application of rates, facilities, or practices of public utilities or carriers; or

(C) to the agency or a member or members of the body comprising the agency.

(e) The agency, with like effect as in the case of other orders, and in its sound discretion, may issue a declaratory order to terminate a controversy or remove uncertainty.

### § 555. Ancillary matters

(a) This section applies, according to the provisions thereof, except as otherwise provided by this subchapter.

(b) A person compelled to appear in person before an agency or representative thereof is entitled to be accompanied, represented, and advised by counsel or, if permitted by the agency, by other qualified representative. A party is entitled to appear in person or by or with counsel or other duly qualified representative in an agency proceeding. So far as the orderly conduct of public business permits, an interested person may appear before an agency or its responsible employees for the presentation, adjustment, or determination of an issue, request, or controversy in a proceeding, whether interlocutory, summary, or otherwise, or in connection with an agency function. With due regard for the convenience and necessity of the parties or their representatives and within a reasonable time, each agency shall proceed to conclude a matter presented to it. This subsection does not grant or deny a person who is not a lawyer the right to appear for or represent others before an agency or in an agency proceeding.

(c) Process, requirement of a report, inspection, or other investigative act or demand may not be issued, made, or enforced except as authorized by law. A person compelled to submit data or evidence is entitled to retain or, on payment of lawfully prescribed costs, procure a copy or transcript thereof, except that in a nonpublic investigatory proceeding the witness may for good cause be limited to inspection of the official transcript of his testimony.

(d) Agency subpoenas authorized by law shall be issued to a party on request and, when required by rules of procedure, on a statement or showing of general relevance and reasonable scope of the evidence sought. On contest, the court shall sustain the subpoena or similar

process or demand to the extent that it is found to be in accordance with law. In a proceeding for enforcement, the court shall issue an order requiring the appearance of the witness or the production of the evidence or data within a reasonable time under penalty of punishment for contempt in case of contumacious failure to comply.

(e) Prompt notice shall be given of the denial in whole or in part of a written application, petition, or other request of an interested person made in connection with any agency proceeding. Except in affirming a prior denial or when the denial is self-explanatory, the notice shall be accompanied by a brief statement of the grounds for denial.

**§ 556. Hearings; presiding employees; powers and duties; burden of proof; evidence; record as basis of decision**

(a) This section applies, according to the provisions thereof, to hearings required by section 553 or 554 of this title to be conducted in accordance with this section.

(b) There shall preside at the taking of evidence—

- (1) the agency;
- (2) one or more members of the body which comprises the agency; or
- (3) one or more hearing examiners appointed under section 3105 of this title.

This subchapter does not supersede the conduct of specified classes of proceedings, in whole or in part, by or before boards or other employees specially provided for by or designated under statute. The functions of presiding employees and of employees participating in decisions in accordance with section 557 of this title shall be conducted in an impartial manner. A presiding or participating employee may at any time disqualify himself. On the filing in good faith of a timely and sufficient affidavit of personal bias or other disqualification of a presiding or participating employee, the agency shall determine the matter as a part of the record and decision in the case.

(c) Subject to published rules of the agency and within its powers, employees presiding at hearings may—

- (1) administer oaths and affirmations;
- (2) issue subpoenas authorized by law;
- (3) rule on offers of proof and receive relevant evidence;
- (4) take depositions or have depositions taken when the ends of justice would be served;
- (5) regulate the course of the hearing;
- (6) hold conferences for the settlement or simplification of the issues by consent of the parties;
- (7) dispose of procedural requests or similar matters;
- (8) make or recommend decisions in accordance with section 557 of this title; and
- (9) take other action authorized by agency rule consistent with this subchapter.

(d) Except as otherwise provided by statute, the proponent of a rule or order has the burden of proof. Any oral or documentary evidence may be received, but the agency as a matter of policy shall provide for the exclusion of irrelevant, immaterial, or unduly repetitious evidence. A sanction may not be imposed or rule or order issued except on consideration of the whole record or those parts thereof cited by a party and supported by and in accordance with the reliable, probative, and substantial evidence. A party is entitled to present his case or defense by oral or documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination as may be required for a full and true disclosure of the facts. In rule making

or determining claims for money or benefits or applications for initial licenses an agency may, when a party will not be prejudiced thereby, adopt procedures for the submission of all or part of the evidence in written form.

(e) The transcript of testimony and exhibits, together with all papers and requests filed in the proceeding, constitutes the exclusive record for decision in accordance with section 557 of this title and, on payment of lawfully prescribed costs, shall be made available to the parties. When an agency decision rests on official notice of a material fact not appearing in the evidence in the record, a party is entitled, on timely request, to an opportunity to show the contrary.

**§ 557. Initial decisions; conclusiveness; review by agency; submissions by parties; contents of decisions; record**

(a) This section applies, according to the provisions thereof, when a hearing is required to be conducted in accordance with section 556 of this title.

(b) When the agency did not preside at the reception of the evidence, the presiding employee or, in cases not subject to section 554(d) of this title, an employee qualified to preside at hearings pursuant to section 556 of this title, shall initially decide the case unless the agency requires, either in specific cases or by general rule, the entire record to be certified to it for decision. When the presiding employee makes an initial decision, that decision then becomes the decision of the agency without further proceedings unless there is an appeal to, or review on motion of, the agency within time provided by rule. On appeal from or review of the initial decision, the agency has all the powers which it would have in making the initial decision except as it may limit the issues on notice or by rule. When the agency makes the decision without having presided at the reception of the evidence, the presiding employee or an employee qualified to preside at hearings pursuant to section 556 of this title shall first recommend a decision, except that in rule making or determining applications for initial licenses—

- (1) instead thereof the agency may issue a tentative decision or one of its responsible employees may recommend a decision; or
- (2) this procedure may be omitted in a case in which the agency finds on the record that due and timely execution of its functions imperatively and unavoidably so requires.

(c) Before a recommended, initial, or tentative decision, or a decision on agency review of the decision of subordinate employees, the parties are entitled to a reasonable opportunity to submit for the consideration of the employees participating in the decisions—

- (1) proposed findings and conclusions; or
- (2) exceptions to the decisions or recommended decisions of subordinate employees or to tentative agency decisions; and
- (3) supporting reasons for the exceptions or proposed findings or conclusions.

The record shall show the ruling on each finding, conclusion, or exception presented. All decisions, including initial, recommended, and tentative decisions, are a part of the record and shall include a statement of—

- (A) findings and conclusions, and the reasons or basis therefor, on all the material issues of fact, law, or discretion presented on the record; and
- (B) the appropriate rule, order, sanction, relief, or denial thereof.

**§ 558. Imposition of sanctions; determination of applications for licenses; suspension, revocation, and expiration of licenses**

(a) This section applies, according to the provisions thereof, to the exercise of a power or authority.

(b) A sanction may not be imposed or a substantive rule or order issued except within jurisdiction delegated to the agency and as authorized by law.

(c) When application is made for a license required by law, the agency, with due regard for the rights and privileges of all the interested parties or adversely affected persons and within a reasonable time, shall set and complete proceedings required to be conducted in accordance with sections 556 and 557 of this title or other proceedings required by law and shall make its decision. Except in cases of willfulness or those in which public health, interest, or safety requires otherwise, the withdrawal, suspension, revocation, or annulment of a license is lawful only if, before the institution of agency proceedings therefor, the licensee has been given—

(1) notice by the agency in writing of the facts or conduct which may warrant the action; and

(2) opportunity to demonstrate or achieve compliance with all lawful requirements.

When the licensee has made timely and sufficient application for a renewal or a new license in accordance with agency rules, a license with reference to an activity of a continuing nature does not expire until the application has been finally determined by the agency.

**§ 559. Effect on other laws; effect of subsequent statute**

This subchapter, chapter 7, and sections 1305, 3105, 3344, 4301(2) (E), 5362, and 7521, and the provisions of section 5335(a) (B) of this title that relate to hearing examiners, do not limit or repeal additional requirements imposed by statute or otherwise recognized by law. Except as otherwise required by law, requirements or privileges relating to evidence or procedure apply equally to agencies and persons. Each agency is granted the authority necessary to comply with the requirements of this subchapter through the issuance of rules or otherwise. Subsequent statute may not be held to supersede or modify this subchapter, chapter 7, sections 1305, 3105, 3344, 4301(2) (E), 5362, or 7521, or the provisions of section 5335(a) (B) of this title that relate to hearing examiners, except to the extent that it does so expressly.

**SUBCHAPTER III—ADMINISTRATIVE CONFERENCE  
OF THE UNITED STATES**

**§ 571. Purpose**

It is the purpose of this subchapter to provide suitable arrangements through which Federal agencies, assisted by outside experts, may cooperatively study mutual problems, exchange information, and develop recommendations for action by proper authorities to the end that private rights may be fully protected and regulatory activities and other Federal responsibilities may be carried out expeditiously in the public interest.

**§ 572. Definitions**

For the purpose of this subchapter—

(1) "administrative program" includes a Federal function which involves protection of the public interest and the determination of rights, privileges, and obligations of private persons through rule making, adjudication, licensing, or investigation, as

those terms are used in subchapter II of this chapter, except that it does not include a military or foreign affairs function of the United States;

(2) "administrative agency" means an authority as defined by section 551(1) of this title; and

(3) "administrative procedure" means procedure used in carrying out an administrative program and is to be broadly construed to include any aspect of agency organization, procedure, or management which may affect the equitable consideration of public and private interests, the fairness of agency decisions, the speed of agency action, and the relationship of operating methods to later judicial review, but does not include the scope of agency responsibility as established by law or matters of substantive policy committed by law to agency discretion.

### § 573. Administrative Conference of the United States

(a) The Administrative Conference of the United States consists of not more than 91 nor less than 75 members appointed as set forth in subsection (b) of this section.

(b) The Conference is composed of—

(1) a full-time Chairman appointed for a 5-year term by the President, by and with the advice and consent of the Senate. The Chairman is entitled to pay at the highest rate established by statute for the chairman of an independent regulatory board or commission, and may continue to serve until his successor is appointed and has qualified;

(2) the chairman of each independent regulatory board or commission or an individual designated by the board or commission;

(3) the head of each Executive department or other administrative agency which is designated by the President, or an individual designated by the head of the department or agency;

(4) when authorized by the Council referred to in section 575 (b) of this title, one or more appointees from a board, commission, department, or agency referred to in this subsection, designated by the head thereof with, in the case of a board or commission, the approval of the board or commission;

(5) individuals appointed by the President to membership on the Council who are not otherwise members of the Conference; and

(6) not more than 36 other members appointed by the Chairman, with the approval of the Council, for terms of 2 years, except that the number of members appointed by the Chairman may at no time be less than one-third nor more than two-fifths of the total number of members. The Chairman shall select the members in a manner which will provide broad representation of the views of private citizens and utilize diverse experience. The members shall be members of the practicing bar, scholars in the field of administrative law or government, or others specially informed by knowledge and experience with respect to Federal administrative procedure.

(c) Members of the Conference, except the Chairman, are not entitled to pay for service. Members appointed from outside the Federal Government are entitled to travel expenses, including per diem instead of subsistence, as authorized by section 5703 of this title for individuals serving without pay.

**§ 574. Powers and duties of the Conference**

To carry out the purpose of this subchapter, the Administrative Conference of the United States may—

- (1) study the efficiency, adequacy, and fairness of the administrative procedure used by administrative agencies in carrying out administrative programs, and make recommendations to administrative agencies, collectively or individually, and to the President, Congress, or the Judicial Conference of the United States, in connection therewith, as it considers appropriate;
- (2) arrange for interchange among administrative agencies of information potentially useful in improving administrative procedure; and
- (3) collect information and statistics from administrative agencies and publish such reports as it considers useful for evaluating and improving administrative procedure.

**§ 575. Organization of the Conference**

(a) The membership of the Administrative Conference of the United States meeting in plenary session constitutes the Assembly of the Conference. The Assembly has ultimate authority over all activities of the Conference. Specifically, it has the power to—

- (1) adopt such recommendations as it considers appropriate for improving administrative procedure. A member who disagrees with a recommendation adopted by the Assembly is entitled to enter a dissenting opinion and an alternate proposal in the record of the Conference proceedings, and the opinion and proposal so entered shall accompany the Conference recommendation in a publication or distribution thereof; and
- (2) adopt bylaws and regulations not inconsistent with this subchapter for carrying out the functions of the Conference, including the creation of such committees as it considers necessary for the conduct of studies and the development of recommendations for consideration by the Assembly.

(b) The Conference includes a Council composed of the Chairman of the Conference, who is Chairman of the Council, and 10 other members appointed by the President, of whom not more than one-half shall be employees of Federal regulatory agencies or Executive departments. The President may designate a member of the Council as Vice Chairman. During the absence or incapacity of the Chairman, or when that office is vacant, the Vice Chairman shall serve as Chairman. The term of each member, except the Chairman, is 3 years. When the term of a member ends, he may continue to serve until a successor is appointed. However, the service of any member ends when a change in his employment status would make him ineligible for Council membership under the conditions of his original appointment. The Council has the power to—

- (1) determine the time and place of plenary sessions of the Conference and the agenda for the sessions. The Council shall call at least one plenary session each year;
- (2) propose bylaws and regulations, including rules of procedure and committee organization, for adoption by the Assembly;
- (3) make recommendations to the Conference or its committees on a subject germane to the purpose of the Conference;
- (4) receive and consider reports and recommendations of committees of the Conference and send them to members of the Conference with the views and recommendations of the Council;

(5) designate a member of the Council to preside at meetings of the Council in the absence or incapacity of the Chairman and Vice Chairman;

(6) designate such additional officers of the Conference as it considers desirable;

(7) approve or revise the budgetary proposals of the Chairman; and

(8) exercise such other powers as may be delegated to it by the Assembly.

(c) The Chairman is the chief executive of the Conference. In that capacity he has the power to—

(1) make inquiries into matters he considers important for Conference consideration, including matters proposed by individuals inside or outside the Federal Government;

(2) be the official spokesman for the Conference in relations with the several branches and agencies of the Federal Government and with interested organizations and individuals outside the Government, including responsibility for encouraging Federal agencies to carry out the recommendations of the Conference;

(3) request agency heads to provide information needed by the Conference, which information shall be supplied to the extent permitted by law;

(4) recommend to the Council appropriate subjects for action by the Conference;

(5) appoint, with the approval of the Council, members of committees authorized by the bylaws and regulations of the Conference;

(6) prepare, for approval of the Council, estimates of the budgetary requirements of the Conference;

(7) appoint and fix the pay of employees, define their duties and responsibilities, and direct and supervise their activities;

(8) rent office space in the District of Columbia;

(9) provide necessary services for the Assembly, the Council, and the committees of the Conference;

(10) organize and direct studies ordered by the Assembly or the Council, using from time to time, as appropriate, experts and consultants who may be employed under section 3109 of this title, but at rates for individuals not in excess of \$100 a day;

(11) on request of the head of an agency, furnish assistance and advice on matters of administrative procedure; and

(12) exercise such additional authority as the Council or Assembly delegates to him.

The Chairman shall preside at meetings of the Council and at each plenary session of the Conference, to which he shall make a full report concerning the affairs of the Conference since the last preceding plenary session. The Chairman, on behalf of the Conference, shall transmit to the President and Congress an annual report and such interim reports as he considers desirable.

Report to President and Congress.

### § 576. Appropriations

There are authorized to be appropriated sums necessary, not in excess of \$250,000, to carry out the purpose of this subchapter.

## CHAPTER 7—JUDICIAL REVIEW

Sec.

701. Application; definitions.

702. Right of review.

703. Form and venue of proceeding.

704. Actions reviewable.

705. Relief pending review.

706. Scope of review.

### § 701. Application; definitions

(a) This chapter applies, according to the provisions thereof, except to the extent that—

(1) statutes preclude judicial review; or

(2) agency action is committed to agency discretion by law.

(b) For the purpose of this chapter—

(1) "agency" means each authority of the Government of the United States, whether or not it is within or subject to review by another agency, but does not include—

(A) the Congress;

(B) the courts of the United States;

(C) the governments of the territories or possessions of the United States;

(D) the government of the District of Columbia;

(E) agencies composed of representatives of the parties or of representatives of organizations of the parties to the disputes determined by them;

(F) courts martial and military commissions;

(G) military authority exercised in the field in time of war or in occupied territory; or

(H) functions conferred by sections 1738, 1739, 1743, and 1744 of title 12; chapter 2 of title 41; or sections 1622, 1884, 1891–1902, and former section 1641(b)(2), of title 50, appendix; and

(2) "person", "rule", "order", "license", "sanction", "relief", and "agency action" have the meanings given them by section 551 of this title.

### § 702. Right of review

A person suffering legal wrong because of agency action, or adversely affected or aggrieved by agency action within the meaning of a relevant statute, is entitled to judicial review thereof.

### § 703. Form and venue of proceeding

The form of proceeding for judicial review is the special statutory review proceeding relevant to the subject matter in a court specified by statute or, in the absence or inadequacy thereof, any applicable form of legal action, including actions for declaratory judgments or writs of prohibitory or mandatory injunction or habeas corpus, in a court of competent jurisdiction. Except to the extent that prior, adequate, and exclusive opportunity for judicial review is provided by law, agency action is subject to judicial review in civil or criminal proceedings for judicial enforcement.

### § 704. Actions reviewable

Agency action made reviewable by statute and final agency action for which there is no other adequate remedy in a court are subject to judicial review. A preliminary, procedural, or intermediate agency action or ruling not directly reviewable is subject to review on the review of

the final agency action. Except as otherwise expressly required by statute, agency action otherwise final is final for the purposes of this section whether or not there has been presented or determined an application for a declaratory order, for any form of reconsideration, or, unless the agency otherwise requires by rule and provides that the action meanwhile is inoperative, for an appeal to superior agency authority.

#### **§ 705. Relief pending review**

When an agency finds that justice so requires, it may postpone the effective date of action taken by it, pending judicial review. On such conditions as may be required and to the extent necessary to prevent irreparable injury, the reviewing court, including the court to which a case may be taken on appeal from or on application for certiorari or other writ to a reviewing court, may issue all necessary and appropriate process to postpone the effective date of an agency action or to preserve status or rights pending conclusion of the review proceedings.

#### **§ 706. Scope of review**

To the extent necessary to decision and when presented, the reviewing court shall decide all relevant questions of law, interpret constitutional and statutory provisions, and determine the meaning or applicability of the terms of an agency action. The reviewing court shall—

- (1) compel agency action unlawfully withheld or unreasonably delayed; and
- (2) hold unlawful and set aside agency action, findings, and conclusions found to be—
  - (A) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law;
  - (B) contrary to constitutional right, power, privilege, or immunity;
  - (C) in excess of statutory jurisdiction, authority, or limitations, or short of statutory right;
  - (D) without observance of procedure required by law;
  - (E) unsupported by substantial evidence in a case subject to sections 556 and 557 of this title or otherwise reviewed on the record of an agency hearing provided by statute; or
  - (F) unwarranted by the facts to the extent that the facts are subject to trial de novo by the reviewing court.

In making the foregoing determinations, the court shall review the whole record or those parts of it cited by a party, and due account shall be taken of the rule of prejudicial error.

### **CHAPTER 9—EXECUTIVE REORGANIZATION**

Sec.

901. Purpose.
902. Definitions.
903. Reorganization plans.
904. Additional contents of reorganization plans.
905. Limitations on powers.
906. Effective date and publication of reorganization plans.
907. Effect on other laws, pending legal proceedings, and unexpended appropriations.
908. Rules of Senate and House of Representatives on reorganization plans.
909. Terms of resolution.
910. Reference of resolution to committee.
911. Discharge of committee considering resolution.
912. Procedure after report or discharge of committee; debate.
913. Decisions without debate on motion to postpone or proceed.

**§ 901. Purpose**

(a) The President shall from time to time examine the organization of all agencies and shall determine what changes therein are necessary to accomplish the following purposes:

(1) to promote the better execution of the laws, the more effective management of the executive branch and of its agencies and functions, and the expeditious administration of the public business;

(2) to reduce expenditures and promote economy to the fullest extent consistent with the efficient operation of the Government;

(3) to increase the efficiency of the operations of the Government to the fullest extent practicable;

(4) to group, coordinate, and consolidate agencies and functions of the Government, as nearly as may be, according to major purposes;

(5) to reduce the number of agencies by consolidating those having similar functions under a single head, and to abolish such agencies or functions thereof as may not be necessary for the efficient conduct of the Government; and

(6) to eliminate overlapping and duplication of effort.

(b) Congress declares that the public interest demands the carrying out of the purposes of subsection (a) of this section and that the purposes may be accomplished in great measure by proceeding under this chapter, and can be accomplished more speedily thereby than by the enactment of specific legislation.

**§ 902. Definitions**

For the purpose of this chapter—

(1) "agency" means—

(A) an Executive agency or part thereof;

(B) an office or officer in the civil service or uniformed services in or under an Executive agency; and

(C) the government of the District of Columbia or part thereof, except the courts;

but does not include the General Accounting Office or the Comptroller General of the United States; and

(2) "reorganization" means a transfer, consolidation, coordination, authorization, or abolition, referred to in section 903 of this title.

**§ 903. Reorganization plans**

(a) When the President, after investigation, finds that—

(1) the transfer of the whole or a part of an agency, or of the whole or a part of the functions thereof, to the jurisdiction and control of another agency;

(2) the abolition of all or a part of the functions of an agency;

(3) the consolidation or coordination of the whole or a part of an agency, or of the whole or a part of the functions thereof, with the whole or a part of another agency or the functions thereof;

(4) the consolidation or coordination of a part of an agency or the functions thereof with another part of the same agency or the functions thereof;

(5) the authorization of an officer in the civil service or uniformed services to delegate any of his functions; or

(6) the abolition of the whole or a part of an agency which

agency or part does not have, or on the taking effect of the reorganization plan will not have, any functions;

is necessary to accomplish one or more of the purposes of section 901(a) of this title, he shall prepare a reorganization plan for the making of the reorganizations as to which he has made findings and which he includes in the plan, and transmit the plan (bearing an identification number) to Congress, together with a declaration that, with respect to each reorganization included in the plan, he has found that the reorganization is necessary to accomplish one or more of the purposes of section 901(a) of this title.

(b) The President shall have a reorganization plan delivered to both Houses on the same day and to each House while it is in session. In his message transmitting a reorganization plan, the President shall specify with respect to each abolition of a function included in the plan the statutory authority for the exercise of the function and the reduction of expenditures (itemized so far as practicable) that it is probable will be brought about by the taking effect of the reorganizations included in the plan.

#### § 904. Additional contents of reorganization plans

A reorganization plan transmitted by the President under section 903 of this title—

(1) may change, in such cases as the President considers necessary, the name of an agency affected by a reorganization and the title of its head; and shall designate the name of an agency resulting from a reorganization and the title of its head;

(2) may provide for the appointment and pay of the head and one or more officers of an agency (including an agency resulting from a consolidation or other type of reorganization) if the President finds, and in his message transmitting the plan declares, that by reason of a reorganization made by the plan the provisions are necessary. The head so provided may be an individual or may be a commission or board with more than one member. In case of such an appointment, the term of office may not be fixed at more than 4 years, the pay may not be at a rate in excess of that found by the President to be applicable to comparable officers in the executive branch, and, if the appointment is not to a position in the competitive service, it shall be by the President, by and with the advice and consent of the Senate, except that, in the case of an officer of the government of the District of Columbia, it may be by the Board of Commissioners or other body or officer of that government designated in the plan;

(3) shall provide for the transfer or other disposition of the records, property, and personnel affected by a reorganization;

(4) shall provide for the transfer of such unexpended balances of appropriations, and of other funds, available for use in connection with a function or agency affected by a reorganization, as the President considers necessary by reason of the reorganization for use in connection with the functions affected by the reorganization, or for the use of the agency which shall have the functions after the reorganization plan is effective. However, the unexpended balances so transferred may be used only for the purposes for which the appropriation was originally made; and

(5) shall provide for terminating the affairs of an agency abolished.

### § 905. Limitations on powers

(a) A reorganization plan may not provide for, and a reorganization under this chapter may not have the effect of—

(1) creating a new Executive department, abolishing or transferring an Executive department or all the functions thereof, or consolidating two or more Executive departments or all the functions thereof;

(2) continuing an agency beyond the period authorized by law for its existence or beyond the time when it would have terminated if the reorganization had not been made;

(3) continuing a function beyond the period authorized by law for its exercise or beyond the time when it would have terminated if the reorganization had not been made;

(4) authorizing an agency to exercise a function which is not expressly authorized by law at the time the plan is transmitted to Congress;

(5) increasing the term of an office beyond that provided by law for the office; or

(6) transferring to or consolidating with another agency the government of the District of Columbia or all the functions thereof which are subject to this chapter, or abolishing that government or all those functions.

(b) A provision contained in a reorganization plan may take effect only if the plan is transmitted to Congress before December 31, 1968.

### § 906. Effective date and publication of reorganization plans

(a) Except as otherwise provided under subsection (c) of this section, a reorganization plan is effective at the end of the first period of 60 calendar days of continuous session of Congress after the date on which the plan is transmitted to it unless, between the date of transmittal and the end of the 60-day period, either House passes a resolution stating in substance that that House does not favor the reorganization plan.

(b) For the purpose of subsection (a) of this section—

(1) continuity of session is broken only by an adjournment of Congress sine die; and

(2) the days on which either House is not in session because of an adjournment of more than 3 days to a day certain are excluded in the computation of the 60-day period.

(c) Under provisions contained in a reorganization plan, a provision of the plan may be effective at a time later than the date on which the plan otherwise is effective.

(d) A reorganization plan which is effective shall be printed (1) in the Statutes at Large in the same volume as the public laws and (2) in the Federal Register.

### § 907. Effect on other laws, pending legal proceedings, and unexpended appropriations

(a) A statute enacted, and a regulation or other action made, prescribed, issued, granted, or performed in respect of or by an agency or function affected by a reorganization under this chapter, before the effective date of the reorganization, has, except to the extent rescinded, modified, superseded, or made inapplicable by or under authority of law or by the abolition of a function, the same effect as if the reorganization had not been made. However, if the statute, regulation, or other action has vested the functions in the agency from which it is removed under the reorganization plan, the function, insofar as it is to be exercised after the plan becomes effective, shall be

deemed as vested in the agency under which the function is placed by the plan.

(b) For the purpose of subsection (a) of this section, "regulation or other action" means a regulation, rule, order, policy, determination, directive, authorization, permit, privilege, requirement, designation, or other action.

(c) A suit, action, or other proceeding lawfully commenced by or against the head of an agency or other officer of the United States, in his official capacity or in relation to the discharge of his official duties, does not abate by reason of the taking effect of a reorganization plan under this chapter. On motion or supplemental petition filed at any time within 12 months after the reorganization plan takes effect, showing a necessity for a survival of the suit, action, or other proceeding to obtain a settlement of the questions involved, the court may allow the suit, action, or other proceeding to be maintained by or against the successor of the head or officer under the reorganization effected by the plan or, if there is no successor, against such agency or officer as the President designates.

(d) The appropriations or portions of appropriations unexpended by reason of the operation of this chapter may not be used for any purpose, but shall revert to the Treasury.

#### **§ 908. Rules of Senate and House of Representatives on reorganization plans**

Sections 909–913 of this title are enacted by Congress—

(1) as an exercise of the rule-making power of the Senate and the House of Representatives, respectively, and as such they are deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of resolutions described by section 909 of this title; and they supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

#### **§ 909. Terms of resolution**

For the purpose of sections 908–913 of this title, "resolution" means only a resolution of either House of Congress, the matter after the resolving clause of which is as follows: "That the \_\_\_\_\_ does not favor the reorganization plan numbered \_\_\_\_\_ transmitted to Congress by the President on \_\_\_\_\_, 19\_\_\_\_," the first blank space therein being filled with the name of the resolving House and the other blank spaces therein being appropriately filled; but does not include a resolution which specifies more than one reorganization plan.

#### **§ 910. Reference of resolution to committee**

A resolution with respect to a reorganization plan shall be referred to a committee (and all resolutions with respect to the same plan shall be referred to the same committee) by the President of the Senate or the Speaker of the House of Representatives, as the case may be.

#### **§ 911. Discharge of committee considering resolution**

(a) If the committee to which a resolution with respect to a reorganization plan has been referred has not reported it at the end of 10 calendar days after its introduction, it is in order to move either to discharge the committee from further consideration of the resolution or to discharge the committee from further consideration of any other

resolution with respect to the reorganization plan which has been referred to the committee.

(b) A motion to discharge may be made only by an individual favoring the resolution, is highly privileged (except that it may not be made after the committee has reported a resolution with respect to the same reorganization plan), and debate thereon shall be limited to not more than 1 hour, to be divided equally between those favoring and those opposing the resolution. An amendment to the motion is not in order, and it is not in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(c) If the motion to discharge is agreed to or disagreed to, the motion may not be renewed, nor may another motion to discharge the committee be made with respect to any other resolution with respect to the same reorganization plan.

#### § 912. Procedure after report or discharge of committee; debate

(a) When the committee has reported, or has been discharged from further consideration of, a resolution with respect to a reorganization plan, it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the resolution. The motion is highly privileged and is not debatable. An amendment to the motion is not in order, and it is not in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(b) Debate on the resolution shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the resolution. A motion further to limit debate is not debatable. An amendment to, or motion to recommit, the resolution is not in order, and it is not in order to move to reconsider the vote by which the resolution is agreed to or disagreed to.

#### § 913. Decisions without debate on motion to postpone or proceed

(a) Motions to postpone, made with respect to the discharge from committee, or the consideration of, a resolution with respect to a reorganization plan, and motions to proceed to the consideration of other business, shall be decided without debate.

(b) Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution with respect to a reorganization plan shall be decided without debate.

## PART II—THE UNITED STATES CIVIL SERVICE COMMISSION

CHAPTER	Sec.
11. ORGANIZATION.....	1101
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### CHAPTER 11—ORGANIZATION

Sec.
1101. Appointment of Commissioners.
1102. Term of office; filling vacancies; removal.
1103. Chairman; Vice Chairman; Executive Director.
1104. Functions of Chairman.
1105. Boards of examiners.

#### § 1101. Appointment of Commissioners

The United States Civil Service Commission is composed of three members appointed by the President, by and with the advice and consent of the Senate, not more than two of whom may be adherents of

the same political party and none of whom may hold another office or position in the Government of the United States.

**§ 1102. Term of office; filling vacancies; removal**

(a) The term of office of each Civil Service Commissioner is 6 years. The term of one Commissioner ends on March 1 of each odd-numbered year.

(b) A Commissioner appointed to fill a vacancy occurring before the end of the term of office of his predecessor serves for the remainder of that term. The appointment is subject to the requirements of section 1101 of this title.

(c) When the term of office of a Commissioner ends, he may continue to serve until his successor is appointed and has qualified.

(d) The President may remove a Commissioner.

**§ 1103. Chairman; Vice Chairman; Executive Director**

(a) The President shall from time to time designate one of the Commissioners as the presiding head of the Civil Service Commission with the title of "Chairman, United States Civil Service Commission". The Chairman is the chief executive and administrative officer of the Commission.

(b) The President shall from time to time designate one of the Commissioners as Vice Chairman of the Commission. During the absence or disability of the Chairman, or when the office is vacant, the Vice Chairman shall perform the functions vested in the Chairman by section 1104 of this title.

(c) During the absence or disability of both the Chairman and the Vice Chairman, or when both offices are vacant, the remaining Commissioner shall perform the functions vested in the Chairman by section 1104 of this title.

(d) There is under the Chairman an Executive Director who is appointed in the competitive service by the Chairman. During the absence or disability of all three Commissioners, or when the offices of the three Commissioners are vacant, the Executive Director shall perform the functions vested in the Chairman by section 1104 of this title. However, the Executive Director may not sit as a member or acting member of the Commission.

**§ 1104. Functions of Chairman**

(a) The following functions are vested in the Chairman, United States Civil Service Commission, and shall be performed by him or, subject to his direction and control, by such employees under his jurisdiction as he designates—

(1) acting with Civil Service Commission boards of examiners, so far as practicable, to secure accuracy, uniformity, and justice in their proceedings;

(2) appointing individuals employed under the Commission, including an employee to have such functions and duties with respect to retirement, life insurance, and health benefits programs as the Commission may prescribe, except that—

(A) employees who are engaged regularly and full time in assisting the Commission in the performance of functions reserved to it by subsection (b) of this section are appointed by the Commission; and

(B) the regional directors and the heads of the major administrative units reporting directly to the Chairman or Executive Director are appointed by the Chairman only after consultation with the other Commissioners;

(3) directing, and supervising activities of, employees of the Commission, distributing business among employees and organizational units of the Commission, and directing the internal management of the affairs of the Commission, except that the functions named by this paragraph do not include functions with respect to employees whose appointments remain vested in the Commission by paragraph (2)(A) of this subsection;

(4) directing the preparation of requests for appropriations and the use and expenditure of funds; and

(5) executing, administering, and enforcing—

(A) the civil service rules and regulations of the President and the Commission and the statutes governing the same; and

(B) the other activities of the Commission including retirement and classification activities.

(b) The functions named by subsection (a)(5) of this section do not include functions of the Commission with respect to—

(1) the preparation of rules under section 1301 of this title, and the making of an annual report under section 1308(a)(1) of this title;

(2) the prescription of rules, regulations, or similar policy directives;

(3) the prevention of pernicious political activities, including functions under chapter 15 and section 1302(d) of this title;

(4) the hearing or providing for the hearing of appeals, including appeals with respect to examination ratings, veterans' preference, racial and religious discrimination, disciplinary action, performance ratings, and dismissals, and the taking of final action on those appeals;

(5) the recommendation to the President for transmittal to Congress of such legislative or other measures as will promote an efficient civil service and a systematic application of merit system principles, including measures relating to the selection, promotion, transfer, performance, pay, conditions of service, tenure, and separation of employees;

(6) the investigation of matters pertaining to the administration of functions of the Commission or Chairman; or

(7) the submission of requests for appropriations to the Bureau of the Budget.

#### **§ 1105. Boards of examiners**

(a) The Civil Service Commission shall, in the District of Columbia, and in one or more places in each State and territory or possession of the United States where examinations are to be held, designate at least three individuals in the service of the United States, residing in the State or territory or possession, to be members of Civil Service Commission boards of examiners. The Commission shall consult the head of the agency in which the individuals are serving before designating them as members of a board of examiners. The Commission may at any time substitute another individual residing in the State or territory or possession for one serving as a member of a board of examiners. The boards of examiners shall be so located as to make it reasonably convenient and inexpensive for applicants to attend before them.

(b) The proceedings of the boards of examiners are open to the Chairman, United States Civil Service Commission.

**CHAPTER 13—SPECIAL AUTHORITY****Sec.**

1301. Rules.

1302. Regulations.

1303. Investigations; reports.

1304. Loyalty investigations; reports; revolving fund.

1305. Hearing examiners.

1306. Oaths to witnesses.

1307. Minutes.

1308. Annual reports.

**§ 1301. Rules**

The Civil Service Commission shall aid the President, as he may request, in preparing the rules he prescribes under this title for the administration of the competitive service.

**§ 1302. Regulations**

(a) The Civil Service Commission, subject to the rules prescribed by the President under this title for the administration of the competitive service, shall prescribe regulations for, control, supervise, and preserve the records of, examinations for the competitive service.

(b) The Commission shall prescribe and enforce regulations for the administration of the provisions of this title, and Executive orders issued in furtherance thereof, that implement the Congressional policy that preference shall be given to preference eligibles in certification for appointment, and in appointment, reinstatement, reemployment, and retention, in the competitive service in Executive agencies, permanent or temporary, and in the government of the District of Columbia.

(c) The Commission shall prescribe regulations for the administration of the provisions of this title that implement the Congressional policy that preference shall be given to preference eligibles in certification for appointment, and in appointment, reinstatement, reemployment, and retention, in the excepted service in Executive agencies, permanent or temporary, and in the government of the District of Columbia.

(d) The Commission may prescribe reasonable procedure and regulations for the administration of its functions under chapter 15 of this title.

**§ 1303. Investigations; reports**

The Civil Service Commission may investigate and report on matters concerning—

(1) the enforcement and effect of the rules prescribed by the President under this title for the administration of the competitive service and the regulations prescribed by the Commission under section 1302(a) of this title; and

(2) the action of an examiner, a board of examiners, and other employees concerning the execution of the provisions of this title that relate to the administration of the competitive service.

**§ 1304. Loyalty investigations; reports; revolving fund**

(a) The Civil Service Commission shall conduct the investigations and issue the reports required by the following statutes—

(1) sections 272b, 281b(e), 290a, and 1434 of title 22;

(2) section 1874(c) of title 42; and

(3) section 1203(e) of title 6, District of Columbia Code.

(b) When an investigation under subsection (a) of this section develops data indicating that the loyalty of the individual being investigated is questionable, the Commission shall refer the matter to the Federal Bureau of Investigation for a full field investigation,

a report of which shall be furnished to the Commission for its information and appropriate action.

(c) When the President considers it in the national interest, he may have the investigations of a group or class, which are required by subsection (a) of this section, made by the Federal Bureau of Investigation rather than the Commission.

(d) The investigation and report required by subsection (a) of this section shall be made by the Federal Bureau of Investigation rather than the Commission for those specific positions which the Secretary of State certifies are of a high degree of importance or sensitivity.

(e) A revolving fund of \$4,000,000 is available to the Commission without fiscal year limitation for financing investigations, the costs of which are required or authorized by statute to be borne by appropriations or funds of other agencies. The fund shall be reimbursed from available funds of agencies for investigations made for them at rates estimated by the Commission to be adequate to recover expenses of operation, including provision for accrued annual leave and depreciation of equipment purchased by the fund. Any surplus accruing to the fund in a fiscal year may be applied to restore any impairment of the capital of the fund because of variations between the rates charged for work or services and the amount later determined by the Commission to be the cost of performing the work or service. Any surplus remaining shall be paid into the general fund of the Treasury of the United States as miscellaneous receipts during the following fiscal year.

(f) An agency may use available appropriations to reimburse the Commission or the Federal Bureau of Investigation for the cost of investigations made for them under this section, or to make advances toward their cost. These advances and reimbursements shall be credited directly to the applicable appropriations of the Commission or the Federal Bureau of Investigation.

(g) This section does not affect the responsibility of the Federal Bureau of Investigation to investigate espionage, sabotage, or subversive acts.

#### **§ 1305. Hearing examiners**

For the purpose of sections 3105, 3344, 4301(2)(E), 5362, and 7521 and the provisions of section 5335(a)(B) of this title that relate to hearing examiners, the Civil Service Commission may investigate, require reports by agencies, issue reports, including an annual report to Congress, prescribe regulations, appoint advisory committees as necessary, recommend legislation, subpoena witnesses and records, and pay witness fees as established for the courts of the United States.

#### **§ 1306. Oaths to witnesses**

Each Civil Service Commissioner, including the Chairman, and authorized representatives of the Commission or Chairman, may administer oaths to witnesses in matters pending before the Commission.

#### **§ 1307. Minutes**

The Civil Service Commission shall keep minutes of its proceedings.

#### **§ 1308. Annual reports**

(a) The Civil Service Commission shall make an annual report to the President for transmittal to Congress. The report shall include—

- (1) a statement of the Commission's actions in the administration of the competitive service, the rules and regulations and exceptions thereto in force, the reasons for exceptions to the rules,

the practical effects of the rules and regulations, and any recommendations for the more effectual accomplishment of the purposes of the provisions of this title that relate to the administration of the competitive service;

(2) the results of the incentive awards program authorized by chapter 45 of this title with related recommendations;

(3) at the end of each fiscal year, the names, addresses, and nature of employment of the individuals on whom the Commission has imposed a penalty for prohibited political activity under section 7325 of this title, with a statement of the facts on which action was taken, and the penalty imposed; and

(4) a statement, in the form determined by the Commission with the approval of the President, on the training of employees under chapter 41 of this title, including—

(A) a summary of information concerning the operation and results of the training programs and plans of the agencies;

(B) a summary of information received by the Commission from the agencies under section 4113(b) of this title; and

(C) the recommendations and other matters considered appropriate by the President or the Commission or required by Congress.

(b) The Commission shall report annually to the President for transmittal to Congress on the administration of chapter 41 of this title, including the information received by the Commission from the agencies under section 4113(b) (2) and (3) of this title.

(c) The Commission shall publish an annual report on the operation of subchapter III of chapter 83 of this title, including a statement concerning the status of the Civil Service Retirement and Disability Fund on a normal cost plus interest basis.

(d) The Commission shall report annually to Congress on the operation of chapter 87 of this title.

(e) The Commission shall report annually to Congress on the operation of chapter 89 of this title.

## CHAPTER 15—POLITICAL ACTIVITY OF CERTAIN STATE AND LOCAL EMPLOYEES

### Sec.

1501. Definitions.

1502. Influencing elections; taking part in political campaigns; prohibitions; exceptions.

1503. Nonpartisan political activity permitted.

1504. Investigations; notice of hearing.

1505. Hearings; adjudications; notice of determinations.

1506. Orders; withholding loans or grants; limitations.

1507. Subpenas and depositions.

1508. Judicial review.

### § 1501. Definitions

For the purpose of this chapter—

(1) "State" means a State or territory or possession of the United States;

(2) "State or local agency" means the executive branch of a State, municipality, or other political subdivision of a State, or an agency or department thereof;

(3) "Federal agency" means an Executive agency or other agency of the United States, but does not include a member bank of the Federal Reserve System;

(4) "State or local officer or employee" means an individual employed by a State or local agency whose principal employment is in connection with an activity which is financed in whole or in part by loans or grants made by the United States or a Federal agency, but does not include—

(A) an individual who exercises no functions in connection with that activity; or

(B) an individual employed by an educational or research institution, establishment, agency, or system which is supported in whole or in part by a State or political subdivision thereof, or by a recognized religious, philanthropic, or cultural organization; and

(5) the phrase "an active part in political management or in political campaigns" means those acts of political management or political campaigning which were prohibited on the part of employees in the competitive service before July 19, 1940, by determinations of the Civil Service Commission under the rules prescribed by the President.

**§ 1502. Influencing elections; taking part in political campaigns; prohibitions; exceptions**

(a) A State or local officer or employee may not—

(1) use his official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office;

(2) directly or indirectly coerce, attempt to coerce, command, or advise a State or local officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes; or

(3) take an active part in political management or in political campaigns.

(b) A State or local officer or employee retains the right to vote as he chooses and to express his opinions on political subjects and candidates.

(c) Subsection (a) (3) of this section does not apply to—

(1) the Governor or Lieutenant Governor of a State or an individual authorized by law to act as Governor;

(2) the mayor of a city;

(3) a duly elected head of an executive department of a State or municipality who is not classified under a State or municipal merit or civil-service system; or

(4) an individual holding elective office.

**§ 1503. Nonpartisan political activity permitted**

Section 1502(a) (3) of this title does not prohibit political activity in connection with—

(1) an election and the preceding campaign if none of the candidates is to be nominated or elected at that election as representing a party any of whose candidates for presidential elector received votes in the last preceding election at which presidential electors were selected; or

(2) a question which is not specifically identified with a National or State political party.

For the purpose of this section, questions relating to constitutional amendments, referendums, approval of municipal ordinances, and others of a similar character, are deemed not specifically identified with a National or State political party.

**§ 1504. Investigations; notice of hearing**

When a Federal agency charged with the duty of making a loan or grant of funds of the United States for use in an activity by a State or local officer or employee has reason to believe that the officer or employee has violated section 1502 of this title, it shall report the matter to the Civil Service Commission. On receipt of the report, or on receipt of other information which seems to the Commission to warrant an investigation, the Commission shall—

- (1) fix a time and place for a hearing; and
- (2) send, by registered or certified mail, to the officer or employee charged with the violation and to the State or local agency employing him a notice setting forth a summary of the alleged violation and giving the time and place of the hearing.

The hearing may not be held earlier than 10 days after the mailing of the notice.

**§ 1505. Hearings; adjudications; notice of determinations**

Either the State or local officer or employee or the State or local agency employing him, or both, are entitled to appear with counsel at the hearing under section 1504 of this title, and be heard. After this hearing, the Civil Service Commission shall—

- (1) determine whether a violation of section 1502 of this title has occurred;
- (2) determine whether the violation warrants the removal of the officer or employee from his office or employment; and
- (3) notify the officer or employee and the agency of the determination by registered or certified mail.

**§ 1506. Orders; withholding loans or grants; limitations**

(a) When the Civil Service Commission finds—

- (1) that a State or local officer or employee has not been removed from his office or employment within 30 days after notice of a determination by the Commission that he has violated section 1502 of this title and that the violation warrants removal; or

- (2) that the State or local officer or employee has been removed and has been appointed within 18 months after his removal to an office or employment in the same State in a State or local agency which does not receive loans or grants from a Federal agency;

the Commission shall make and certify to the appropriate Federal agency an order requiring that agency to withhold from its loans or grants to the State or local agency to which notice was given an amount equal to 2 years' pay at the rate the officer or employee was receiving at the time of the violation. When the State or local agency to which appointment within 18 months after removal has been made is one that receives loans or grants from a Federal agency, the Commission order shall direct that the withholding be made from that State or local agency.

(b) Notice of the order shall be sent by registered or certified mail to the State or local agency from which the amount is ordered to be withheld. After the order becomes final, the Federal agency to which the order is certified shall withhold the amount in accordance with the terms of the order. Except as provided by section 1508 of this title, a determination or order of the Commission becomes final at the end of 30 days after mailing the notice of the determination or order.

(c) The Commission may not require an amount to be withheld from a loan or grant pledged by a State or local agency as security for its bonds or notes if the withholding of that amount would jeopardize the payment of the principal or interest on the bonds or notes.

**§ 1507. Subpenas and depositions**

(a) The Civil Service Commission may require by subpoena the attendance and testimony of witnesses and the production of documentary evidence relating to any matter before it as a result of this chapter. Any member of the Commission may sign subpoenas, and members of the Commission and its examiners when authorized by the Commission may administer oaths, examine witnesses, and receive evidence. The attendance of witnesses and the production of documentary evidence may be required from any place in the United States at the designated place of hearing. In case of disobedience to a subpoena, the Commission may invoke the aid of a court of the United States in requiring the attendance and testimony of witnesses and the production of documentary evidence. In case of contumacy or refusal to obey a subpoena issued to a person, the United States District Court within whose jurisdiction the inquiry is carried on may issue an order requiring him to appear before the Commission, or to produce documentary evidence if so ordered, or to give evidence concerning the matter in question; and any failure to obey the order of the court may be punished by the court as a contempt thereof.

(b) The Commission may order testimony to be taken by deposition at any stage of a proceeding or investigation before it as a result of this chapter. Depositions may be taken before an individual designated by the Commission and having the power to administer oaths. Testimony shall be reduced to writing by the individual taking the deposition, or under his direction, and shall be subscribed by the deponent. Any person may be compelled to appear and depose and to produce documentary evidence before the Commission as provided by this section.

(c) A person may not be excused from attending and testifying or from producing documentary evidence or in obedience to a subpoena on the ground that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled to testify, or produce evidence, documentary or otherwise, before the Commission in obedience to a subpoena issued by it. A person so testifying is not exempt from prosecution and punishment for perjury committed in so testifying.

**§ 1508. Judicial review**

A party aggrieved by a determination or order of the Civil Service Commission under section 1504, 1505, or 1506 of this title may, within 30 days after the mailing of notice of the determination or order, institute proceedings for review thereof by filing a petition in the United States District Court for the district in which the State or local officer or employee resides. The institution of the proceedings does not operate as a stay of the determination or order unless—

(1) the court specifically orders a stay; and

(2) the officer or employee is suspended from his office or employment while the proceedings are pending.

A copy of the petition shall immediately be served on the Commission, and thereupon the Commission shall certify and file in the court a transcript of the record on which the determination or order was made. The court shall review the entire record including questions of fact and questions of law. If application is made to the court for leave to adduce additional evidence, and it is shown to the satisfaction of the court that the additional evidence may materially affect the result of the proceedings and that there were reasonable grounds for failure to adduce this evidence in the hearing before the Commission, the

court may direct that the additional evidence be taken before the Commission in the manner and on the terms and conditions fixed by the court. The Commission may modify its findings of fact or its determination or order in view of the additional evidence and shall file with the court the modified findings, determination, or order; and the modified findings of fact, if supported by substantial evidence, are conclusive. The court shall affirm the determination or order, or the modified determination or order, if the court determines that it is in accordance with law. If the court determines that the determination or order, or the modified determination or order, is not in accordance with law, the court shall remand the proceeding to the Commission with directions either to make a determination or order determined by the court to be lawful or to take such further proceedings as, in the opinion of the court, the law requires. The judgment and decree of the court are final, subject to review by the appropriate United States Court of Appeals as in other cases, and the judgment and decree of the court of appeals are final, subject to review by the Supreme Court of the United States on certiorari or certification as provided by section 1254 of title 28. If a provision of this section is held to be invalid as applied to a party by a determination or order of the Commission, the determination or order becomes final and effective as to that party as if the provision had not been enacted.

## PART III—EMPLOYEES

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## Subpart A—General Provisions

### CHAPTER 21—DEFINITIONS

Sec.

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2102. The competitive service.

2103. The excepted service.

2104. Officer.

2105. Employee.

2106. Member of Congress.

2107. Congressional employee.

2108. Veteran; disabled veteran; preference eligible.

#### § 2101. Civil service; armed forces; uniformed services

For the purpose of this title—

(1) the “civil service” consists of all appointive positions in the executive, judicial, and legislative branches of the Government of the United States, except positions in the uniformed services;

(2) “armed forces” means the Army, Navy, Air Force, Marine Corps, and Coast Guard; and

(3) “uniformed services” means the armed forces, the commissioned corps of the Public Health Service, and the commissioned corps of the Coast and Geodetic Survey.

#### § 2102. The competitive service

(a) The “competitive service” consists of—

(1) all civil service positions in the executive branch, except—  
(A) positions which are specifically excepted from the competitive service by or under statute; and

(B) positions to which appointments are made by nomination for confirmation by the Senate, unless the Senate otherwise directs;

(2) civil service positions not in the executive branch which are specifically included in the competitive service by statute; and

(3) positions in the government of the District of Columbia which are specifically included in the competitive service by statute.

(b) Notwithstanding subsection (a)(1)(B) of this section, the “competitive service” includes positions to which appointments are made by nomination for confirmation by the Senate when specifically included therein by statute.

(c) As used in other Acts of Congress, “classified civil service” or “classified service” means the “competitive service”.

#### § 2103. The excepted service

(a) For the purpose of this title, the “excepted service” consists of those civil service positions which are not in the competitive service.

(b) As used in other Acts of Congress, “unclassified civil service” or “unclassified service” means the “excepted service”.

#### § 2104. Officer

For the purpose of this title, “officer”, except when specifically modified, means a justice or judge of the United States and an individual who is—

(1) required by law to be appointed in the civil service by one of the following acting in an official capacity—

(A) the President;

(B) a court of the United States;

(C) the head of an Executive agency; or

(D) the Secretary of a military department;

(2) engaged in the performance of a Federal function under authority of law or an Executive act; and

(3) subject to the supervision of an authority named by paragraph (1) of this section, or the Judicial Conference of the United States, while engaged in the performance of the duties of his office.

### § 2105. Employee

(a) For the purpose of this title, "employee", except as otherwise provided by this section or when specifically modified, means an officer and an individual who is—

(1) appointed in the civil service by one of the following acting in an official capacity—

- (A) the President;
- (B) a Member or Members of Congress, or the Congress;
- (C) a member of a uniformed service;
- (D) an individual who is an employee under this section; or
- (E) the head of a Government controlled corporation;

(2) engaged in the performance of a Federal function under authority of law or an Executive act; and

(3) subject to the supervision of an individual named by paragraph (1) of this subsection while engaged in the performance of the duties of his position.

(b) An individual employed at the United States Naval Academy in the midshipmen's laundry, the midshipmen's tailor shop, the midshipmen's cobbler and barber shops, and the midshipmen's store, except an individual employed by the Academy dairy, is deemed an employee.

(c) An employee paid from nonappropriated funds of the Army and Air Force Exchange Service, Army and Air Force Motion Picture Service, Navy Ship's Stores Ashore, Navy exchanges, Marine Corps exchanges, Coast Guard exchanges, and other instrumentalities of the United States under the jurisdiction of the armed forces conducted for the comfort, pleasure, contentment, and mental and physical improvement of personnel of the armed forces is deemed not an employee for the purpose of—

- (1) laws administered by the Civil Service Commission; or
- (2) subchapter I of chapter 81 and section 7902 of this title.

This subsection does not affect the status of these nonappropriated fund activities as Federal instrumentalities.

(d) A Reserve of the armed forces who is not on active duty or who is on active duty for training is deemed not an employee or an individual holding an office of trust or profit or discharging an official function under or in connection with the United States because of his appointment, oath, or status, or any duties or functions performed or pay or allowances received in that capacity.

### § 2106. Member of Congress

For the purpose of this title, "Member of Congress" means the Vice President, a member of the Senate or the House of Representatives, and the Resident Commissioner from Puerto Rico.

### § 2107. Congressional employee

For the purpose of this title, "Congressional employee" means—

- (1) an employee of either House of Congress, of a committee of either House, or of a joint committee of the two Houses;

- (2) an elected officer of either House who is not a Member of Congress;
- (3) the Legislative Counsel of either House and an employee of his office;
- (4) a member of the Capitol Police;
- (5) an employee of a Member of Congress if the pay of the employee is paid by the Secretary of the Senate or the Clerk of the House of Representatives;
- (6) an Official Reporter of Debates of the Senate, and an individual employed by the Official Reporters of Debates of the Senate in connection with the performance of their official duties; and
- (7) the Architect of the Capitol and an employee of the Architect of the Capitol.

### § 2108. Veteran; disabled veteran; preference eligible

For the purpose of this title—

- (1) "veteran" means an individual who served on active duty in the armed forces during a war, in a campaign or expedition for which a campaign badge has been authorized, or during the period beginning April 28, 1952, and ending July 1, 1955, and has been separated therefrom under honorable conditions;
- (2) "disabled veteran" means an individual who has served on active duty in the armed forces, has been separated therefrom under honorable conditions, and has established the present existence of a service-connected disability or is receiving compensation, disability retirement benefits, or pension because of a public statute administered by the Veterans' Administration or a military department; and
- (3) "preference eligible" means—
  - (A) a veteran;
  - (B) a disabled veteran;
  - (C) the unmarried widow of a veteran;
  - (D) the wife of a service-connected disabled veteran if the veteran has been unable to qualify for any appointment in the civil service or in the government of the District of Columbia;
  - (E) the mother of an individual who lost his life under honorable conditions while serving in the armed forces during a period named by paragraph (1) of this section, if—
    - (i) her husband is totally and permanently disabled;
    - (ii) she is widowed, divorced, or separated from the father and has not remarried; or
    - (iii) she has remarried but is widowed, divorced, or legally separated from her husband when preference is claimed; and
  - (F) the mother of a service-connected permanently and totally disabled veteran, if—
    - (i) her husband is totally and permanently disabled;
    - (ii) she is widowed, divorced, or separated from the father and has not remarried; or
    - (iii) she has remarried but is widowed, divorced, or legally separated from her husband when preference is claimed.

## CHAPTER 29—COMMISSIONS, OATHS, RECORDS, AND REPORTS

### SUBCHAPTER I—COMMISSIONS, OATHS, AND RECORDS

Sec.

- 2901. Commission of an officer.
- 2902. Commission; where recorded.
- 2903. Oath; authority to administer.
- 2904. Oath; administered without fees.
- 2905. Oath; renewal.
- 2906. Oath; custody.

### SUBCHAPTER II—REPORTS

Sec.

- 2951. Reports to the Civil Service Commission.
- 2952. Time of making annual reports.
- 2953. Reports to Congress on additional employee requirements.
- 2954. Information to committees of Congress on request.

### SUBCHAPTER I—COMMISSIONS, OATHS, AND RECORDS

#### § 2901. Commission of an officer

The President may make out and deliver, after adjournment of the Senate, the commission of an officer whose appointment has been confirmed by the Senate.

#### § 2902. Commission; where recorded

(a) Except as provided by subsections (b) and (c) of this section, the Secretary of State shall make out and record, and affix the seal of the United States to, the commission of an officer appointed by the President. The seal of the United States may not be affixed to the commission before the commission has been signed by the President.

(b) The commission of an officer in the civil service or uniformed services under the control of the Postmaster General, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Defense, the Secretary of a military department, the Secretary of the Interior, or the Secretary of the Treasury shall be made out and recorded in the department in which he is to serve under the seal of that department. The departmental seal may not be affixed to the commission before the commission has been signed by the President.

(c) The commissions of judicial officers and United States attorneys and marshals, appointed by the President, by and with the advice and consent of the Senate, and other commissions which before August 8, 1888, were prepared at the Department of State on the requisition of the Attorney General, shall be made out and recorded in the Department of Justice under the seal of that department and countersigned by the Attorney General. The departmental seal may not be affixed to the commission before the commission has been signed by the President.

#### § 2903. Oath; authority to administer

(a) The oath of office required by section 3331 of this title may be administered by an individual authorized by the laws of the United States or local law to administer oaths in the State, District, or territory or possession of the United States where the oath is administered.

(b) An employee of an Executive agency designated in writing by the head of the Executive agency, or the Secretary of a military department with respect to an employee of his department, may administer—

- (1) the oath of office required by section 3331 of this title, incident to entrance into the executive branch; or
- (2) any other oath required by law in connection with employment in the executive branch.

(c) An oath authorized or required under the laws of the United States may be administered by—

- (1) the Vice President; or
- (2) an individual authorized by local law to administer oaths in the State, District, or territory or possession of the United States where the oath is administered.

#### **§ 2904. Oath; administered without fees**

An employee of an Executive agency who is authorized to administer the oath of office required by section 3331 of this title, or any other oath required by law in connection with employment in the executive branch, may not charge or receive a fee or pay for administering the oath.

#### **§ 2905. Oath; renewal**

(a) An employee of an Executive agency or an individual employed by the government of the District of Columbia who, on original appointment, subscribed to the oath of office required by section 3331 of this title is not required to renew the oath because of a change in status so long as his service is continuous in the agency in which he is employed, unless, in the opinion of the head of the Executive agency, the Secretary of a military department with respect to an employee of his department, or the Commissioners of the District of Columbia, the public interest so requires.

(b) An individual who, on appointment as an employee of a House of Congress, subscribed to the oath of office required by section 3331 of this title is not required to renew the oath so long as his service as an employee of that House of Congress is continuous.

#### **§ 2906. Oath; custody**

The oath of office taken by an individual under section 3331 of this title shall be delivered by him to, and preserved by, the House of Congress, agency, or court to which the office pertains.

### SUBCHAPTER II—REPORTS

#### **§ 2951. Reports to the Civil Service Commission**

The President may prescribe rules which shall provide, as nearly as conditions of good administration warrant, that—

(1) the appointing authority notify the Civil Service Commission in writing of the following actions and their dates as to each individual selected for appointment in the competitive service from among those who have been examined—

- (A) appointment and residence of appointee;
- (B) separation during probation;
- (C) transfer;
- (D) resignation; and
- (E) removal; and

(2) the Commission keep records of these actions.

**§ 2952. Time of making annual reports**

Except when a different time is specifically prescribed by statute, the head of each Executive department or military department shall make the annual reports, required to be submitted to Congress, at the beginning of each regular session of Congress. The reports shall cover the transactions of the preceding year.

**§ 2953. Reports to Congress on additional employee requirements**

(a) Each report, recommendation, or other communication, of an official nature, of an Executive agency which—

(1) relates to pending or proposed legislation which, if enacted, will entail an estimated annual expenditure of appropriated funds in excess of \$1,000,000;

(2) is submitted or transmitted to Congress or a committee thereof in compliance with law or on the initiative of the appropriate authority of the executive branch; and

(3) officially proposes or recommends the creation or expansion, either by action of Congress or by administrative action, of a function, activity, or authority of the Executive agency to be in addition to those functions, activities, and authorities thereof existing when the report, recommendation, or other communication is so submitted or transmitted;

shall contain a statement, concerning the Executive agency, for each of the first 5 fiscal years during which each additional or expanded function, activity, or authority so proposed or recommended is to be in effect, setting forth the following information—

(A) the estimated maximum additional—

(i) man-years of civilian employment, by general categories of positions;

(ii) expenditures for personal services; and

(iii) expenditures for all purposes other than personal services;

which are attributable to the function, activity, or authority and which will be required to be effected by the Executive agency in connection with the performance thereof; and

(B) such other statement, discussion, explanation, or other information as is considered advisable by the appropriate authority of the executive branch or that is required by Congress or a committee thereof.

(b) Subsection (a) of this section does not apply to—

(1) the Central Intelligence Agency;

(2) a Government controlled corporation; or

(3) the General Accounting Office.

**§ 2954. Information to committees of Congress on request**

An Executive agency, on request of the Committee on Government Operations of the House of Representatives, or of any seven members thereof, or on request of the Committee on Government Operations of the Senate, or any five members thereof, shall submit any information requested of it relating to any matter within the jurisdiction of the committee.

**Subpart B—Employment and Retention**  
**CHAPTER 31—AUTHORITY FOR EMPLOYMENT**

Sec.

- 3101. General authority to employ.
- 3102. Employment of readers for blind employees.
- 3103. Employment at seat of Government only for services rendered.
- 3104. Employment of specially qualified scientific and professional personnel.
- 3105. Appointment of hearing examiners.
- 3106. Employment of attorneys; restrictions.
- 3107. Employment of publicity experts; restrictions.
- 3108. Employment of detective agencies; restrictions.
- 3109. Employment of experts and consultants; temporary or intermittent.

**§ 3101. General authority to employ**

Each Executive agency, military department, and the government of the District of Columbia may employ such number of employees of the various classes recognized by chapter 51 of this title as Congress may appropriate for from year to year.

**§ 3102. Employment of readers for blind employees**

(a) For the purpose of this section—

(1) “agency” means—

- (A) an Executive agency;
- (B) the Library of Congress; and
- (C) the government of the District of Columbia;

(2) “head of each agency” means the Board of Commissioners of the District of Columbia with respect to the government of the District of Columbia;

(3) “blind employee” means an individual employed by an agency who establishes, to the satisfaction of the appropriate authority of the agency concerned and under regulations of the head of that agency, that he has an impairment of sight, either permanent or temporary, which is so severe or disabling that the employment of a reading assistant or assistants for that individual is necessary or desirable to enable him properly to perform his work; and

(4) “nonprofit organization” means an organization determined by the Secretary of the Treasury to be an organization described by section 501(c) of title 26 which is exempt from taxation under section 501(a) of title 26.

(b) The head of each agency may employ a reading assistant or assistants for a blind employee of his agency, to serve without pay from the agency, without regard to—

(1) the provisions of this title governing appointment in the competitive service; and

(2) chapter 51 and subchapter III of chapter 53 of this title.

A reading assistant so employed may be paid and receive pay for his services as reading assistant by and from the blind employee or a nonprofit organization, without regard to section 209 of title 18.

(c) This section may not be held or considered to prevent or limit in any way the assignment to a blind employee by an agency of clerical or secretarial assistance, at the expense of the agency and under statutes and regulations currently applicable at the time, if that assistance normally is provided, or authorized to be provided, in that manner under currently applicable statutes and regulations.

**§ 3103. Employment at seat of Government only for services rendered**

An individual may be employed in the civil service in an Executive department at the seat of Government only for services actually rendered in connection with and for the purposes of the appropriation from which he is paid. An individual who violates this section shall be removed from the service.

**§ 3104. Employment of specially qualified scientific and professional personnel**

(a) The head of an agency named below may establish scientific or professional positions to carry out the research and development functions of his agency which require the services of specially qualified personnel within the following limits:

- (1) Department of the Interior—not more than 8.
- (2) Department of Agriculture—not more than 20.
- (3) Department of Health, Education, and Welfare—not more than 13.
- (4) Department of Commerce—not more than 30, of which at least 5 are for the United States Patent Office in its examining and related activities.
- (5) Post Office Department—not more than 3.
- (6) United States Arms Control and Disarmament Agency—not more than 14.
- (7) Library of Congress—not more than 8.

(b) When a general appropriation statute authorizes an agency named by this section to establish and fix the pay of scientific or professional positions similar to those authorized by this section, the number of positions authorized by this section is reduced by the number of positions authorized by the appropriation statute, unless otherwise specifically provided.

(c) The head of each agency authorized to establish and fix the pay of positions under this section and section 5361 of this title shall submit to Congress, not later than December 31 of each year, a report setting forth—

- (1) the number of these positions established in his agency during that calendar year; and
- (2) the name, rate of pay, and description of the qualifications of each incumbent, together with a statement of the functions performed by each.

When the head of such an agency considers full public report on these items detrimental to the national security, he may omit the items from his annual report and, instead, present the information in executive session of such committee of a House of Congress as the presiding officer thereof may designate.

**§ 3105. Appointment of hearing examiners**

Each agency shall appoint as many hearings examiners as are necessary for proceedings required to be conducted in accordance with sections 556 and 557 of this title. Hearing examiners shall be assigned to cases in rotation so far as practicable, and may not perform duties inconsistent with their duties and responsibilities as hearing examiners.

**§ 3106. Employment of attorneys; restrictions**

Except as otherwise authorized by law, the head of an Executive department or military department may not employ an attorney or

counsel for the conduct of litigation in which the United States, an agency, or employee thereof is a party, or is interested, or for the securing of evidence therefor, but shall refer the matter to the Department of Justice. This section does not apply to the employment and payment of counsel under section 1037 of title 10.

**§ 3107. Employment of publicity experts; restrictions**

Appropriated funds may not be used to pay a publicity expert unless specifically appropriated for that purpose.

**§ 3108. Employment of detective agencies; restrictions**

An individual employed by the Pinkerton Detective Agency, or similar organization, may not be employed by the Government of the United States or the government of the District of Columbia.

**§ 3109. Employment of experts and consultants; temporary or intermittent**

(a) For the purpose of this section—

(1) "agency" has the meaning given it by section 5721 of this title; and

(2) "appropriation" includes funds made available by statute under section 849 of title 31.

(b) When authorized by an appropriation or other statute, the head of an agency may procure by contract the temporary (not in excess of 1 year) or intermittent services of experts or consultants or an organization thereof, including stenographic reporting services. Services procured under this section are without regard to—

(1) the provisions of this title governing appointment in the competitive service;

(2) chapter 51 and subchapter III of chapter 53 of this title; and

(3) section 5 of title 41, except in the case of stenographic reporting services by an organization.

However, an agency subject to chapter 51 and subchapter III of chapter 53 of this title may pay a rate for services under this section in excess of the daily equivalent of the highest rate payable under section 5332 of this title only when specifically authorized by the appropriation or other statute authorizing the procurement of the services.

**CHAPTER 33—EXAMINATION, SELECTION, AND PLACEMENT**

**SUBCHAPTER I—EXAMINATION, CERTIFICATION, AND APPOINTMENT**

Sec.

3301. Civil service; generally.

3302. Competitive service; rules.

3303. Competitive service; recommendations of Senators or Representatives.

3304. Competitive service; examinations.

3305. Competitive service; examinations; when held.

3306. Competitive service; departmental service; apportionment.

3307. Competitive service; maximum-age requirement; restriction on use of appropriated funds.

3308. Competitive service; examinations; educational requirements prohibited; exceptions.

3309. Preference eligibles; examinations; additional points for.

3310. Preference eligibles; examinations; guards, elevator operators, messengers, and custodians.

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Sec.

- 3312. Preference eligibles; physical qualifications; waiver.
- 3313. Competitive service; registers of eligibles.
- 3314. Registers; preference eligibles who resigned.
- 3315. Registers; preference eligibles furloughed or separated.
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- 3327. Postmasters; standards for determination of qualifications.

## SUBCHAPTER II—OATH OF OFFICE

Sec.

- 3331. Oath of office.
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- 3341. Details; within Executive or military departments.
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- 3343. Details; to international organizations.
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- 3345. Details; to office of head of Executive or military department.
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- 3348. Details; limited in time.
- 3349. Details; to fill vacancies; restrictions.

## SUBCHAPTER IV—TRANSFERS

Sec.

- 3351. Preference eligibles; transfer; physical qualifications; waiver.

## SUBCHAPTER V—PROMOTION

Sec.

- 3361. Promotion; competitive service; examination.
- 3362. Promotion; effect of incentive award.
- 3363. Preference eligibles; promotion; physical qualifications; waiver.
- 3364. Promotion; substitute employees in the postal field service.

## SUBCHAPTER I—EXAMINATION, CERTIFICATION, AND APPOINTMENT

### § 3301. Civil service; generally

The President may—

- (1) prescribe such regulations for the admission of individuals into the civil service in the executive branch as will best promote the efficiency of that service;
- (2) ascertain the fitness of applicants as to age, health, character, knowledge, and ability for the employment sought; and
- (3) appoint and prescribe the duties of individuals to make inquiries for the purpose of this section.

### § 3302. Competitive service; rules

The President may prescribe rules governing the competitive service. The rules shall provide, as nearly as conditions of good administration warrant, for—

- (1) necessary exceptions of positions from the competitive service; and

(2) necessary exceptions from the provisions of sections 2951, 3304(a), 3306(a) (1), 3321, 7152, 7153, 7321, and 7322 of this title. Each officer and individual employed in an agency to which the rules apply shall aid in carrying out the rules.

**§ 3303. Competitive service; recommendations of Senators or Representatives**

An individual concerned in examining an applicant for or appointing him in the competitive service may not receive or consider a recommendation of the applicant by a Senator or Representative, except as to the character or residence of the applicant.

**§ 3304. Competitive service; examinations**

(a) The President may prescribe rules which shall provide, as nearly as conditions of good administration warrant, for—

(1) open, competitive examinations for testing applicants for appointment in the competitive service which are practical in character and as far as possible relate to matters that fairly test the relative capacity and fitness of the applicants for the appointment sought; and

(2) noncompetitive examinations when competent applicants do not compete after notice has been given of the existence of the vacancy.

(b) An individual may be appointed in the competitive service only if he has passed an examination or is specifically excepted from examination under section 3302 of this title. This subsection does not take from the President any authority conferred by section 3301 of this title that is consistent with the provisions of this title governing the competitive service.

(c) Notwithstanding a contrary provision of this title or of the rules and regulations prescribed under this title for the administration of the competitive service, an individual who served—

(1) for at least 3 years in the legislative branch in a position in which he was paid by the Secretary of the Senate or the Clerk of the House of Representatives; or

(2) for at least 4 years as a secretary or law clerk, or both, to a justice or judge of the United States;

acquires a competitive status for transfer to the competitive service if he is involuntarily separated without prejudice from the legislative or judicial branch, passes a suitable noncompetitive examination, and transfers to the competitive service within 1 year of the separation from the legislative or judicial branch. For the purpose of this subsection, an individual who has served for at least 2 years in a position in the legislative branch described by paragraph (1) of this subsection and who is separated from that position to enter the armed forces is deemed to have held that position during his service in the armed forces.

(d) Employees at any place outside the District of Columbia where the President or a Civil Service Commission board of examiners directs that examinations be held shall allow the reasonable use of public buildings for, and in all proper ways facilitate, holding the examinations.

**§ 3305. Competitive service; examinations; when held**

(a) The Civil Service Commission shall hold examinations for the competitive service at least twice a year in each State and territory or possession of the United States where there are individuals to be examined.

(b) The Commission shall hold an examination for a position to which an appointment has been made within the preceding 3 years, on the application of an individual who qualifies as a preference eligible under section 2108(3)(B)-(F) of this title. The examination shall be held during the quarter following the application.

**§ 3306. Competitive service; departmental service; apportionment**

(a) (1) The President may prescribe rules which shall provide, as nearly as conditions of good administration warrant, that appointments in the departmental service in the District of Columbia be apportioned among the States, territories and possessions of the United States, and the District of Columbia on the basis of population as ascertained at the last census.

(2) Paragraph (1) of this subsection does not apply to a preference eligible, but he may be required to furnish evidence of residence and domicile.

(b) An application for examination for appointment in the departmental service in the District of Columbia shall be accompanied by—

(1) a certificate under the seal of an official of the county and State of which the applicant claims to be a resident, that the applicant was a legal or voting resident of the State when he made the application and had been for at least 1 year before making the application; or

(2) a statement of the applicant under oath setting forth his legal or voting residence for 1 year before making the application, accompanied by letters from three reputable citizens of the State in which residence is claimed corroborating the statement.

This subsection does not apply to an employee serving in the competitive service with competitive status who seeks promotion or appointment to another position.

**§ 3307. Competitive service; maximum-age requirement; restriction on use of appropriated funds**

Appropriated funds may not be used to pay an employee who establishes a maximum-age requirement for entrance into the competitive service.

**§ 3308. Competitive service; examinations; educational requirements prohibited; exceptions**

The Civil Service Commission or other examining agency may not prescribe a minimum educational requirement for an examination for the competitive service except when the Commission decides that the duties of a scientific, technical, or professional position cannot be performed by an individual who does not have a prescribed minimum education. The Commission shall make the reasons for its decision under this section a part of its public records.

**§ 3309. Preference eligibles; examinations; additional points for**

A preference eligible who receives a passing grade in an examination for entrance into the competitive service is entitled to additional points above his earned rating, as follows—

(1) a preference eligible under section 2108(3)(B)-(F) of this title—10 points; and

(2) a preference eligible under section 2108(3)(A) of this title—5 points.

**§ 3310. Preference eligibles; examinations; guards, elevator operators, messengers, and custodians**

In examinations for positions of guards, elevator operators, messengers, and custodians in the competitive service, competition is restricted to preference eligibles as long as preference eligibles are available.

**§ 3311. Preference eligibles; examinations; crediting experience**

In examinations for the competitive service in which experience is an element of qualification, a preference eligible is entitled to credit—

(1) for service in the armed forces when his employment in a similar vocation to that for which examined was interrupted by the service; and

(2) for all experience material to the position for which examined, including experience gained in religious, civic, welfare, service, and organizational activities, regardless of whether he received pay therefor.

**§ 3312. Preference eligibles; physical qualifications; waiver**

In determining qualifications of a preference eligible for examination for, appointment in, or reinstatement in the competitive service, the Civil Service Commission or other examining agency shall waive—

(1) requirements as to age, height, and weight, unless the requirement is essential to the performance of the duties of the position; and

(2) physical requirements if, in the opinion of the Commission or other examining agency, after considering the recommendation of an accredited physician, the preference eligible is physically able to perform efficiently the duties of the position.

**§ 3313. Competitive service; registers of eligibles**

The names of applicants who have qualified in examinations for the competitive service shall be entered on appropriate registers or lists of eligibles in the following order—

(1) for scientific and professional positions in GS-9 or higher, in the order of their ratings, including points added under section 3309 of this title; and

(2) for all other positions—

(A) disabled veterans who have a compensable service-connected disability of 10 percent or more, in order of their ratings, including points added under section 3309 of this title; and

(B) remaining applicants, in the order of their ratings, including points added under section 3309 of this title.

The names of preference eligibles shall be entered ahead of others having the same rating.

**§ 3314. Registers; preference eligibles who resigned**

A preference eligible who resigns, on request to the Civil Service Commission, is entitled to have his name placed again on all registers for which he may have been qualified, in the order named by section 3313 of this title.

**§ 3315. Registers; preference eligibles furloughed or separated**

(a) A preference eligible who has been separated or furloughed without delinquency or misconduct, on request, is entitled to have his name placed on appropriate registers and employment lists for every position for which his qualifications have been established, in the order named by section 3313 of this title. This subsection applies to regis-

ters and employment lists maintained by the Civil Service Commission, an Executive agency, or the government of the District of Columbia.

(b) The Commission may declare a preference eligible who has been separated or furloughed without pay under section 7512 of this title to be entitled to the benefits of subsection (a) of this section.

#### **§ 3316. Preference eligibles; reinstatement**

On request of an appointing authority, a preference eligible who has resigned or who has been dismissed or furloughed may be certified for, and appointed to, a position for which he is eligible in the competitive service, an Executive agency, or the government of the District of Columbia.

#### **§ 3317. Competitive service; certification from registers**

(a) The Civil Service Commission shall certify enough names from the top of the appropriate register to permit a nominating or appointing authority who has requested a certificate of eligibles to consider at least three names for appointment to each vacancy in the competitive service.

(b) When an appointing authority, for reasons considered sufficient by the Commission, has three times considered and passed over a preference eligible who was certified from a register, certification of the preference eligible for appointment may be discontinued. However, the preference eligible is entitled to advance notice of discontinuance of certification.

#### **§ 3318. Competitive service; selection from certificates**

(a) The nominating or appointing authority shall select for appointment to each vacancy from the highest three eligibles available for appointment on the certificate furnished under section 3317 (a) of this title, unless objection to one or more of the individuals certified is made to, and sustained by, the Civil Service Commission for proper and adequate reason under regulations prescribed by the Commission.

(b) An appointing authority who passes over a preference eligible on a certificate and selects an individual who is not a preference eligible shall file written reasons with the Commission for passing over the preference eligible. The Commission shall make these reasons a part of the record of the preference eligible. The Commission may require the submission of more detailed information in support of the passing over of the preference eligible. The Commission shall determine the sufficiency or insufficiency of the reasons submitted and shall send its findings to the appointing authority. The appointing authority shall comply with the findings of the Commission. The preference eligible or his representative, on request, is entitled to a copy of—

- (1) the reasons submitted by the appointing authority; and
- (2) the findings of the Commission.

(c) When three or more names of preference eligibles are on a reemployment list appropriate for the position to be filled, a nominating or appointing authority may appoint from a register of eligibles established after examination only an individual who qualifies as a preference eligible under section 2108(3)(B)–(F) of this title.

#### **§ 3319. Competitive service; selection; members of family restriction**

(a) When two or more members of a family are employed in the competitive service, another member of the same family is not eligible for appointment in the competitive service.

(b) Subsection (a) of this section does not apply to a preference eligible.

**§ 3320. Excepted service; government of the District of Columbia; selection**

The nominating or appointing authority shall select for appointment to each vacancy in the excepted service in the executive branch and in the government of the District of Columbia from the qualified applicants in the same manner and under the same conditions required for the competitive service by sections 3308-3318 of this title. This section does not apply to an appointment required by Congress to be confirmed by, or made with the advice and consent of, the Senate.

**§ 3321. Competitive service; probation; period of**

The President may prescribe rules which shall provide, as nearly as conditions of good administration warrant, that there shall be a period of probation before an appointment in the competitive service becomes absolute.

**§ 3322. Competitive service; temporary appointments after age 70**

An individual who has reached his 70th birthday may be appointed to a position in the competitive service only on a temporary basis.

**§ 3323. Automatic separations; reappointment; reemployment of annuitants**

(a) An individual who reaches the retirement age prescribed for automatic separation applicable to him may not be continued in the civil service or in the government of the District of Columbia. An individual separated on account of age under a statute or regulation providing for retirement on account of age is not eligible for appointment in the civil service or in the government of the District of Columbia. The President, when in his judgment the public interest so requires, may except an individual from this subsection by Executive order. This subsection does not apply to an individual named by a statute providing for the continuance of the individual in the civil service or in the government of the District of Columbia.

(b) Notwithstanding other statutes, an annuitant as defined by section 8331 of this title receiving annuity from the Civil Service Retirement and Disability Fund is not barred by reason of his retired status from employment in an appointive position for which he is qualified. An annuitant so reemployed serves at the will of the appointing authority.

(c) Notwithstanding subsection (a) of this section, a Foreign Service officer retired under section 1001 or 1002 of title 22 or a Foreign Service staff officer or employee retired under section 1063 of title 22 is not barred by reason of his retired status from employment in a position in the civil service for which he is qualified. An annuitant so reemployed serves at the will of the appointing authority.

(d) Notwithstanding subsection (a) of this section, the Chief of Engineers of the Army, under section 569a of title 33, may employ a retired employee whose expert assistance is needed in connection with river and harbor or flood control works. There shall be deducted from the pay of an employee so reemployed an amount equal to the annuity or retired pay allocable to the period of actual employment.

**§ 3324. Appointments at GS-16, 17, and 18**

(a) An appointment to a position in GS-16, 17, or 18 may be made only on approval of the qualifications of the proposed appointee by

the Civil Service Commission. This section does not apply to a position—

- (1) provided for in section 5108(c)(2) of this title;
- (2) to which appointment is made by the President;
- (3) to which appointment is made by the Librarian of Congress; or
- (4) the incumbent of which is paid from—
  - (A) appropriations for the Executive Office of the President under the headings “The White House Office”, “Special Projects”, “Council of Economic Advisers”, “National Security Council”, and “Office of Emergency Planning”, or
  - (B) funds appropriated to the President under the heading “Emergency Fund for the President” by the Treasury, Post Office, and Executive Office Appropriation Act, 1966, or a later statute making appropriations for the same purpose.

79 Stat. 202.

(b) The Commission may prescribe regulations necessary for the administration of this section.

### § 3325. Appointments to scientific and professional positions

(a) Positions established under section 3104 of this title are in the competitive service. However, appointments to the positions are made without competitive examination on approval of the qualifications of the proposed appointee by the Civil Service Commission or its designee for this purpose.

(b) This section does not apply to positions established under section 3104(a)(7) of this title.

### § 3326. Appointments of retired members of the armed forces to positions in the Department of Defense

(a) For the purpose of this section, “member” and “Secretary concerned” have the meanings given them by section 101 of title 37.

(b) A retired member of the armed forces may be appointed to a position in the civil service in or under the Department of Defense (including a nonappropriated fund instrumentality under the jurisdiction of the armed forces) during the period of 180 days immediately after his retirement only if—

- (1) the proposed appointment is authorized by the Secretary concerned or his designee for the purpose, and, if the position is in the competitive service, after approval by the Civil Service Commission;
- (2) the minimum rate of basic pay for the position has been increased under section 5303 of this title; or
- (3) a state of national emergency exists.

(c) A request by appropriate authority for the authorization, or the authorization and approval, as the case may be, required by subsection (b)(1) of this section shall be accompanied by a statement which shows the actions taken to assure that—

- (1) full consideration, in accordance with placement and promotion procedures of the department concerned, was given to eligible career employees;
- (2) when selection is by other than certification from an established civil service register, the vacancy has been publicized to give interested candidates an opportunity to apply;
- (3) qualification requirements for the position have not been written in a manner designed to give advantage to the retired member; and
- (4) the position has not been held open pending the retirement of the retired member.

### § 3327. Postmasters; standards for determination of qualifications

In evaluating the qualifications of applicants for positions of postmaster, the Civil Service Commission shall give, with respect to each applicant, due and appropriate consideration to experience in the postal field service, including seniority, length of service, level of difficulty and responsibility of work, attendance, awards and commendations, and performance rating.

## SUBCHAPTER II—OATH OF OFFICE

### § 3331. Oath of office

An individual, except the President, elected or appointed to an office of honor or profit in the civil service or uniformed services, shall take the following oath: "I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God." This section does not affect other oaths required by law.

### § 3332. Officer affidavit; no consideration paid for appointment

An officer, within 30 days after the effective date of his appointment, shall file with the oath of office required by section 3331 of this title an affidavit that neither he nor anyone acting in his behalf has given, transferred, promised, or paid any consideration for or in the expectation or hope of receiving assistance in securing the appointment.

### § 3333. Employee affidavit; loyalty and striking against the Government

(a) Except as provided by subsection (b) of this section, an individual who accepts office or employment in the Government of the United States or in the government of the District of Columbia shall execute an affidavit within 60 days after accepting the office or employment that his acceptance and holding of the office or employment does not or will not violate section 7311 of this title. The affidavit is prima facie evidence that the acceptance and holding of office or employment by the affiant does not or will not violate section 7311 of this title.

(b) An affidavit is not required from an individual employed by the Government of the United States or the government of the District of Columbia for less than 60 days for sudden emergency work involving the loss of human life or the destruction of property. This subsection does not relieve an individual from liability for violation of section 7311 of this title.

## SUBCHAPTER III—DETAILS

### § 3341. Details; within Executive or military departments

(a) The head of an Executive department or military department may detail employees among the bureaus and offices of his department, except employees who are required by law to be exclusively engaged on some specific work.

(b) Details under subsection (a) of this section may be made only by written order of the head of the department, and may be for not

more than 120 days. These details may be renewed by written order of the head of the department, in each particular case, for periods not exceeding 120 days.

### § 3342. Details; field to departmental service prohibited

An employee in the field service may not be detailed for duty in an Executive department in the District of Columbia. This section does not prohibit—

- (1) temporary details for duty connected with the position of the employee detailed;
- (2) details specially provided by law; or
- (3) the detail of one employee of the Bureau of Customs for duty in the Department of the Treasury in the District of Columbia.

### § 3343. Details; to international organizations

(a) For the purpose of this section—

- (1) “agency”, “employee”, and “international organization” have the meanings given them by section 3581 of this title; and
- (2) “detail” means the assignment or loan of an employee to an international organization without a change of position from the agency by which he is employed to an international organization.

(b) The head of an agency may detail, for a period of not more than 3 years, an employee of his agency to an international organization which requests services.

(c) An employee detailed under subsection (b) of this section is deemed, for the purpose of preserving his allowances, privileges, rights, seniority, and other benefits, an employee of the agency from which detailed, and he is entitled to pay, allowances, and benefits from funds available to that agency. The authorization and payment of these allowances and other benefits from appropriations available therefor is deemed to comply with section 5536 of this title.

(d) Details may be made under subsection (b) of this section—

- (1) without reimbursement to the United States by the international organization; or
- (2) with agreement by the international organization to reimburse the United States for all or part of the pay, travel expenses, and allowances payable during the detail, and the reimbursement shall be credited to the appropriation, fund, or account used for paying the amounts reimbursed.

(e) An employee detailed under subsection (b) of this section may be paid or reimbursed by an international organization for allowances or expenses incurred in the performance of duties required by the detail, without regard to section 209 of title 18.

### § 3344. Details; hearing examiners

An agency as defined by section 551 of this title which occasionally or temporarily is insufficiently staffed with hearing examiners appointed under section 3105 of this title may use hearing examiners selected by the Civil Service Commission from and with the consent of other agencies.

### § 3345. Details; to office of head of Executive or military department

When the head of an Executive department or military department dies, resigns, or is sick or absent, his first assistant, unless otherwise directed by the President under section 3347 of this title, shall perform the duties of the office until a successor is appointed or the absence or sickness stops.

**§ 3346. Details; to subordinate offices**

When an officer of a bureau of an Executive department or military department, whose appointment is not vested in the head of the department, dies, resigns, or is sick or absent, his first assistant, unless otherwise directed by the President under section 3347 of this title, shall perform the duties of the office until a successor is appointed or the absence or sickness stops.

**§ 3347. Details; Presidential authority**

Instead of a detail under section 3345 or 3346 of this title, the President may direct the head of another Executive department or military department or another officer of an Executive department or military department, whose appointment is vested in the President, by and with the advice and consent of the Senate, to perform the duties of the office until a successor is appointed or the absence or sickness stops. This section does not apply to a vacancy in the office of Attorney General.

**§ 3348. Details; limited in time**

A vacancy caused by death or resignation may be filled temporarily under section 3345, 3346, or 3347 of this title for not more than 30 days.

**§ 3349. Details; to fill vacancies; restrictions**

A temporary appointment, designation, or assignment of one officer to perform the duties of another under section 3345 or 3346 of this title may not be made otherwise than as provided by those sections, except to fill a vacancy occurring during a recess of the Senate.

**SUBCHAPTER IV—TRANSFERS****§ 3351. Preference eligibles; transfer; physical qualifications; waiver**

In determining qualifications of a preference eligible for transfer to another position in the competitive service, an Executive agency, or the government of the District of Columbia, the Civil Service Commission or other examining agency shall waive—

(1) requirements as to age, height, and weight, unless the requirement is essential to the performance of the duties of the position; and

(2) physical requirements if, in the opinion of the Commission or other examining agency, after considering the recommendation of an accredited physician, the preference eligible is physically able to perform efficiently the duties of the position.

This section does not apply to an appointment required by Congress to be confirmed by, or made with the advice and consent of, the Senate, except an appointment made under section 3311 of title 39.

**SUBCHAPTER V—PROMOTION****§ 3361. Promotion; competitive service; examination**

An individual may be promoted in the competitive service only if he has passed an examination or is specifically excepted from examination under section 3302 of this title. This section does not take from the President any authority conferred by section 3301 of this title that is consistent with the provisions of this title governing the competitive service.

**§ 3362. Promotion; effect of incentive award**

An agency, in qualifying and selecting an employee for promotion, shall give due weight to an incentive award under chapter 45 of this

title. For the purpose of this section, "agency" and "employee" have the meanings given them by section 4501 of this title.

**§ 3363. Preference eligibles; promotion; physical qualifications; waiver**

In determining qualifications of a preference eligible for promotion to another position in the competitive service, an Executive agency, or the government of the District of Columbia, the Civil Service Commission or other examining agency shall waive—

(1) requirements as to age, height, and weight, unless the requirement is essential to the performance of the duties of the position; and

(2) physical requirements if, in the opinion of the Commission or other examining agency, after considering the recommendation of an accredited physician, the preference eligible is physically able to perform efficiently the duties of the position.

This section does not apply to an appointment required by Congress to be confirmed by, or made with the advice and consent of, the Senate, except an appointment made under section 3311 of title 39.

**§ 3364. Promotion; substitute employees in the postal field service**

When substitute employees in the postal field service are appointed on the same day, each is entitled to be promoted to the regular force in the order in which his name appeared on the register from which he was originally appointed, if of the required sex, eligible, and willing to accept, unless the vacancy on the regular force is filled by transfer or reinstatement.

**CHAPTER 35—RETENTION PREFERENCE, RESTORATION, AND REEMPLOYMENT**

**SUBCHAPTER I—RETENTION PREFERENCE**

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3501. Definitions; application.

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3503. Transfer of functions.

3504. Preference eligibles; retention; physical qualifications; waiver.

**SUBCHAPTER II—RESTORATION AFTER ACTIVE DUTY OR TRAINING DUTY**

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3571. Reinstatement or restoration; individuals suspended or removed for national security.

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Sec.

3581. Definitions.

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## SUBCHAPTER I—RETENTION PREFERENCE

**§ 3501. Definitions; application**

(a) For the purpose of this subchapter, except section 3504—

(1) “active service” has the meaning given it by section 101 of title 37;

(2) “a retired member of a uniformed service” means a member or former member of a uniformed service who is entitled, under statute, to retired, retirement, or retainer pay on account of his service as such a member; and

(3) a preference eligible employee who is a retired member of a uniformed service is considered a preference eligible only if—

(A) his retirement was based on disability—

(i) resulting from injury or disease received in line of duty as a direct result of armed conflict; or

(ii) caused by an instrumentality of war and incurred in the line of duty during a period of war as defined by sections 101 and 301 of title 38;

(B) his service does not include twenty or more years of full-time active service, regardless of when performed but not including periods of active duty for training; or

(C) on November 30, 1964, he was employed in a position to which this subchapter applies and thereafter he continued to be so employed without a break in service of more than 30 days.

(b) Except as otherwise provided by this subsection and section 3504 of this title, this subchapter applies to each employee in or under an Executive agency. This subchapter does not apply to an employee whose appointment is required by Congress to be confirmed by, or made with the advice and consent of, the Senate, except an employee whose appointment is made under section 3311 of title 39.

**§ 3502. Order of retention**

(a) The Civil Service Commission shall prescribe regulations for the release of competing employees in a reduction in force which give due effect to—

(1) tenure of employment;

(2) military preference, subject to section 3501(a)(3) of this title;

(3) length of service; and

(4) efficiency or performance ratings.

In computing length of service, a competing employee—

(A) who is not a retired member of a uniformed service is entitled to credit for the total length of time in active service in the armed forces; and

(B) who is a retired member of a uniformed service is entitled to credit for—

(i) the length of time in active service in the armed forces during a war, or in a campaign or expedition for which a campaign badge has been authorized; or

(ii) the total length of time in active service in the armed forces if he is included under section 3501(a)(3)(A), (B), or (C) of this title.

(b) A preference eligible employee whose efficiency or performance rating is “good” or “satisfactory” or better than “good” or “satisfactory” is entitled to be retained in preference to other competing employees. A preference eligible employee whose efficiency or per-

formance rating is below "good" or "satisfactory" is entitled to be retained in preference to competing nonpreference employees who have equal or lower efficiency or performance ratings.

### **§ 3503. Transfer of functions**

(a) When a function is transferred from one agency to another, each preference eligible employed in the function shall be transferred to the receiving agency for employment in a position for which he is qualified before the receiving agency may make an appointment from another source to that position.

(b) When one agency is replaced by another, each preference eligible employed in the agency to be replaced shall be transferred to the replacing agency for employment in a position for which he is qualified before the replacing agency may make an appointment from another source to that position.

### **§ 3504. Preference eligibles; retention; physical qualifications; waiver**

In determining qualifications of a preference eligible for retention in a position in the competitive service, an Executive agency, or the government of the District of Columbia, the Civil Service Commission or other examining agency shall waive—

(1) requirements as to age, height, and weight, unless the requirement is essential to the performance of the duties of the position; and

(2) physical requirements if, in the opinion of the Commission or other examining agency, after considering the recommendation of an accredited physician, the preference eligible is physically able to perform efficiently the duties of the position.

## **SUBCHAPTER II—RESTORATION AFTER ACTIVE DUTY OR TRAINING DUTY**

### **§ 3551. Restoration; Reserves and National Guardsmen**

An employee as defined by section 2105 of this title or an individual employed by the government of the District of Columbia, permanent or temporary indefinite, who is ordered to active duty or to duty under sections 502-505 of title 32 as a Reserve of the armed forces or member of the National Guard is entitled, on release from duty, to be restored to the position held when ordered to duty.

## **SUBCHAPTER III—REINSTATEMENT OR RESTORATION AFTER SUSPENSION OR REMOVAL FOR NATIONAL SECURITY**

### **§ 3571. Reinstatement or restoration; individuals suspended or removed for national security**

An individual suspended or removed under section 7532 of this title may be restored to duty in the discretion of the head of the agency concerned.

## **SUBCHAPTER IV—REEMPLOYMENT AFTER SERVICE WITH AN INTERNATIONAL ORGANIZATION**

### **§ 3581. Definitions**

For the purpose of this subchapter—

(1) "agency" means—

(A) an Executive agency;

- (B) a military department; and
- (C) an employing authority in the legislative branch;
- (2) "employee" means an employee in or under an agency;
- (3) "international organization" means a public international organization or international-organization preparatory commission in which the Government of the United States participates;
- (4) "transfer" means the change of position by an employee from an agency to an international organization; and
- (5) "reemployment" means—
  - (A) the reemployment of an employee under section 3582 (a) of this title; or
  - (B) the reemployment of a Congressional employee within 90 days from his separation from an international organization;

following a term of employment not extending beyond the period named by the head of the agency at the time of consent to transfer or, in the absence of a named period, not extending beyond the first 3 consecutive years after entering the employ of the international organization.

### § 3582. Rights of transferring employees

(a) An employee serving under an appointment not limited to 1 year or less who transfers to an international organization with the consent of the head of his agency is entitled—

(1) to retain coverage, rights, and benefits under any system established by law for the retirement of employees, if necessary employee deductions and agency contributions in payment for the coverage, rights, and benefits for the period of employment with the international organization are currently deposited in the system's fund or depository; and the period during which coverage, rights, and benefits are retained under this paragraph is deemed creditable service under the system;

(2) to retain coverage, rights, and benefits under chapter 87 of this title, if necessary employee deductions and agency contributions in payment for the coverage, rights, and benefits for the period of employment with the international organization are currently deposited in the Employees' Life Insurance Fund; and the period during which coverage, rights, and benefits are retained under this paragraph is deemed service as an employee under chapter 87 of this title;

(3) to retain coverage, rights, and benefits under subchapter I of chapter 81 of this title, and for this purpose his employment with the international organization is deemed employment by the United States, but if he or his dependents receive from the international organization a payment, allowance, gratuity, payment under an insurance policy for which the premium is wholly paid by the international organization, or other benefit of any kind on account of the same injury or death, the amount thereof is credited against disability or death compensation, as the case may be, payable under subchapter I of chapter 81 of this title; and

(4) to elect to retain to his credit all accumulated and current accrued annual leave to which entitled at the time of transfer which would otherwise be liquidated by a lump-sum payment. On his request at any time before reemployment, he shall be paid for the annual leave retained. If he receives a lump-sum payment and is reemployed within 6 months after transfer, he shall

refund to the agency the amount of the lump-sum payment. This paragraph does not operate to cause a forfeiture of retained annual leave following reemployment or to deprive an employee of a lump-sum payment to which he would otherwise be entitled.

(b) An employee entitled to the benefits of subsection (a) of this section, except a Congressional employee, is entitled to be reemployed within 30 days of his application for reemployment in his former position or a position of like seniority, status, and pay in the agency from which he transferred, if—

(1) he is separated from the international organization within 3 years after entering on duty with the international organization or within such shorter period as may be named by the head of the agency at the time of consent to transfer; and

(2) he applies for reemployment not later than 90 days after the separation.

On reemployment, he is entitled to the rate of basic pay to which he would be entitled had he remained in the civil service. On reemployment, the agency shall restore his sick leave account, by credit or charge, to its status at the time of transfer. The period of separation caused by his employment with the international organization and the period necessary to effect reemployment are deemed creditable service for all appropriate civil service employment purposes.

(c) This section applies only with respect to so much of a period of employment with an international organization as does not exceed 3 years or such shorter period named by the head of the agency at the time of consent to transfer, except that for retirement and insurance purposes this section continues to apply during the period after separation from the international organization in which—

(1) an employee, except a Congressional employee, is properly exercising or could exercise the reemployment right established by subsection (b) of this section; or

(2) a Congressional employee is effecting or could effect a reemployment.

During that reemployment period, the employee is deemed on leave without pay for retirement and insurance purposes.

(d) During the employee's period of service with the international organization, the agency contribution for retirement and insurance purposes may be made from the appropriations or funds of the agency from which the employee transferred.

### § 3583. Computations

A computation under this subchapter before reemployment is made in the same manner as if the employee had received basic pay, or basic pay plus additional pay in the case of a Congressional employee, at the rate at which it would have been payable had the employee continued in the position in which he was serving at the time of transfer.

### § 3584. Regulations

The President may prescribe regulations necessary to carry out this subchapter and section 3343 of this title and to protect and assure the retirement, insurance, leave, and reemployment rights and such other similar civil service employment rights as he finds appropriate. The regulations may provide for the exclusion of employees from the application of this subchapter and section 3343 of this title on the basis of the nature and type of employment including excepted appointments of a confidential or policy-determining character, or conditions pertaining to the employment including short-term appointments, seasonal or intermittent employment, and part-time employment.

## Subpart C—Employee Performance

### CHAPTER 41—TRAINING

Sec.

- 4101. Definitions.
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#### § 4101. Definitions

For the purpose of this chapter—

- (1) “agency”, subject to section 4102 of this title, means—
  - (A) an Executive department;
  - (B) an independent establishment;
  - (C) a Government corporation subject to sections 846–852 or 856–859 of title 31;
  - (D) the Library of Congress;
  - (E) the Government Printing Office; and
  - (F) the government of the District of Columbia;
- (2) “employee”, subject to section 4102 of this title, means—
  - (A) an individual employed in or under an agency; and
  - (B) a commissioned officer of the Coast and Geodetic Survey;
- (3) “Government” means the Government of the United States and the government of the District of Columbia;
- (4) “training” means the process of providing for and making available to an employee, and placing or enrolling the employee in, a planned, prepared, and coordinated program, course, curriculum, subject, system, or routine of instruction or education, in scientific, professional, technical, mechanical, trade, clerical, fiscal, administrative, or other fields which are or will be directly related to the performance by the employee of official duties for the Government, in order to increase the knowledge, proficiency, ability, skill, and qualifications of the employee in the performance of official duties;
- (5) “Government facility” means property owned or substantially controlled by the Government and the services of any civilian and military personnel of the Government; and
- (6) “non-Government facility” means—
  - (A) the government of a State or of a territory or possession of the United States including the Commonwealth of Puerto Rico, and an interstate governmental organization, or a unit, subdivision, or instrumentality of any of the foregoing;
  - (B) a foreign government or international organization, or instrumentality of either, which is designated by the President as eligible to provide training under this chapter;

(C) a medical, scientific, technical, educational, research, or professional institution, foundation, or organization;

(D) a business, commercial, or industrial firm, corporation, partnership, proprietorship, or other organization;

(E) individuals other than civilian or military personnel of the Government; and

(F) the services and property of any of the foregoing furnishing the training.

#### § 4102. Exceptions; Presidential authority

(a) (1) This chapter does not apply to—

(A) a corporation supervised by the Farm Credit Administration if private interests elect or appoint a member of the board of directors;

(B) the Tennessee Valley Authority; or

(C) an individual (except a commissioned officer of the Coast and Geodetic Survey) who is a member of a uniformed service during a period in which he is entitled to pay under section 204 of title 37.

(2) This chapter (except sections 4110 and 4111) does not apply to—

(A) the Foreign Service of the United States; or

(B) an individual appointed by the President (except a Postmaster), unless the individual is specifically designated by the President for training under this chapter.

(b) The President, at any time in the public interest, may—

(1) except an agency or part thereof, or an employee or group or class of employees therein, from this chapter or a provision thereof (except this section); and

(2) withdraw an exception made under this subsection.

However, the President may not except the Civil Service Commission from a provision of this chapter which vests in or imposes on the Commission a function, duty, or responsibility concerning any matter except the establishment, operation, and maintenance, in the same capacity as other agencies, of training programs and plans for its employees.

#### § 4103. Establishment of training programs

In order to increase economy and efficiency in the operations of the agency and to raise the standards of performance by employees of their official duties to the maximum possible level of proficiency, the head of each agency, in conformity with this chapter, shall establish, operate, and maintain a program or programs, and a plan or plans thereunder, for the training of employees in or under the agency by, in, and through Government facilities and non-Government facilities. Each program, and plan thereunder, shall—

(1) conform to the principles, standards, and related requirements contained in the regulations prescribed under section 4118 of this title;

(2) provide for adequate administrative control by appropriate authority; and

(3) provide for the encouragement of self-training by employees by means of appropriate recognition of resultant increases in proficiency, skill, and capacity.

Two or more agencies jointly may operate under a training program.

**§ 4104. Government facilities; use of**

An agency program for the training of employees by, in, and through Government facilities under this chapter shall—

(1) provide for training, insofar as practicable, by, in, and through Government facilities under the jurisdiction or control of the agency; and

(2) provide for the making by the agency, to the extent necessary and appropriate, of agreements with other agencies in any branch of the Government, on a reimbursable basis when requested by the other agencies, for—

(A) use of Government facilities under the jurisdiction or control of the other agencies in any branch of the Government; and

(B) extension to employees of the agency of training programs of other agencies.

**§ 4105. Non-Government facilities; use of**

(a) The head of an agency, without regard to section 5 of title 41, may make agreements or other arrangements for the training of employees of the agency by, in, or through non-Government facilities under this chapter.

(b) An agency program for the training of employees by, in, and through non-Government facilities under this chapter shall—

(1) provide that information concerning the selection and assignment of employees for training and the applicable training limitations and restrictions be made available to employees of the agency; and

(2) give consideration to the needs and requirements of the agency in recruiting and retaining scientific, professional, technical, and administrative employees.

(c) In order to protect the Government concerning payment and reimbursement of training expenses, each agency shall prescribe such regulations as it considers necessary to implement the regulations prescribed under section 4118(a) (8) of this title.

**§ 4106. Non-Government facilities; amount of training limited**

(a) The training of employees by, in, and through non-Government facilities under this chapter is subject to the following limitations:

(1) The number of man-years of training for an agency in a fiscal year may not exceed 1 percent of the total number of man-years of civilian employment for the agency in the same fiscal year as disclosed by the agency budget estimates for the year.

(2) An employee having less than 1 year of current, continuous civilian service is not eligible for training unless the head of his agency determines, under regulations prescribed under section 4118 of this title, that training for the employee is in the public interest.

(3) The time spent by an employee in training may not exceed 1 year in the first 10-year period and in each subsequent 10-year period of his continuous or non-continuous civilian service in the Government.

The Civil Service Commission may prescribe other limitations, in accordance with the provisions and purposes of this chapter, concerning the time which may be spent by an employee in training.

(b) On recommendation of the head of an agency, the Commission may waive, with respect to that agency or part thereof or one or more employees therein, all or any of the limitations covered by subsection

(a) of this section, if the Commission determines that the application of all or any of the limitations thereto is contrary to the public interest. The Commission, in the public interest, may reimpose all or any of the limitations so waived.

#### § 4107. Non-Government facilities; restrictions

(a) Appropriations or other funds available to an agency are not available for payment for training an employee—

(1) by, in, or through a non-Government facility which teaches or advocates the overthrow of the Government of the United States by force or violence; or

(2) by or through an individual concerning whom determination has been made by a proper Government administrative or investigatory authority that, on the basis of information or evidence developed in investigations and procedures authorized by law or Executive order, there exists a reasonable doubt of his loyalty to the United States.

(b) This chapter does not authorize training an employee by, in, or through a non-Government facility a substantial part of the activities of which is—

(1) carrying on propaganda, or otherwise attempting, to influence legislation; or

(2) participating or intervening, including publishing or distributing statements, in a political campaign on behalf of a candidate for public office.

(c) This chapter does not authorize the selection and assignment of an employee for training by, in, or through a non-Government facility, or the payment or reimbursement of the costs of training, for—

(1) the purpose of providing an opportunity to an employee to obtain an academic degree in order to qualify for appointment to a particular position for which the academic degree is a basic requirement; or

(2) the sole purpose of providing an opportunity to an employee to obtain one or more academic degrees.

#### § 4108. Employee agreements; service after training

(a) An employee selected for training by, in, or through a non-Government facility under this chapter shall agree in writing with the Government before assignment to training that he will—

(1) continue in the service of his agency after the end of the training period for a period at least equal to three times the length of the training period unless he is involuntarily separated from the service of his agency; and

(2) pay to the Government the amount of the additional expenses incurred by the Government in connection with his training if he is voluntarily separated from the service of his agency before the end of the period for which he has agreed to continue in the service of his agency.

(b) The payment agreed to under subsection (a) (2) of this section may not be required of an employee who leaves the service of his agency to enter into the service of another agency in any branch of the Government unless the head of the agency that authorized the training notifies the employee before the effective date of his entrance into the service of the other agency that payment will be required under this section.

(c) If an employee, except an employee relieved of liability under subsection (b) of this section or section 4102(b) of this title, fails to

fulfill his agreement to pay to the Government the additional expenses incurred by the Government in connection with his training, a sum equal to the amount of the additional expenses of training is recoverable by the Government from the employee or his estate by—

(1) setoff against accrued pay, compensation, amount of retirement credit, or other amount due the employee from the Government; and

(2) such other method as is provided by law for the recovery of amounts owing to the Government.

The head of the agency concerned, under the regulations prescribed under section 4118 of this title, may waive in whole or in part a right of recovery under this subsection, if it is shown that the recovery would be against equity and good conscience or against the public interest.

#### § 4109. Expenses of training

(a) The head of an agency, under the regulations prescribed under section 4118(a)(8) of this title and from appropriations or other funds available to the agency, may—

(1) pay all or a part of the pay (except overtime, holiday, or night differential pay) of an employee of the agency selected and assigned for training under this chapter, for the period of training; and

(2) pay, or reimburse the employee for, all or a part of the necessary expenses of the training, without regard to section 529 of title 31, including among the expenses the necessary costs of—

(A) travel and per diem instead of subsistence under subchapter I of chapter 57 of this title or, in the case of commissioned officers of the Coast and Geodetic Survey, sections 404 and 405 of title 37, and the Joint Travel Regulations for the Uniformed Services;

(B) transportation of immediate family, household goods and personal effects, packing, crating, temporarily storing, draying, and unpacking under section 5724 of this title or, in the case of commissioned officers of the Coast and Geodetic Survey, sections 406 and 409 of title 37, and the Joint Travel Regulations for the Uniformed Services, when the estimated costs of transportation and related services are less than the estimated aggregate per diem payments for the period of training;

(C) tuition and matriculation fees;

(D) library and laboratory services;

(E) purchase or rental of books, materials, and supplies;

and

(F) other services or facilities directly related to the training of the employee.

(b) The expenses of training do not include membership fees except to the extent that the fee is a necessary cost directly related to the training itself or that payment of the fee is a condition precedent to undergoing the training.

#### § 4110. Expenses of attendance at meetings

Appropriations available to an agency for travel expenses are available for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of the functions or activities.

**§ 4111. Acceptance of contributions, awards, and other payments**

(a) To the extent authorized by regulation of the President, contributions and awards incident to training in non-Government facilities, and payment of travel, subsistence, and other expenses incident to attendance at meetings, may be made to and accepted by an employee, without regard to section 209 of title 18, if the contributions, awards, and payments are made by an organization determined by the Secretary of the Treasury to be an organization described by section 501(c)(3) of title 26 which is exempt from taxation under section 501(a) of title 26.

(b) When a contribution, award, or payment, in cash or in kind, is made to an employee for travel, subsistence, or other expenses under subsection (a) of this section, an appropriate reduction, under regulations of the Director of the Bureau of the Budget, shall be made from payment by the Government to the employee for travel, subsistence, or other expenses incident to training in a non-Government facility or to attendance at a meeting.

**§ 4112. Absorption of costs within funds available**

(a) The Director of the Bureau of the Budget, to the extent he considers practicable, shall provide by regulation for the absorption of the costs of the training programs and plans under this chapter by the respective agencies from applicable appropriations or funds available for each fiscal year.

(b) Subsection (a) of this section may not be held or considered to require—

(1) the separation of an individual from the service by reduction in force or other personnel action; or

(2) the placement of an individual in a leave-without-pay status.

**§ 4113. Agency review of training needs; annual program reports**

(a) The head of each agency, at least once every 3 years, shall review the needs and requirements of the agency for the training of employees under its jurisdiction. The Civil Service Commission, on request of an agency, may assist the agency with the review. Information obtained or developed in a review shall be made available to the Commission at its request.

(b) Each agency shall report annually to the Commission, at such times and in such form as the Commission prescribes, on its programs and plans for the training of employees under this chapter. The report shall set forth—

(1) such information concerning the expenditures of the agency in connection with training as the Commission considers appropriate;

(2) the name of each employee of the agency, except a student participating in a cooperative educational program, who, during the period covered by the report, received training by, in, or through a non-Government facility for more than 120 days; the grade, title, and primary duties of the position held by the employee; the name of the non-Government facility from which the training was received; the nature, length, and cost of the training to the Government; and the relationship of the training to official duties;

(3) the name of each employee of the agency who received a contribution or award under section 4111(a) of this title during the period covered by the report;

- (4) a statement concerning the value of the training to the agency;
- (5) estimates of the extent to which economies and improved operations have resulted from the training; and
- (6) such other information as the agency or the Commission considers appropriate.

#### **§ 4114. Non-Government facilities; review of training programs**

The Civil Service Commission, at the times and to the extent it considers necessary, shall review the operations, activities, and related transactions of each agency in connection with each agency program, and plan thereunder, for the training of its employees by, in, and through non-Government facilities under this chapter in order to determine whether the operations, activities, and related transactions comply with the programs and plans, the provisions and purposes of this chapter, and the principles, standards, and related requirements contained in the regulations prescribed under section 4118 of this title. Each agency, on request of the Commission, shall cooperate and assist in the review. If the Commission finds that noncompliance exists in an agency, the Commission, after consultation with the agency, shall certify to the head of the agency its recommendations for change of actions and procedures. If, after a reasonable time for placing its recommendations in effect, the Commission finds that noncompliance continues to exist in the agency, the Commission shall report the finding to the President for such action as he considers appropriate.

#### **§ 4115. Collection of training information**

The Civil Service Commission, to the extent it considers appropriate in the public interest, may collect information concerning training programs, plans, and the methods inside and outside the Government. The Commission, on request, may make the information available to an agency and to Congress.

#### **§ 4116. Training program assistance**

The Civil Service Commission, on request of an agency, shall advise and assist in the establishment, operation, and maintenance of the training programs and plans of the agency under this chapter, to the extent of its facilities and personnel available for that purpose.

#### **§ 4117. Administration**

The Civil Service Commission has the responsibility and authority for effective promotion and coordination of the training programs under this chapter and training operations thereunder. The functions, duties, and responsibilities of the Commission under this chapter are subject to supervision and control by the President and review by Congress.

#### **§ 4118. Regulations**

(a) The Civil Service Commission, after considering the needs and requirements of each agency for training its employees and after consulting with the agencies principally concerned, shall prescribe regulations containing the principles, standards, and related requirements for the programs, and plans thereunder, for the training of employees under this chapter, including requirements for coordination of and reasonable uniformity in the agency training programs and plans. The regulations shall provide for the maintenance of necessary information concerning the general conduct of the training activities of each agency, and such other information as is necessary to enable the President and Congress to discharge effectively their respective duties

and responsibilities for supervision, control, and review of these training programs. The regulations also shall cover—

- (1) requirements concerning the determination and continuing review by each agency of its training needs and requirements;
- (2) the scope and conduct of the agency training programs and plans;
- (3) the selection and assignment of employees of each agency for training;
- (4) the use in each agency of the services of employees who have undergone training;
- (5) the evaluation of the results and effects of the training programs and plans;
- (6) the interchange of training information among the agencies;
- (7) the submission of reports by the agencies on results and effects of training programs and plans and economies resulting therefrom, including estimates of costs of training by, in, and through non-Government facilities;
- (8) requirements and limitations necessary with respect to payments and reimbursements in accordance with section 4109 of this title; and
- (9) other matters considered appropriate or necessary by the Commission to carry out the provisions of this chapter.

(b) In addition to the matters set forth by subsection (a) of this section, the regulations, concerning training of employees by, in, or through non-Government facilities, shall—

- (1) prescribe general policies governing the selection of a non-Government facility to provide training;
- (2) authorize training of employees only after the head of the agency concerned determines that adequate training for employees by, in, or through a Government facility is not reasonably available, and that consideration has been given to the existing or reasonably foreseeable availability and use of fully trained employees; and
- (3) prohibit training an employee for the purpose of filling a position by promotion if there is in the agency concerned another employee, of equal ability and suitability, fully qualified to fill the position and available at, or within a reasonable distance from, the place where the duties of the position are to be performed.

(c) The Commission, in accordance with this chapter, may revise, supplement, or abolish regulations prescribed under this section, and prescribe additional regulations.

(d) This section does not authorize the Commission to prescribe the types and methods of intra-agency training or to regulate the details of intra-agency training programs.

## CHAPTER 43—PERFORMANCE RATING

Sec.

4301. Definitions.
4302. Performance-rating plans; establishment of.
4303. Performance-rating plans; requirements for.
4304. Ratings for performance.
4305. Review of ratings.
4306. Performance-rating plans; inspection of.
4307. Other rating procedures prohibited.
4308. Regulations.

**§ 4301. Definitions**

For the purpose of this chapter—

(1) "agency" means—

- (A) an Executive agency;
- (B) the Administrative Office of the United States Courts;
- (C) the Library of Congress;
- (D) the Botanic Garden;
- (E) the Government Printing Office; and
- (F) the government of the District of Columbia;

but does not include—

- (i) the Tennessee Valley Authority;
- (ii) the postal field service;
- (iii) the Foreign Service of the United States;
- (iv) the Atomic Energy Commission;
- (v) the Central Intelligence Agency;
- (vi) the National Security Agency; or
- (vii) a Government controlled corporation; and

(2) "employee" means an individual employed in or under an agency, but does not include—

(A) a physician, dentist, nurse, or other employee in the Department of Medicine and Surgery, Veterans' Administration, whose pay is fixed under chapter 73 of title 38;

(B) an employee outside the continental United States who is paid in accordance with local native prevailing wage rates for the area in which employed;

(C) a civilian officer or member of a crew of a vessel operated by the Department of the Army or the Department of the Navy;

(D) an individual employed by the government of the District of Columbia whose pay is not fixed under chapter 51 and subchapter III of chapter 53 of this title; or

(E) a hearing examiner appointed under section 3105 of this title.

**§ 4302. Performance-rating plans; establishment of**

For the purpose of recognizing the merits of employees and their contributions to efficiency and economy in the Federal service, each agency shall establish and use one or more performance-rating plans for evaluating the work performance of its employees.

**§ 4303. Performance-rating plans; requirements for**

Each performance-rating plan shall be as simple as possible and shall provide—

- (1) that performance requirements be made known to all employees;
- (2) that performance of the employee be fairly appraised in relation to the requirements;
- (3) for use of appraisals to improve employee performance;
- (4) for strengthening supervisor-employee relationships; and
- (5) that each employee be kept currently advised of his performance and promptly notified of his performance rating.

**§ 4304. Ratings for performance**

(a) Each performance-rating plan shall provide for ratings representing at least—

- (1) satisfactory performance;
- (2) unsatisfactory performance; and

(3) outstanding performance.

(b) An employee may be rated unsatisfactory only after a 90-day advance warning and after a reasonable opportunity to demonstrate satisfactory performance. A performance rating of unsatisfactory is a basis for removal from the position in which the performance was unsatisfactory.

(c) A performance rating of outstanding may be given only when all aspects of performance not only exceed normal requirements but are outstanding and deserve special commendation.

#### **§ 4305. Review of ratings**

(a) An agency, on request of an employee of that agency, shall provide one impartial review of the performance rating of the employee.

(b) Each agency shall establish one or more boards of review of equal jurisdiction to consider and pass on the merits of performance ratings under rating plans established under this chapter. Each board of review shall have three members, one member designated by the head of the agency, one member designated by the employees of the agency in the manner prescribed by the Civil Service Commission, and one member, who serves as chairman, designated by the Commission. Alternate members are designated in the same manner as their respective principals.

(c) In addition to the review under subsection (a) of this section, an employee with a current performance rating of less than satisfactory, on written appeal to the chairman of the appropriate board of review established under subsection (b) of this section, is entitled to a hearing and decision on the merits of the appealed rating. If an employee with a current performance rating of satisfactory has not requested and obtained review of the rating under subsection (a) of this section, he is entitled, on written appeal to the chairman of the appropriate board of review established under subsection (b) of this section, to a hearing and decision on the merits of the appealed rating.

(d) At the hearing the appellant, or his designated representative, and representatives of the agency are entitled to submit pertinent information orally or in writing, and to hear or examine, and reply to, information submitted by others. After the hearing, the board of review shall confirm the appealed rating or make such change as it considers proper.

#### **§ 4306. Performance-rating plans; inspection of**

(a) The Civil Service Commission shall inspect the administration of performance-rating plans by each agency to determine compliance with the requirements of this chapter and the regulations prescribed thereunder.

(b) When the Commission determines that a performance-rating plan does not meet the requirements of this chapter and the regulations prescribed thereunder, the Commission, after notice to the agency giving the reasons, may revoke its approval of the plan. After revocation, the performance-rating plan and any current ratings thereunder are inoperative, and the agency thereafter shall use a performance-rating plan prescribed by the Commission.

#### **§ 4307. Other rating procedures prohibited**

An employee may not be given a performance rating, regardless of the name given to the rating, and a rating may not be used as a basis for any action, except under a performance-rating plan approved by

the Civil Service Commission as meeting the requirements of this chapter.

### § 4308. Regulations

The Civil Service Commission may prescribe regulations necessary for the administration of this chapter.

## CHAPTER 45—INCENTIVE AWARDS

Sec.

4501. Definitions.

4502. General provisions.

4503. Agency awards.

4504. Presidential awards.

4505. Awards to former employees.

4506. Regulations.

### § 4501. Definitions

For the purpose of this chapter—

(1) "agency" means—

- (A) an Executive agency;
- (B) the Administrative Office of the United States Courts;
- (C) the Library of Congress;
- (D) the Office of the Architect of the Capitol;
- (E) the Botanic Garden;
- (F) the Government Printing Office; and
- (G) the government of the District of Columbia;

but does not include—

- (i) the Tennessee Valley Authority; or
- (ii) the Central Bank for Cooperatives;

(2) "employee" means—

- (A) an employee as defined by section 2105 of this title; and
- (B) an individual employed by the government of the District of Columbia; and

(3) "Government" means the Government of the United States and the government of the District of Columbia.

### § 4502. General provisions

(a) Except as provided by subsection (b) of this section, a cash award under this chapter may not exceed \$5,000.

(b) When the head of an agency certifies to the Civil Service Commission that the suggestion, invention, superior accomplishment, or other meritorious effort for which the award is proposed is highly exceptional and unusually outstanding, a cash award in excess of \$5,000 but not in excess of \$25,000 may be granted with the approval of the Commission.

(c) A cash award under this chapter is in addition to the regular pay of the recipient. Acceptance of a cash award under this chapter constitutes an agreement that the use by the Government of an idea, method, or device for which the award is made does not form the basis of a further claim of any nature against the Government by the employee, his heirs, or assigns.

(d) A cash award to, and expense for the honorary recognition of, an employee may be paid from the fund or appropriation available to the activity primarily benefiting or the various activities benefiting. The head of the agency concerned determines the amount to be paid by each activity for an agency award under section 4503 of this title. The President determines the amount to be paid by each activity for a Presidential award under section 4504 of this title.

**§ 4503. Agency awards**

The head of an agency may pay a cash award to, and incur necessary expense for the honorary recognition of, an employee who—

- (1) by his suggestion, invention, superior accomplishment, or other personal effort contributes to the efficiency, economy, or other improvement of Government operations; or
- (2) performs a special act or service in the public interest in connection with or related to his official employment.

**§ 4504. Presidential awards**

The President may pay a cash award to, and incur necessary expense for the honorary recognition of, an employee who—

- (1) by his suggestion, invention, superior accomplishment, or other personal effort contributes to the efficiency, economy, or other improvement of Government operations; or
- (2) performs an exceptionally meritorious special act or service in the public interest in connection with or related to his official employment.

A Presidential award may be in addition to an agency award under section 4503 of this title.

**§ 4505. Awards to former employees**

An agency may pay or grant an award under this chapter notwithstanding the death or separation from the service of the employee concerned, if the suggestion, invention, superior accomplishment, other personal effort, or special act or service in the public interest for which the award is proposed was made or performed while the employee was in the employ of the Government.

**§ 4506. Regulations**

The Civil Service Commission may prescribe regulations and instructions under which the agency awards program set forth by this chapter shall be carried out.

**SUBPART D—PAY AND ALLOWANCES****CHAPTER 51—CLASSIFICATION**

Sec.

5101. Purpose.
5102. Definitions; application.
5103. Determination of applicability.
5104. Basis for grading positions.
5105. Standards for classification of positions.
5106. Basis for classifying positions.
5107. Classification of positions.
5108. Classification of positions at GS-16, 17, and 18.
5109. Positions classified by statute.
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5111. Revocation and restoration of authority to classify positions.
5112. General authority of the Civil Service Commission.
5113. Classification records.
5114. Reports; positions in GS-16, 17, and 18.
5115. Regulations.

**§ 5101. Purpose**

It is the purpose of this chapter to provide a plan for classification of positions whereby—

- (1) in determining the rate of basic pay which an employee will receive—
  - (A) the principle of equal pay for substantially equal work will be followed; and

(B) variations in rates of basic pay paid to different employees will be in proportion to substantial differences in the difficulty, responsibility, and qualification requirements of the work performed and to the contributions of employees to efficiency and economy in the service; and

(2) individual positions will, in accordance with their duties, responsibilities, and qualification requirements, be so grouped and identified by classes and grades, as defined by section 5102 of this title, and the various classes will be so described in published standards, as provided by section 5105 of this title, that the resulting position-classification system can be used in all phases of personnel administration.

### § 5102. Definitions; application

(a) For the purpose of this chapter—

(1) “agency” means—

(A) an Executive agency;

(B) the Administrative Office of the United States Courts;

(C) the Library of Congress;

(D) the Botanic Garden;

(E) the Government Printing Office;

(F) the Office of the Architect of the Capitol; and

(G) the government of the District of Columbia;

but does not include—

(i) a Government controlled corporation;

(ii) the Tennessee Valley Authority;

(iii) The Alaska Railroad;

(iv) the Virgin Islands Corporation;

(v) the Atomic Energy Commission;

(vi) the Central Intelligence Agency;

(vii) the Panama Canal Company; or

(viii) the National Security Agency, Department of Defense;

(2) “employee” means an individual employed in or under an agency;

(3) “position” means the work, consisting of the duties and responsibilities, assignable to an employee;

(4) “class” or “class of positions” includes all positions which are sufficiently similar, as to—

(A) kind or subject-matter of work;

(B) level of difficulty and responsibility; and

(C) the qualification requirements of the work;

to warrant similar treatment in personnel and pay administration; and

(5) “grade” includes all classes of positions which, although different with respect to kind or subject-matter of work, are sufficiently equivalent as to—

(A) level of difficulty and responsibility; and

(B) level of qualification requirements of the work;

to warrant their inclusion within one range of rates of basic pay in the General Schedule.

(b) Except as provided by subsections (c) and (d) of this section, this chapter applies to all civilian positions and employees in or under an agency.

(c) This chapter does not apply to—

(1) employees in the postal field service whose pay is fixed under chapter 45 of title 39;

(2) employees in the Foreign Service of the United States whose pay is fixed under chapter 14 of title 22; and positions in or under the Department of State which are—

(A) connected with the representation of the United States to international organizations; or

(B) specifically exempted by statute from this chapter or other classification or pay statute;

(3) physicians, dentists, nurses, and other employees in the Department of Medicine and Surgery, Veterans' Administration, whose pay is fixed under chapter 73 of title 38;

(4) teachers, school officials, and employees of the Board of Education of the District of Columbia whose pay is fixed under chapter 15 of title 31, District of Columbia Code; and the chief judge and the associate judges of the District of Columbia Court of General Sessions, the District of Columbia Court of Appeals, and the Juvenile Court of the District of Columbia;

(5) members of the Metropolitan Police, the Fire Department of the District of Columbia, the United States Park Police, and the White House Police;

(6) lighthouse keepers and civilian employees on lightships and vessels of the Coast Guard whose pay is fixed under section 432 (f) and (g) of title 14;

(7) employees in recognized trades or crafts, or other skilled mechanical crafts, or in unskilled, semiskilled, or skilled manual-labor occupations, and other employees including foremen and supervisors in positions having trade, craft, or laboring experience and knowledge as the paramount requirement, and employees in the Bureau of Engraving and Printing whose duties are to perform or to direct manual or machine operations requiring special skill or experience, or to perform or direct the counting, examining, sorting, or other verification of the product of manual or machine operations;

(8) officers and members of crews of vessels;

(9) employees of the Government Printing Office whose pay is fixed under section 40 of title 44;

(10) civilian professors, lecturers, and instructors at the Naval War College and the Naval Academy whose pay is fixed under sections 6952 and 7478 of title 10; senior professors, professors, associate and assistant professors, and instructors at the Naval Postgraduate School whose pay is fixed under section 7044 of title 10; and the Academic Dean of the Postgraduate School of the Naval Academy whose pay is fixed under section 7043 of title 10;

(11) aliens or noncitizens of the United States who occupy positions outside the United States;

(12)(A) employees of an agency who are stationed in the Canal Zone; and

(B) on approval by the Civil Service Commission of the request of an agency which has employees stationed in both the Republic of Panama and the Canal Zone, employees of the agency who are stationed in the Republic of Panama;

(13) employees who serve without pay or at nominal rates of pay;

(14) employees whose pay is not wholly from appropriated funds of the United States, except that with respect to the Veterans' Canteen Service, Veterans' Administration, this paragraph applies only to employees necessary for the transaction of the busi-

ness of the Service at canteens, warehouses, and storage depots whose employment is authorized by section 4202 of title 38;

(15) employees whose pay is fixed under a cooperative agreement between the United States and—

(A) a State or territory or possession of the United States, or political subdivision thereof; or

(B) an individual or organization outside the service of the Government of the United States;

(16) student nurses, medical or dental interns, residents-in-training, student dietitians, student physical therapists, student occupational therapists, and other student employees, assigned or attached to a hospital, clinic, or laboratory primarily for training purposes, whose pay is fixed under subchapter V of chapter 53 of this title or section 4114 of title 38;

(17) inmates, patients, or beneficiaries receiving care or treatment or living in Government agencies or institutions;

(18) experts or consultants, when employed temporarily or intermittently in accordance with section 3109 of this title;

(19) emergency or seasonal employees whose employment is of uncertain or purely temporary duration, or who are employed for brief periods at intervals;

(20) employees employed on a fee, contract, or piece work basis;

(21) employees who may lawfully perform their duties concurrently with their private profession, business, or other employment, and whose duties require only a portion of their time, when it is impracticable to ascertain or anticipate the proportion of time devoted to the service of the Government of the United States;

(22) "teachers" and "teaching positions" as defined by section 901 of title 20;

(23) examiners-in-chief and designated examiners-in-chief in the Patent Office, Department of Commerce;

(24) temporary positions in the Bureau of the Census established under section 23 of title 13, and enumerator positions in the Bureau of the Census; or

(25) positions for which rates of basic pay are individually fixed, or expressly authorized to be fixed, by other statute, at or in excess of the maximum rate for GS-18.

(d) This chapter does not apply to an employee of the Office of the Architect of the Capitol whose pay is fixed by other statute. Subsection (c) of this section, except paragraph (7), does not apply to the Office of the Architect of the Capitol.

### § 5103. Determination of applicability

The Civil Service Commission shall determine finally the applicability of section 5102 of this title to specific positions and employees, except for positions and employees in the Office of the Architect of the Capitol.

### § 5104. Basis for grading positions

The General Schedule, the symbol for which is "GS", is the basic pay schedule for positions to which this chapter applies. The General Schedule is divided into 18 grades of difficulty and responsibility of work, as follows:

(1) Grade GS-1 includes those classes of positions the duties of which are to perform, under immediate supervision, with little or no latitude for the exercise of independent judgment—

(A) the simplest routine work in office, business, or fiscal operations; or

(B) elementary work of a subordinate technical character in a professional, scientific, or technical field.

(2) Grade GS-2 includes those classes of positions the duties of which are—

(A) to perform, under immediate supervision, with limited latitude for the exercise of independent judgment, routine work in office, business, or fiscal operations, or comparable subordinate technical work of limited scope in a professional, scientific, or technical field, requiring some training or experience; or

(B) to perform other work of equal importance, difficulty, and responsibility, and requiring comparable qualifications.

(3) Grade GS-3 includes those classes of positions the duties of which are—

(A) to perform, under immediate or general supervision, somewhat difficult and responsible work in office, business, or fiscal operations, or comparable subordinate technical work of limited scope in a professional, scientific, or technical field, requiring in either case—

(i) some training or experience;

(ii) working knowledge of a special subject matter; or

(iii) to some extent the exercise of independent judgment in accordance with well-established policies, procedures, and techniques; or

(B) to perform other work of equal importance, difficulty, and responsibility, and requiring comparable qualifications.

(4) Grade GS-4 includes those classes of positions the duties of which are—

(A) to perform, under immediate or general supervision, moderately difficult and responsible work in office, business, or fiscal operations, or comparable subordinate technical work in a professional, scientific, or technical field, requiring in either case—

(i) a moderate amount of training and minor supervisory or other experience;

(ii) good working knowledge of a special subject matter or a limited field of office, laboratory, engineering, scientific, or other procedure and practice; and

(iii) the exercise of independent judgment in accordance with well-established policies, procedures, and techniques; or

(B) to perform other work of equal importance, difficulty, and responsibility, and requiring comparable qualifications.

(5) Grade GS-5 includes those classes of positions the duties of which are—

(A) to perform, under general supervision, difficult and responsible work in office, business, or fiscal administration, or comparable subordinate technical work in a professional, scientific, or technical field, requiring in either case—

(i) considerable training and supervisory or other experience;

(ii) broad working knowledge of a special subject matter or of office, laboratory, engineering, scientific, or other procedure and practice; and

(iii) the exercise of independent judgment in a limited field;

(B) to perform, under immediate supervision, and with little opportunity for the exercise of independent judgment, simple and elementary work requiring professional, scientific, or technical training; or

(C) to perform other work of equal importance, difficulty, and responsibility, and requiring comparable qualifications.

(6) Grade GS-6 includes those classes of positions the duties of which are—

(A) to perform, under general supervision, difficult and responsible work in office, business, or fiscal administration, or comparable subordinate technical work in a professional, scientific, or technical field, requiring in either case—

(i) considerable training and supervisory or other experience;

(ii) broad working knowledge of a special and complex subject matter, procedure, or practice, or of the principles of the profession, art, or science involved; and

(iii) to a considerable extent the exercise of independent judgment; or

(B) to perform other work of equal importance, difficulty, and responsibility, and requiring comparable qualifications.

(7) Grade GS-7 includes those classes of positions the duties of which are—

(A) to perform, under general supervision, work of considerable difficulty and responsibility along special technical or supervisory lines in office, business, or fiscal administration, or comparable subordinate technical work in a professional, scientific, or technical field, requiring in either case—

(i) considerable specialized or supervisory training and experience;

(ii) comprehensive working knowledge of a special and complex subject matter, procedure, or practice, or of the principles of the profession, art, or science involved; and

(iii) to a considerable extent the exercise of independent judgment;

(B) under immediate or general supervision, to perform somewhat difficult work requiring—

(i) professional, scientific, or technical training; and

(ii) to a limited extent, the exercise of independent technical judgment; or

(C) to perform other work of equal importance, difficulty, and responsibility, and requiring comparable qualifications.

(8) Grade GS-8 includes those classes of positions the duties of which are—

(A) to perform, under general supervision, very difficult and responsible work along special technical or supervisory lines in office, business, or fiscal administration, requiring—

(i) considerable specialized or supervisory training and experience;

(ii) comprehensive and thorough working knowledge of a specialized and complex subject matter, procedure, or practice, or of the principles of the profession, art, or science involved; and

(iii) to a considerable extent the exercise of independent judgment; or

- (B) to perform other work of equal importance, difficulty, and responsibility, and requiring comparable qualifications.
- (9) Grade GS-9 includes those classes of positions the duties of which are—
- (A) to perform, under general supervision, very difficult and responsible work along special technical, supervisory, or administrative lines in office, business, or fiscal administration, requiring—
- (i) somewhat extended specialized training and considerable specialized, supervisory, or administrative experience which has demonstrated capacity for sound independent work;
- (ii) thorough and fundamental knowledge of a special and complex subject matter, or of the profession, art, or science involved; and
- (iii) considerable latitude for the exercise of independent judgment;
- (B) with considerable latitude for the exercise of independent judgment, to perform moderately difficult and responsible work, requiring—
- (i) professional, scientific, or technical training equivalent to that represented by graduation from a college or university of recognized standing; and
- (ii) considerable additional professional, scientific, or technical training or experience which has demonstrated capacity for sound independent work; or
- (C) to perform other work of equal importance, difficulty, and responsibility, and requiring comparable qualifications.
- (10) Grade GS-10 includes those classes of positions the duties of which are—
- (A) to perform, under general supervision, highly difficult and responsible work along special technical, supervisory, or administrative lines in office, business, or fiscal administration, requiring—
- (i) somewhat extended specialized, supervisory, or administrative training and experience which has demonstrated capacity for sound independent work;
- (ii) thorough and fundamental knowledge of a specialized and complex subject matter, or of the profession, art, or science involved; and
- (iii) considerable latitude for the exercise of independent judgment; or
- (B) to perform other work of equal importance, difficulty, and responsibility, and requiring comparable qualifications.
- (11) Grade GS-11 includes those classes of positions the duties of which are—
- (A) to perform, under general administrative supervision and with wide latitude for the exercise of independent judgment, work of marked difficulty and responsibility along special technical, supervisory, or administrative lines in office, business, or fiscal administration, requiring—
- (i) extended specialized, supervisory, or administrative training and experience which has demonstrated important attainments and marked capacity for sound independent action or decision; and

(ii) intimate grasp of a specialized and complex subject matter, or of the profession, art, or science involved, or of administrative work of marked difficulty;

(B) with wide latitude for the exercise of independent judgment, to perform responsible work of considerable difficulty requiring somewhat extended professional, scientific, or technical training and experience which has demonstrated important attainments and marked capacity for independent work; or

(C) to perform other work of equal importance, difficulty, and responsibility, and requiring comparable qualifications.

(12) Grade GS-12 includes those classes of positions the duties of which are—

(A) to perform, under general administrative supervision, with wide latitude for the exercise of independent judgment, work of a very high order of difficulty and responsibility along special technical, supervisory, or administrative lines in office, business, or fiscal administration, requiring—

(i) extended specialized, supervisory, or administrative training and experience which has demonstrated leadership and attainments of a high order in specialized or administrative work; and

(ii) intimate grasp of a specialized and complex subject matter or of the profession, art, or science involved;

(B) under general administrative supervision, and with wide latitude for the exercise of independent judgment, to perform professional, scientific, or technical work of marked difficulty and responsibility requiring extended professional, scientific, or technical training and experience which has demonstrated leadership and attainments of a high order in professional, scientific, or technical research, practice, or administration; or

(C) to perform other work of equal importance, difficulty, and responsibility, and requiring comparable qualifications.

(13) Grade GS-13 includes those classes of positions the duties of which are—

(A) to perform, under administrative direction, with wide latitude for the exercise of independent judgment, work of unusual difficulty and responsibility along special technical, supervisory, or administrative lines, requiring extended specialized, supervisory, or administrative training and experience which has demonstrated leadership and marked attainments;

(B) to serve as assistant head of a major organization involving work of comparable level within a bureau;

(C) to perform, under administrative direction, with wide latitude for the exercise of independent judgment, work of unusual difficulty and responsibility requiring extended professional, scientific, or technical training and experience which has demonstrated leadership and marked attainments in professional, scientific, or technical research, practice, or administration; or

(D) to perform other work of equal importance, difficulty, and responsibility, and requiring comparable qualifications.

(14) Grade GS-14 includes those classes of positions the duties of which are—

(A) to perform, under general administrative direction, with wide latitude for the exercise of independent judgment,

work of exceptional difficulty and responsibility along special technical, supervisory, or administrative lines which has demonstrated leadership and unusual attainments;

(B) to serve as head of a major organization within a bureau involving work of comparable level;

(C) to plan and direct or to plan and execute major professional, scientific, technical, administrative, fiscal, or other specialized programs, requiring extended training and experience which has demonstrated leadership and unusual attainments in professional, scientific, or technical research, practice, or administration, or in administrative, fiscal, or other specialized activities; or

(D) to perform consulting or other professional, scientific, technical, administrative, fiscal, or other specialized work of equal importance, difficulty, and responsibility, and requiring comparable qualifications.

(15) Grade GS-15 includes those classes of positions the duties of which are—

(A) to perform, under general administrative direction, with very wide latitude for the exercise of independent judgment, work of outstanding difficulty and responsibility along special technical, supervisory, or administrative lines which has demonstrated leadership and exceptional attainments;

(B) to serve as head of a major organization within a bureau involving work of comparable level;

(C) to plan and direct or to plan and execute specialized programs of marked difficulty, responsibility, and national significance, along professional, scientific, technical, administrative, fiscal, or other lines, requiring extended training and experience which has demonstrated leadership and unusual attainments in professional, scientific, or technical research, practice, or administration, or in administrative, fiscal, or other specialized activities; or

(D) to perform consulting or other professional, scientific, technical, administrative, fiscal, or other specialized work of equal importance, difficulty, and responsibility, and requiring comparable qualifications.

(16) Grade GS-16 includes those classes of positions the duties of which are—

(A) to perform, under general administrative direction, with unusual latitude for the exercise of independent judgment, work of outstanding difficulty and responsibility along special technical, supervisory, or administrative lines which has demonstrated leadership and exceptional attainments;

(B) to serve as the head of a major organization involving work of comparable level;

(C) to plan and direct or to plan and execute professional, scientific, technical, administrative, fiscal, or other specialized programs of unusual difficulty, responsibility, and national significance, requiring extended training and experience which has demonstrated leadership and exceptional attainments in professional, scientific, or technical research, practice, or administration, or in administrative, fiscal, or other specialized activities; or

(D) to perform consulting or other professional, scientific, technical, administrative, fiscal, or other specialized work of

equal importance, difficulty, and responsibility, and requiring comparable qualifications.

(17) Grade GS-17 includes those classes of positions the duties of which are—

(A) to serve as the head of a bureau where the position, considering the kind and extent of the authorities and responsibilities vested in it, and the scope, complexity, and degree of difficulty of the activities carried on, is of a high order among the whole group of positions of heads of bureaus;

(B) to plan and direct or to plan and execute professional, scientific, technical, administrative, fiscal, or other specialized programs of exceptional difficulty, responsibility, and national significance, requiring extended training and experience which has demonstrated exceptional leadership and attainments in professional, scientific, or technical research, practice, or administration, or in administrative, fiscal, or other specialized activities; or

(C) to perform consulting or other professional, scientific, technical, administrative, fiscal, or other specialized work of equal importance, difficulty, and responsibility, and requiring comparable qualifications.

(18) Grade GS-18 includes those classes of positions the duties of which are—

(A) to serve as the head of a bureau where the position, considering the kind and extent of the authorities and responsibilities vested in it, and the scope, complexity, and degree of difficulty of the activities carried on, is exceptional and outstanding among the whole group of positions of heads of bureaus;

(B) to plan and direct or to plan and execute frontier or unprecedented professional, scientific, technical, administrative, fiscal, or other specialized programs of outstanding difficulty, responsibility, and national significance, requiring extended training and experience which has demonstrated outstanding leadership and attainments in professional, scientific, or technical research, practice, or administration, or in administrative, fiscal, or other specialized activities; or

(C) to perform consulting or other professional, scientific, technical, administrative, fiscal, or other specialized work of equal importance, difficulty, and responsibility, and requiring comparable qualifications.

#### § 5105. Standards for classification of positions

(a) The Civil Service Commission, after consulting the agencies, shall prepare standards for placing positions in their proper classes and grades. The Commission may make such inquiries or investigations of the duties, responsibilities, and qualification requirements of positions as it considers necessary for this purpose. The agencies, on request of the Commission, shall furnish information for and cooperate in the preparation of the standards. In the standards, which shall be published in such form as the Commission may determine, the Commission shall—

(1) define the various classes of positions in terms of duties, responsibilities, and qualification requirements;

(2) establish the official class titles; and

(3) set forth the grades in which the classes have been placed by the Commission.

(b) The Commission, after consulting the agencies to the extent considered necessary, shall revise, supplement, or abolish existing standards, or prepare new standards, so that, as nearly as may be practicable, positions existing at any given time will be covered by current published standards.

(c) The official class titles established under subsection (a) (2) of this section shall be used for personnel, budget, and fiscal purposes. However, this requirement does not prevent the use of organizational or other titles for internal administration, public convenience, law enforcement, or similar purposes.

#### **§ 5106. Basis for classifying positions**

(a) Each position shall be placed in its appropriate class. The basis for determining the appropriate class is the duties and responsibilities of the position and the qualifications required by the duties and responsibilities.

(b) Each class shall be placed in its appropriate grade. The basis for determining the appropriate grade is the level of difficulty, responsibility, and qualification requirements of the work of the class.

(c) Appropriated funds may not be used to pay an employee who places a supervisory position in a class and grade solely on the basis of the size of the organization unit or the number of subordinates supervised. These factors may be given effect only to the extent warranted by the work load of the organization unit and then only in combination with other factors, such as the kind, difficulty, and complexity of work supervised, the degree and scope of responsibility delegated to the supervisor, and the kind, degree, and character of the supervision exercised.

#### **§ 5107. Classification of positions**

Except as otherwise provided by this chapter, each agency shall place each position under its jurisdiction in its appropriate class and grade in conformance with standards published by the Civil Service Commission or, if no published standards apply directly, consistently with published standards. When facts warrant, an agency may change a position which it has placed in a class or grade under this section from that class or grade to another class or grade. Subject to section 5337 of this title, these actions of an agency are the basis for pay and personnel transactions until changed by certificate of the Commission.

#### **§ 5108. Classification of positions at GS-16, 17, and 18**

(a) A majority of the Civil Service Commissioners may establish, and from time to time revise, the maximum numbers of positions (not to exceed an aggregate of 2,400, in addition to any professional engineering positions primarily concerned with research and development and professional positions in the physical and natural sciences and medicine which may be placed in these grades, and in addition to 240 hearing examiner positions under section 3105 of this title which may be placed in GS-16 and 9 such positions which may be placed in GS-17) which may be placed in GS-16, 17, and 18 at any one time. However, under this authority—

(1) not to exceed 25 percent of the aggregate number may be placed in GS-17 and not to exceed 12 percent of the aggregate number may be placed in GS-18;

(2) 50 of the positions are available only for allocation, with the approval of the President, for an agency or function created after October 4, 1961;

(3) 14 of the positions are available only for allocation to the United States Arms Control and Disarmament Agency;

(4) 6 of the positions are available only for allocation to the Immigration and Naturalization Service, Department of Justice; and

(5) 4 of the positions are available only for allocation to the Federal Home Loan Bank Board.

A position may be placed in GS-16, 17, or 18 only by action of, or after prior approval by, a majority of the Civil Service Commissioners.

(b) The number of positions of senior specialists in the Legislative Reference Service, Library of Congress, placed in GS-16, 17, and 18 under the proviso in section 166(b)(1) of title 2 are in addition to the number of positions authorized by subsection (a) of this section.

(c) In addition to the number of positions authorized by subsection (a) of this section—

(1) the Comptroller General of the United States, subject to the procedures prescribed by this section, may place a total of 39 positions in the General Accounting Office in GS-16, 17, and 18;

(2) the Director of the Federal Bureau of Investigation, without regard to any other provision of this section, may place a total of 75 positions in the Federal Bureau of Investigation in GS-16, 17, and 18;

(3) the Director of the Administrative Office of the United States Courts may place a total of 4 positions in GS-17;

(4) the Commissioner of Immigration and Naturalization may place a total of 11 positions in GS-17;

(5) the Secretary of Defense, subject to the standards and procedures prescribed by this chapter, may place a total of 407 positions (in addition to any professional engineering positions primarily concerned with research and development and professional engineering positions in the physical and natural sciences which may be placed in these grades) in the Department of Defense in GS-16, 17, and 18;

(6) the Administrator of the National Aeronautics and Space Administration, subject to the standards and procedures prescribed by this chapter, may place a total of 5 positions in the National Aeronautics and Space Administration in GS-16, 17, and 18;

(7) the Attorney General, without regard to any other provision of this section, may place a total of—

(A) 10 positions of Warden in the Bureau of Prisons in GS-16; and

(B) 8 positions of Member of the Board of Parole in GS-17;

(8) the Attorney General, without regard to this chapter (except section 5114), may place 1 position in GS-16; and

(9) the Railroad Retirement Board may place 4 positions in GS-16, 4 in GS-17, and 1 in GS-18, for the purpose of its administration of chapter 9 or 11 of title 45, or both.

(d) When a general appropriation statute authorizes an agency to place additional positions in GS-16, 17, and 18, the total number of positions authorized to be placed in these grades by this section (except subsection (c)(8) and (9)) is reduced by the number of positions authorized by the appropriation statute, unless otherwise specifically provided. The reduction is made in the following order—

first, from any number specifically authorized for the agency by this section (except subsection (c)(8) and (9)); and

second, from the maximum number of positions authorized by subsection (a) of this section irrespective of the agency to which the positions are allocated.

#### § 5109. Positions classified by statute

(a) The position held by an employee of the Department of Agriculture while he, under section 450d of title 7, is designated and vested with a delegated regulatory function or part thereof shall be classified in accordance with this chapter, but not lower than GS-14.

(b) The position held by the employee appointed under section 1104(a)(2) of this title to have such functions and duties with respect to retirement, life insurance, and health benefits programs as the Civil Service Commission may prescribe is classified at GS-18, and is in addition to the number of positions authorized by section 5108(a) of this title.

(c) Each of the following positions on the police force authorized for the National Zoological Park by section 193n of title 40 is classified as follows:

- (1) Private—GS-5.
- (2) Sergeant—GS-6.
- (3) Lieutenant—GS-7.
- (4) Captain—GS-8.

#### § 5110. Review of classification of positions

(a) The Civil Service Commission, from time to time, shall review such number of positions in each agency as will enable the Commission to determine whether the agency is placing positions in classes and grades in conformance with or consistently with published standards.

(b) When the Commission finds under subsection (a) of this section that a position is not placed in its proper class and grade in conformance with published standards or that a position for which there is no published standard is not placed in the class and grade consistently with published standards, it shall, after consultation with appropriate officials of the agency concerned, place the position in its appropriate class and grade and shall certify this action to the agency. The agency shall act in accordance with the certificate, and the certificate is binding on all administrative, certifying, payroll, disbursing, and accounting officials.

#### § 5111. Revocation and restoration of authority to classify positions

(a) When the Civil Service Commission finds that an agency is not placing positions in classes and grades in conformance with or consistently with published standards, it may revoke or suspend the authority granted to the agency by section 5107 of this title and require that prior approval of the Commission be secured before an action placing a position in a class and grade becomes effective for payroll and other personnel purposes. The Commission may limit the revocation or suspension to—

- (1) the departmental or field service, or any part thereof;
- (2) a geographic area;
- (3) an organization unit or group of organization units;
- (4) certain types of classification actions;
- (5) classes in particular occupational groups or grades; or
- (6) classes for which standards have not been published.

(b) After revocation or suspension, the Commission may restore the authority to the extent that it is satisfied that later actions placing

positions in classes and grades will be in conformance with or consistent with published standards.

### § 5112. General authority of the Civil Service Commission

(a) Notwithstanding section 5107 of this title, the Civil Service Commission may—

- (1) ascertain currently the facts as to the duties, responsibilities, and qualification requirements of a position;
- (2) place in an appropriate class and grade a newly created position or a position coming initially under this chapter;
- (3) decide whether a position is in its appropriate class and grade; and
- (4) change a position from one class or grade to another class or grade when the facts warrant.

The Commission shall certify to the agency concerned its action under paragraph (2) or (4) of this subsection. The agency shall act in accordance with the certificate, and the certificate is binding on all administrative, certifying, payroll, disbursing, and accounting officials.

(b) An employee affected or an agency may request at any time that the Commission exercise the authority granted to it by subsection (a) of this section and the Commission shall act on the request.

### § 5113. Classification records

The Civil Service Commission may—

- (1) prescribe the form in which each agency shall record the duties and responsibilities of positions and the places where these records shall be maintained;
- (2) examine these or other pertinent records of the agency; and
- (3) interview employees of the agency who have knowledge of the duties and responsibilities of positions and information as to the reasons for placing a position in a class or grade.

### § 5114. Reports; positions in GS-16, 17, and 18

(a) The Civil Service Commission, with respect to positions under section 5108(a) of this title, the head of the agency concerned, with respect to positions under sections 5108 (b), (c) and 5109(b) of this title, and the appropriate authority, with respect to positions under jurisdiction of the authority which are allocated to or placed in GS-16, 17, and 18, including positions so allocated or placed on a temporary or present incumbency basis, under reorganization plan or statute, except sections 5108 and 5109 of this title, shall submit, so long as the reorganization plan or statute remains in effect, to Congress, not later than February 1 of each year, a report setting forth—

- (1) the total number of positions allocated to or placed in all these grades during the immediately preceding calendar year, the total number of positions allocated to or placed in each of these grades during the immediately preceding calendar year, and the total number of these positions in existence during the immediately preceding calendar year and the grades to or in which the total number of positions in existence are allocated or placed;
- (2) the name, rate of pay, and description of the qualifications of the incumbent of each of these positions, together with the position title and a statement of the duties and responsibilities performed by the incumbent;
- (3) the position or positions in or outside the Government of the United States held by each of these incumbents, and his rate or rates of pay, during the 5-year period immediately preceding the date of his appointment to the position; and

(4) such other information as the Commission, the head of the agency, or other appropriate authority submitting the report may consider appropriate or as may be required by Congress or a committee thereof.

This subsection does not require the resubmission of information required by paragraphs (2) and (3) of this subsection which has been reported under this subsection and which remains unchanged.

(b) When the Commission, the head of the agency, or other appropriate authority considers full public disclosure of any or all of the items specified by subsection (a) of this section to be detrimental to the national security, the Commission, the head of the agency, or authority may—

(1) omit from the annual report those items with respect to which full public disclosure is found to be detrimental to the national security;

(2) inform Congress of the omission; and

(3) at the request of the Congressional committee to which the report is referred, present all information concerning those items.

### § 5115. Regulations

The Civil Service Commission may prescribe regulations necessary for the administration of this chapter, except sections 5109 and 5114.

## CHAPTER 53—PAY RATES AND SYSTEMS

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## SUBCHAPTER I—PAY COMPARABILITY SYSTEM

### § 5301. Policy.

It is the policy of Congress that Federal pay fixing be based on the principles that—

- (1) there be equal pay for substantially equal work, and pay distinctions be maintained in keeping with work and performance distinctions; and
- (2) Federal pay rates be comparable with private enterprise pay rates for the same levels of work.

Pay levels for the several Federal statutory pay systems shall be inter-related, and pay levels shall be set and adjusted in accordance with these principles.

### § 5302. Annual reports on pay comparability

In order to carry out the policy stated by section 5301 of this title, the President shall—

- (1) direct such agency as he considers appropriate, to prepare and submit to him annually a report which compares the rates of pay fixed by statute for employees with the rates of pay paid for the same levels of work in private enterprise as determined on the basis of appropriate annual surveys conducted by the Bureau of Labor Statistics; and
- (2) after seeking the views of such employee organizations as he considers appropriate and in such manner as he may provide, report annually to Congress—
  - (A) this comparison of Federal and private enterprise pay rates; and
  - (B) such recommendations for revision of statutory pay schedules, pay structures, and pay policy, as he considers advisable.

### § 5303. Higher minimum rates; Presidential authority

(a) When the President finds that the pay rates in private enterprise for one or more occupations in one or more areas or locations are so substantially above the pay rates of statutory pay schedules as to handicap significantly the Government's recruitment or retention of well-qualified individuals in positions paid under—

- (1) section 5332 of this title;
- (2) the provisions of part III of title 39 relating to employees in the postal field service;

(3) the pay scales for physicians, dentists, and nurses in the Department of Medicine and Surgery, Veterans' Administration, under chapter 73 of title 38; or

(4) sections 867 and 870 of title 22;

he may establish for the areas or locations higher minimum rates of basic pay for one or more grades or levels, occupational groups, series, classes, or subdivisions thereof, and may make corresponding increases in all step rates of the pay range for each such grade or level. However, a minimum rate so established may not exceed the seventh pay rate prescribed by statute for the grade or level. The President may authorize the exercise of the authority conferred on him by this section by the Civil Service Commission or, in the case of individuals not subject to the provisions of this title governing appointment in the competitive service, by such other agency as he may designate.

(b) Within the limitations of subsection (a) of this section, rates of basic pay established under that subsection may be revised from time to time by the President or by such agency as he may designate. The actions and revisions have the force and effect of statute.

(c) An increase in rate of basic pay established under this section is not an equivalent increase in pay within the meaning of section 5335(a) of this title and section 3552 of title 39.

(d) The rate of basic pay, established under this section, and received by an individual immediately before the effective date of a statutory increase in the pay schedules of the pay systems specified in subsection (a) of this section shall be initially adjusted on the effective date of the new pay schedules under conversion regulations prescribed by the President or by such agency as he may designate.

#### **§ 5304. Presidential policies and regulations**

The functions, duties, and regulations of the agencies and the Civil Service Commission with respect to this subchapter, subchapter III of this chapter, chapter 51 of this title, the provisions of part III of title 39 relating to employees in the postal field service, chapter 14 of title 22, and the provisions of chapter 73 of title 38 relating to employees in the Department of Medicine and Surgery, Veterans' Administration, are subject to such policies and regulations as the President may prescribe. Among other things, the policies and regulations of the President may provide for—

(1) preparing and reporting to him the annual comparison of Federal pay rates with private enterprise rates;

(2) obtaining and reporting to him the views of employee organizations on the annual comparison, and on other pay matters;

(3) reviewing and reporting to him on the adequacy of the Federal statutory pay structures for the Federal programs to which they apply;

(4) reviewing the relationship of Federal statutory pay rates and private enterprise pay rates in specific occupation and local areas; and

(5) providing step-increases in recognition of high quality performance and providing for properly relating supervisory pay rates paid under one system to those of subordinates paid under another system.

### **SUBCHAPTER II—EXECUTIVE SCHEDULE PAY RATES**

#### **§ 5311. The Executive Schedule**

The Executive Schedule, which is divided into five pay levels, is the basic pay schedule for positions to which this subchapter applies.

**§ 5312. Positions at level I**

Level I of the Executive Schedule applies to the following positions, for which the annual rate of basic pay is \$35,000:

- (1) Secretary of State.
- (2) Secretary of the Treasury.
- (3) Secretary of Defense.
- (4) Attorney General.
- (5) Postmaster General.
- (6) Secretary of the Interior.
- (7) Secretary of Agriculture.
- (8) Secretary of Commerce.
- (9) Secretary of Labor.
- (10) Secretary of Health, Education, and Welfare.

**§ 5313. Positions at level II**

Level II of the Executive Schedule applies to the following positions, for which the annual rate of basic pay is \$30,000:

- (1) Deputy Secretary of Defense.
- (2) Under Secretary of State.
- (3) Administrator, Agency for International Development.
- (4) Administrator of the National Aeronautics and Space Administration.
- (5) Administrator of Veterans' Affairs.
- (6) Administrator of the Housing and Home Finance Agency.
- (7) Administrator of the Federal Aviation Agency.
- (8) Chairman, Atomic Energy Commission.
- (9) Chairman, Council of Economic Advisers.
- (10) Chairman, Board of Governors of the Federal Reserve System.
- (11) Director of the Bureau of the Budget.
- (12) Director of the Office of Science and Technology.
- (13) Director of the United States Arms Control and Disarmament Agency.
- (14) Director of the United States Information Agency.
- (15) Director of Central Intelligence.
- (16) Secretary of the Air Force.
- (17) Secretary of the Army.
- (18) Secretary of the Navy.

**§ 5314. Positions at level III**

Level III of the Executive Schedule applies to the following positions, for which the annual rate of basic pay is \$28,500:

- (1) Deputy Attorney General.
- (2) Solicitor General of the United States.
- (3) Deputy Postmaster General.
- (4) Under Secretary of Agriculture.
- (5) Under Secretary of Commerce.
- (6) Under Secretary of Commerce for Transportation.
- (7) Under Secretary of Health, Education, and Welfare.
- (8) Under Secretary of the Interior.
- (9) Under Secretary of Labor.
- (10) Under Secretary of State for Political Affairs or Under Secretary of State for Economic Affairs.
- (11) Under Secretary of the Treasury.
- (12) Under Secretary of the Treasury for Monetary Affairs.
- (13) Administrator of General Services.
- (14) Administrator of the Small Business Administration.
- (15) Deputy Administrator of Veterans' Affairs.

- (16) Deputy Administrator, Agency for International Development.
- (17) Chairman, Civil Aeronautics Board.
- (18) Chairman of the United States Civil Service Commission.
- (19) Chairman, Federal Communications Commission.
- (20) Chairman, Board of Directors, Federal Deposit Insurance Corporation.
- (21) Chairman of the Federal Home Loan Bank Board.
- (22) Chairman, Federal Power Commission.
- (23) Chairman, Federal Trade Commission.
- (24) Chairman, Interstate Commerce Commission.
- (25) Chairman, National Labor Relations Board.
- (26) Chairman, Securities and Exchange Commission.
- (27) Chairman, Board of Directors of the Tennessee Valley Authority.
- (28) Chairman, National Mediation Board.
- (29) Chairman, Railroad Retirement Board.
- (30) Chairman, Federal Maritime Commission.
- (31) Comptroller of the Currency.
- (32) Commissioner of Internal Revenue.
- (33) Director of Defense Research and Engineering, Department of Defense.
- (34) Deputy Administrator of the National Aeronautics and Space Administration.
- (35) Deputy Director of the Bureau of the Budget.
- (36) Deputy Director of Central Intelligence.
- (37) Director of the Office of Emergency Planning.
- (38) Director of the Peace Corps.
- (39) Chief Medical Director in the Department of Medicine and Surgery, Veterans' Administration.
- (40) Director of the National Science Foundation.
- (41) Deputy Administrator of the Housing and Home Finance Agency.
- (42) President of the Export-Import Bank of Washington.
- (43) Members, Atomic Energy Commission.
- (44) Members, Board of Governors of the Federal Reserve System.
- (45) Director of the Federal Bureau of Investigation, Department of Justice.

#### § 5315. Positions at level IV

Level IV of the Executive Schedule applies to the following positions, for which the annual rate of basic pay is \$27,000:

- (1) Administrator, Bureau of Security and Consular Affairs, Department of State.
- (2) Deputy Administrator of the Federal Aviation Agency.
- (3) Deputy Administrator of General Services.
- (4) Associate Administrator of the National Aeronautics and Space Administration.
- (5) Assistant Administrators, Agency for International Development (6).
- (6) Regional Assistant Administrators, Agency for International Development (4).
- (7) Under Secretary of the Air Force.
- (8) Under Secretary of the Army.
- (9) Under Secretary of the Navy.
- (10) Deputy Under Secretaries of State (2).

- (11) Assistant Secretaries of Agriculture (3).
- (12) Assistant Secretaries of Commerce (4).
- (13) Assistant Secretaries of Defense (7).
- (14) Assistant Secretaries of the Air Force (3).
- (15) Assistant Secretaries of the Army (3).
- (16) Assistant Secretaries of the Navy (3).
- (17) Assistant Secretaries of Health, Education, and Welfare (2).
- (18) Assistant Secretaries of the Interior (4).
- (19) Assistant Attorneys General (9).
- (20) Assistant Secretaries of Labor (4).
- (21) Assistant Postmasters General (5).
- (22) Assistant Secretaries of State (11).
- (23) Assistant Secretaries of the Treasury (4).
- (24) Chairman of the United States Tariff Commission.
- (25) Commissioner, Community Facilities Administration.
- (26) Commissioner, Federal Housing Administration.
- (27) Commissioner, Public Housing Administration.
- (28) Commissioner, Urban Renewal Administration.
- (29) Director of Civil Defense, Department of the Army.
- (30) Director of the Federal Mediation and Conciliation Service.
- (31) Deputy Chief Medical Director in the Department of Medicine and Surgery, Veterans' Administration.
- (32) Deputy Director of the Office of Emergency Planning.
- (33) Deputy Director of the Office of Science and Technology.
- (34) Deputy Director of the Peace Corps.
- (35) Deputy Director of the United States Arms Control and Disarmament Agency.
- (36) Deputy Director of the United States Information Agency.
- (37) Assistant Directors of the Bureau of the Budget (3).
- (38) General Counsel of the Department of Agriculture.
- (39) General Counsel of the Department of Commerce.
- (40) General Counsel of the Department of Defense.
- (41) General Counsel of the Department of Health, Education, and Welfare.
- (42) Solicitor of the Department of the Interior.
- (43) Solicitor of the Department of Labor.
- (44) General Counsel of the National Labor Relations Board.
- (45) General Counsel of the Post Office Department.
- (46) Counselor of the Department of State.
- (47) Legal Adviser of the Department of State.
- (48) General Counsel of the Department of the Treasury.
- (49) First Vice President of the Export-Import Bank of Washington.
- (50) General Manager of the Atomic Energy Commission.
- (51) Governor of the Farm Credit Administration.
- (52) Inspector General, Foreign Assistance.
- (53) Deputy Inspector General, Foreign Assistance.
- (54) Members, Civil Aeronautics Board.
- (55) Members, Council of Economic Advisers.
- (56) Members, Board of Directors of the Export-Import Bank of Washington.
- (57) Members, Federal Communications Commission.
- (58) Member, Board of Directors of the Federal Deposit Insurance Corporation.

- (59) Members, Federal Home Loan Bank Board.
- (60) Members, Federal Power Commission.
- (61) Members, Federal Trade Commission.
- (62) Members, Interstate Commerce Commission.
- (63) Members, National Labor Relations Board.
- (64) Members, Securities and Exchange Commission.
- (65) Members, Board of Directors of the Tennessee Valley Authority.
- (66) Members, United States Civil Service Commission.
- (67) Members, Federal Maritime Commission.
- (68) Members, National Mediation Board.
- (69) Members, Railroad Retirement Board.
- (70) Director of Selective Service.
- (71) Associate Director of the Federal Bureau of Investigation, Department of Justice.
- (72) Chairman, Equal Employment Opportunity Commission.
- (73) Chief of Protocol, Department of State.
- (74) Director, Bureau of Intelligence and Research, Department of State.
- (75) Director, Community Relations Service.
- (76) United States Attorney for the District of Columbia.
- (77) United States Attorney for the Southern District of New York.

#### § 5316. Positions at level V

Level V of the Executive Schedule applies to the following positions, for which the annual rate of basic pay is \$26,000:

- (1) Administrator, Agricultural Marketing Service, Department of Agriculture.
- (2) Administrator, Agricultural Research Service, Department of Agriculture.
- (3) Administrator, Agricultural Stabilization and Conservation Service, Department of Agriculture.
- (4) Administrator, Farmers Home Administration.
- (5) Administrator, Foreign Agricultural Service, Department of Agriculture.
- (6) Administrator, Rural Electrification Administration, Department of Agriculture.
- (7) Administrator, Soil Conservation Service, Department of Agriculture.
- (8) Administrator, Bonneville Power Administration, Department of the Interior.
- (9) Administrator of the National Capital Transportation Agency.
- (10) Administrator of the Saint Lawrence Seaway Development Corporation.
- (11) Deputy Administrators of the Small Business Administration (4).
- (12) Associate Administrator for Administration, Federal Aviation Agency.
- (13) Associate Administrator for Development, Federal Aviation Agency.
- (14) Associate Administrator for Programs, Federal Aviation Agency.
- (15) Associate Administrator for Advanced Research and Technology, National Aeronautics and Space Administration.
- (16) Associate Administrator for Space Science and Applications, National Aeronautics and Space Administration.

- (17) Associate Administrator for Manned Space Flight, National Aeronautics and Space Administration.
- (18) Associate Deputy Administrator, National Aeronautics and Space Administration.
- (19) Deputy Associate Administrator, National Aeronautics and Space Administration.
- (20) Associate Deputy Administrator of Veterans' Affairs.
- (21) Archivist of the United States.
- (22) Area Redevelopment Administrator, Department of Commerce.
- (23) Assistant Secretary of Agriculture for Administration.
- (24) Assistant Secretary of Health, Education, and Welfare for Administration.
- (25) Assistant Secretary of the Interior for Administration.
- (26) Assistant Attorney General for Administration.
- (27) Assistant Secretary of Labor for Administration.
- (28) Assistant Secretary of the Treasury for Administration.
- (29) Assistant General Manager, Atomic Energy Commission.
- (30) Assistant and Science Adviser to the Secretary of the Interior.
- (31) Chairman, Foreign Claims Settlement Commission of the United States.
- (32) Chairman of the Military Liaison Committee to the Atomic Energy Commission, Department of Defense.
- (33) Chairman of the Renegotiation Board.
- (34) Chairman of the Subversive Activities Control Board.
- (35) Chief Counsel for the Internal Revenue Service, Department of the Treasury.
- (36) Chief Forester of the Forest Service, Department of Agriculture.
- (37) Chief Postal Inspector, Post Office Department.
- (38) Chief, Weather Bureau, Department of Commerce.
- (39) Commissioner of Customs, Department of the Treasury.
- (40) Commissioner, Federal Supply Service, General Services Administration.
- (41) Commissioner of Education, Department of Health, Education, and Welfare.
- (42) Commissioner of Fish and Wildlife, Department of the Interior.
- (43) Commissioner of Food and Drugs, Department of Health, Education, and Welfare.
- (44) Commissioner of Immigration and Naturalization, Department of Justice.
- (45) Commissioner of Indian Affairs, Department of the Interior.
- (46) Chief Commissioner, Indian Claims Commission.
- (47) Associate Commissioners, Indian Claims Commission (2).
- (48) Commissioner of Patents, Department of Commerce.
- (49) Commissioner, Public Buildings Service, General Services Administration.
- (50) Commissioner of Reclamation, Department of the Interior.
- (51) Commissioner of Social Security, Department of Health, Education, and Welfare.
- (52) Commissioner of Vocational Rehabilitation, Department of Health, Education, and Welfare.

- (53) Commissioner of Welfare, Department of Health, Education, and Welfare.
- (54) Director, Advanced Research Projects Agency, Department of Defense.
- (55) Director of Agricultural Economics, Department of Agriculture.
- (56) Director, Bureau of the Census, Department of Commerce.
- (57) Director, Bureau of Mines, Department of the Interior.
- (58) Director, Bureau of Prisons, Department of Justice.
- (59) Director, Geological Survey, Department of the Interior.
- (60) Director, Office of Research and Engineering, Post Office Department.
- (61) Director, National Bureau of Standards, Department of Commerce.
- (62) Director of Regulation, Atomic Energy Commission.
- (63) Director of Science and Education, Department of Agriculture.
- (64) Deputy Under Secretary for Monetary Affairs, Department of the Treasury.
- (65) Deputy Commissioner of Internal Revenue, Department of the Treasury.
- (66) Deputy Director, National Science Foundation.
- (67) Deputy Director, Policy and Plans, United States Information Agency.
- (68) Deputy General Counsel, Department of Defense.
- (69) Deputy General Manager, Atomic Energy Commission.
- (70) Associate Director of the Federal Mediation and Conciliation Service.
- (71) Associate Director for Volunteers, Peace Corps.
- (72) Associate Director for Program Development and Operations, Peace Corps.
- (73) Assistants to the Director of the Federal Bureau of Investigation, Department of Justice (2).
- (74) Assistant Directors, Office of Emergency Planning (3).
- (75) Assistant Directors, United States Arms Control and Disarmament Agency (4).
- (76) Federal Highway Administrator, Department of Commerce.
- (77) Fiscal Assistant Secretary of the Treasury.
- (78) General Counsel of the Agency for International Development.
- (79) General Counsel of the Department of the Air Force.
- (80) General Counsel of the Department of the Army.

- (81) General Counsel of the Atomic Energy Commission.
- (82) General Counsel of the Federal Aviation Agency.
- (83) General Counsel of the Housing and Home Finance Agency.
- (84) General Counsel of the Department of the Navy.
- (85) General Counsel of the United States Arms Control and Disarmament Agency.
- (86) General Counsel of the National Aeronautics and Space Administration.
- (87) Governor of the Canal Zone.
- (88) Manpower Administrator, Department of Labor.
- (89) Maritime Administrator, Department of Commerce.
- (90) Members, Foreign Claims Settlement Commission of the United States.
- (91) Members, Renegotiation Board.
- (92) Members, Subversive Activities Control Board.
- (93) Members, United States Tariff Commission.
- (94) President of the Federal National Mortgage Association.
- (95) Special Assistant to the Secretary (Health and Medical Affairs), Department of Health, Education, and Welfare.
- (96) Deputy Directors of Defense Research and Engineering, Department of Defense (4).
- (97) Assistant Administrator of General Services.
- (98) Director, United States Travel Service, Department of Commerce.
- (99) Executive Director of the United States Civil Service Commission.
- (100) Administrator, Wage and Hour and Public Contracts Division, Department of Labor.
- (101) Assistant Director (Program Planning, Analysis and Research), Office of Economic Opportunity.
- (102) Assistant General Managers, Atomic Energy Commission (2).
- (103) Associate Director (Policy and Plans), United States Information Agency.
- (104) Chief Benefits Director, Veterans' Administration.
- (105) Commissioner of Labor Statistics, Department of Labor.
- (106) Deputy Director, National Security Agency.
- (107) Director, Bureau of Land Management, Department of the Interior.
- (108) Director, National Park Service, Department of the Interior.
- (109) Director of International Scientific Affairs, Department of State.
- (110) General Counsel of the Veterans' Administration.
- (111) Members, Equal Employment Opportunity Commission (4).
- (112) National Export Expansion Coordinator, Department of Commerce.
- (113) Special Assistant to the Secretary of Defense.
- (114) Staff Director, Commission on Civil Rights.
- (115) United States Attorney for the Northern District of Illinois.
- (116) United States Attorney for the Southern District of California.

**§ 5317. Presidential authority to place positions at levels IV and V**

In addition to the positions listed in sections 5315 and 5316 of this title, the President, from time to time, may place in levels IV and V of the Executive Schedule positions held by not to exceed 30 individuals when he considers that action necessary to reflect changes in organization, management responsibilities, or workload in an Executive agency. Such an action with respect to a position to which appointment is made by the President by and with the advice and consent of the Senate is effective only at the time of a new appointment to the position. Notice of each action taken under this section shall be published in the Federal Register, except when the President determines that the publication would be contrary to the interest of national security. The President may not take action under this section with respect to a position the pay for which is fixed at a specific rate by this subchapter or by statute enacted after August 14, 1964.

Publication in  
Federal Register.

**SUBCHAPTER III—GENERAL SCHEDULE PAY RATES****§ 5331. Definitions; application**

(a) For the purpose of this subchapter, "agency", "employee", "position", "class", and "grade" have the meanings given them by section 5102 of this title.

(b) This subchapter applies to employees and positions to which chapter 51 of this title applies.

**§ 5332. The General Schedule**

(a) The General Schedule, the symbol for which is "GS", is the basic pay schedule for positions to which this subchapter applies. Each employee to whom this subchapter applies is entitled to basic pay in accordance with the General Schedule.

**GENERAL SCHEDULE**

Grade	Annual rates and steps									
	1	2	3	4	5	6	7	8	9	10
GS-1	\$3,385	\$3,500	\$3,615	\$3,730	\$3,845	\$3,960	\$4,075	\$4,190	\$4,305	\$4,420
GS-2	3,680	3,805	3,930	4,055	4,180	4,305	4,430	4,555	4,680	4,805
GS-3	4,005	4,140	4,275	4,410	4,545	4,680	4,815	4,950	5,085	5,220
GS-4	4,480	4,630	4,780	4,930	5,080	5,230	5,380	5,530	5,680	5,830
GS-5	5,000	5,165	5,330	5,495	5,660	5,825	5,990	6,155	6,320	6,485
GS-6	5,505	5,690	5,875	6,060	6,245	6,430	6,615	6,800	6,985	7,170
GS-7	6,050	6,250	6,450	6,650	6,850	7,050	7,250	7,450	7,650	7,850
GS-8	6,630	6,850	7,070	7,290	7,510	7,730	7,950	8,170	8,390	8,610
GS-9	7,220	7,465	7,710	7,955	8,200	8,445	8,690	8,935	9,180	9,425
GS-10	7,900	8,170	8,440	8,710	8,980	9,250	9,520	9,790	10,060	10,330
GS-11	8,650	8,945	9,240	9,535	9,830	10,125	10,420	10,715	11,010	11,305
GS-12	10,250	10,605	10,960	11,315	11,670	12,025	12,380	12,735	13,090	13,445
GS-13	12,075	12,495	12,915	13,335	13,755	14,175	14,595	15,015	15,435	15,855
GS-14	14,170	14,660	15,150	15,640	16,130	16,620	17,110	17,600	18,090	18,580
GS-15	16,460	17,030	17,600	18,170	18,740	19,310	19,880	20,450	21,020	21,590
GS-16	18,935	19,590	20,245	20,900	21,555	22,210	22,865	23,520	24,175	-----
GS-17	21,445	22,195	22,945	23,695	24,445	-----	-----	-----	-----	-----
GS-18	24,500	-----	-----	-----	-----	-----	-----	-----	-----	-----

(b) When payment is made on the basis of an hourly, daily, weekly, or biweekly rate, the rate is computed from the appropriate annual rate of basic pay named by subsection (a) of this section in accordance with the rules prescribed by section 5504(b) of this title.

**§ 5333. Minimum rate for new appointments; higher rates for supervisors of wage-board employees**

(a) New appointments shall be made at the minimum rate of the appropriate grade. However, under regulations prescribed by the Civil Service Commission which provide for such considerations as

the existing pay or unusually high or unique qualifications of the candidate, or a special need of the Government for his services, the head of an agency may appoint, with the approval of the Commission in each specific case, an individual to a position in GS-13 or above at such a rate above the minimum rate of the appropriate grade as the Commission may authorize for this purpose. The approval of the Commission in each specific case is not required with respect to an appointment made by the Librarian of Congress.

(b) Under regulations prescribed by the Civil Service Commission, an employee in a position to which this subchapter applies, who regularly has responsibility for supervision (including supervision over the technical aspects of the work concerned) over employees whose pay is fixed and adjusted from time to time by wage boards or similar administrative authority as nearly as is consistent with the public interest in accordance with prevailing rates, may be paid at one of the rates for his grade which is above the highest rate of basic pay being paid to any such prevailing-rate employee regularly supervised, or at the maximum rate for his grade, as provided by the regulations.

**§ 5334. Rate on change of position or type of appointment; regulations**

(a) The rate of basic pay to which an employee is entitled is governed by regulations prescribed by the Civil Service Commission in conformity with this subchapter and chapter 51 of this title when—

- (1) he is transferred from a position in the legislative, judicial, or executive branch to which this subchapter does not apply;
- (2) he is transferred from a position in the legislative, judicial, or executive branch to which this subchapter applies to another such position;
- (3) he is demoted to a position in a lower grade;
- (4) he is reinstated, reappointed, or reemployed in a position to which this subchapter applies following service in any position in the legislative, judicial, or executive branch;
- (5) his type of appointment is changed;
- (6) his employment status is otherwise changed; or
- (7) his position is changed from one grade to another grade.

(b) An employee who is promoted or transferred to a position in a higher grade is entitled to basic pay at the lowest rate of the higher grade which exceeds his existing rate of basic pay by not less than two step-increases of the grade from which he is promoted or transferred. If, in the case of an employee so promoted or transferred who is receiving basic pay at a rate in excess of the maximum rate of his grade, there is no rate in the higher grade which is at least two step-increases above his existing rate of basic pay, he is entitled to—

- (1) the maximum rate of the higher grade; or
- (2) his existing rate of basic pay, if that rate is the higher.

If an employee so promoted or transferred is receiving basic pay at a rate saved to him under section 5337 of this title on reduction in grade, he is entitled to—

- (A) basic pay at a rate two steps above the rate which he would be receiving if section 5337 of this title were not applicable to him; or
- (B) his existing rate of basic pay, if that rate is the higher.

(c) An employee in the legislative branch who is paid by the Secretary of the Senate or the Clerk of the House of Representatives, and who has completed two or more years of service as such an em-

ployee, and a Member of the Senate or House of Representatives who has completed two or more years of service as such a Member, may, on appointment to a position to which this subchapter applies, have his initial rate of pay fixed—

(1) at the minimum rate of the appropriate grade; or

(2) at a step of the appropriate grade that does not exceed the highest previous rate of pay received by him during that service in the legislative branch.

(d) The Commission may prescribe regulations governing the retention of the rate of basic pay of an employee who together with his position is brought under this subchapter and chapter 51 of this title. If an employee so entitled to a retained rate under these regulations is later demoted to a position under this subchapter and chapter 51 of this title, his rate of basic pay is determined under section 5337 of this title. However, for the purpose of section 5337 of this title, service in the position which was brought under this subchapter and chapter 51 of this title is deemed service under this subchapter and chapter 51 of this title.

(e) The rate of pay established for a teaching position as defined by section 901 of title 20 held by an individual who becomes subject to subsection (a) of this section is deemed increased by 20 percent to determine the yearly rate of pay of the position.

#### § 5335. Periodic step-increases

(a) An employee paid on an annual basis, and occupying a permanent position within the scope of the General Schedule, who has not reached the maximum rate of pay for the grade in which his position is placed, shall be advanced in pay successively to the next higher rate within the grade at the beginning of the next pay period following the completion of—

(1) each 52 calendar weeks of service in pay rates 1, 2, and 3;

(2) each 104 calendar weeks of service in pay rates 4, 5, and 6; or

(3) each 156 calendar weeks of service in pay rates 7, 8, and 9; subject to the following conditions:

(A) the employee did not receive an equivalent increase in pay from any cause during that period; and

(B) the work of the employee, except a hearing examiner appointed under section 3105 of this title, is of an acceptable level of competence as determined by the head of the agency.

(b) Under regulations prescribed by the Civil Service Commission, the benefit of successive step-increases shall be preserved for employees whose continuous service is interrupted in the public interest by service with the armed forces or by service in essential non-Government civilian employment during a period of war or national emergency.

(c) An increase in pay granted by statute is not an equivalent increase in pay within the meaning of subsection (a) of this section.

(d) This section does not apply to the pay of an individual appointed by the President, by and with the advice and consent of the Senate.

#### § 5336. Additional step-increases

(a) Within the limit of available appropriations and under regulations prescribed by the Civil Service Commission, the head of each agency may grant additional step-increases in recognition of high quality performance above that ordinarily found in the type of position concerned. However, an employee is eligible under this section for only one additional step-increase within any 52-week period.

(b) A step-increase under this section is in addition to those under section 5335 of this title and is not an equivalent increase in pay within the meaning of section 5335(a) of this title.

(c) This section does not apply to the pay of an individual appointed by the President, by and with the advice and consent of the Senate.

### § 5337. Pay saving

(a) Subject to the limitation in subsection (b) of this section, an employee—

(1) who is reduced in grade from a grade of the General Schedule;

(2) who holds a career or career-conditional appointment in the competitive service, or an appointment of equivalent tenure in the excepted service or in the government of the District of Columbia;

(3) whose reduction in grade is not (A) caused by a demotion for personal cause, (B) at his request, (C) effected in a reduction in force due to lack of funds or curtailment of work, or (D) with respect to a temporary promotion occurring after September 20, 1961, a condition of the temporary promotion to a higher grade;

(4) who, for 2 continuous years immediately before the reduction in grade, served (A) in the same agency and (B) in a grade or grades higher than the grade to which demoted; and

(5) whose work performance during the 2-year period is satisfactory or better;

is entitled to basic pay at the rate to which he was entitled immediately before the reduction in grade (including each increase in rate of basic pay provided by statute) for a period of 2 years from the effective date of the reduction in grade, so long as he—

(A) continues in the same agency without a break in service of one workday or more;

(B) is not entitled to a higher rate of basic pay by operation of this subchapter or chapter 51 of this title; and

(C) is not demoted or reassigned (i) for personal cause, (ii) at his request, or (iii) in a reduction in force due to lack of funds or curtailment of work.

(b) The rate of basic pay to which an employee is entitled under subsection (a) of this section with respect to each reduction in grade to which this section applies may not exceed the sum of—

(1) the minimum rate of the grade to which he is reduced under each reduction in grade to which this section applies (including each increase in rate of basic pay provided by statute); and

(2) the difference between his rate immediately before the first reduction in grade to which this section applies (including each increase in rate of basic pay provided by statute) and the minimum rate of that grade which is three grades lower than the grade from which he was reduced under the first of the reductions in grade (including each increase in the rate of basic pay provided by statute).

### § 5338. Regulations

The Civil Service Commission may prescribe regulations necessary for the administration of this subchapter.

## SUBCHAPTER IV—PREVAILING RATE SYSTEMS

**§ 5341. Trades and crafts**

(a) The pay of employees excepted from chapter 51 of this title by section 5102 (c) (7) of this title shall be fixed and adjusted from time to time as nearly as is consistent with the public interest in accordance with prevailing rates.

(b) When the Civil Service Commission concurs in a finding by the employing agency that in a given area the number of employees to whom this section applies is so few as to make prevailing rate determinations impracticable, these employees are subject to the provisions of subchapter III of this chapter and chapter 51 of this title which are applicable to positions of equivalent difficulty or responsibility.

**§ 5342. Crews of vessels**

(a) Except as provided by subsection (b) of this section, the pay of officers and members of crews of vessels excepted from chapter 51 of this title by section 5102 (c) (8) of this title shall be fixed and adjusted from time to time as nearly as is consistent with the public interest in accordance with prevailing rates and practices in the maritime industry.

(b) Vessel employees of the Panama Canal Company may be paid in accordance with the wage practices of the maritime industry.

**§ 5343. Effective date of pay increase**

Each increase in rates of basic pay granted, pursuant to a wage survey, to employees whose pay is fixed and adjusted under section 5341 of this title is effective, as follows:

(1) If the wage survey is made by an agency, either alone or with another agency, with respect to its own employees, the increase is effective for its employees not later than the first day of the first pay period which begins after the 44th day, excluding Saturdays and Sundays, following the date on which the wage survey was ordered to be made.

(2) If the wage survey is made by an agency, either alone or with another agency, and is used by an agency which did not participate in making the survey, the increase is effective for the employees of the agency which did not participate in the survey not later than the first day of the first pay period which begins after the 19th day, excluding Saturdays and Sundays, following the date on which the agency which did not participate receives the data collected in the survey necessary for the granting of the increase.

**§ 5344. Retroactive pay**

(a) Retroactive pay is payable by reason of an increase in rates of basic pay referred to in section 5343 of this title only when—

(1) the individual is in the service of the United States, including service in the armed forces, or the government of the District of Columbia on the date of the issuance of the order granting the increase; or

(2) the individual retired or died during the period beginning on the effective date of the increase and ending on the date of issuance of the order granting the increase, and only for services performed during that period.

(b) For the purpose of this section, service in the armed forces includes the period provided by statute for the mandatory restoration of the individual to a position in or under the Government of the United States or the government of the District of Columbia after he is relieved from training and service in the armed forces or discharged from hospitalization following that training and service.

## SUBCHAPTER V—STUDENT-EMPLOYEES

**§ 5351. Definitions**

For the purpose of this subchapter—

(1) "agency" means an Executive agency, a military department, and the government of the District of Columbia; and

(2) "student-employee" means—

(A) a student nurse, medical or dental intern, resident-in-training, student dietitian, student physical therapist, and student occupational therapist, assigned or attached to a hospital, clinic, or medical or dental laboratory operated by an agency; and

(B) any other student-employee, assigned or attached primarily for training purposes to a hospital, clinic, or medical or dental laboratory operated by an agency, who is designated by the head of the agency with the approval of the Civil Service Commission.

**§ 5352. Stipends**

The head of each agency shall fix the stipends of his student-employees. The stipend may not exceed the applicable maximum prescribed by the Civil Service Commission.

**§ 5353. Quarters, subsistence, and laundry**

An agency may provide living quarters, subsistence, and laundering to student-employees while at the hospitals, clinics, or laboratories. The reasonable value of the accommodations, when furnished, shall be deducted from the stipend of the student-employee. The head of the agency concerned shall fix the reasonable value of the accommodations at an amount not less than the lowest deduction applicable to regular employees at the same hospital, clinic, or laboratory for similar accommodations.

**§ 5354. Effect of detail or affiliation; travel expenses**

(a) Status as a student-employee is not terminated by a temporary detail to or affiliation with another Government or non-Government institution to procure necessary supplementary training or experience pursuant to an order of the head of the agency. A student-employee may receive his stipend and other perquisites provided under this subchapter from the hospital, clinic, or laboratory to which he is assigned or attached for not more than 60 days of a detail or affiliation for each training year, as defined by the head of the agency.

(b) When the detail or affiliation under subsection (a) of this section is to or with another Federal institution, the student-employee is entitled to necessary expenses of travel to and from the institution in accordance with subchapter I of chapter 57 of this title.

**§ 5355. Effect on other statutes**

This subchapter does not limit the authority conferred on the Administrator of Veterans' Affairs by chapter 73 of title 38.

**§ 5356. Appropriations**

Funds appropriated to an agency for expenses of its hospitals, clinics, and laboratories to which student-employees are assigned or attached are available to carry out the provisions of this subchapter.

**SUBCHAPTER VI—MISCELLANEOUS PROVISIONS****§ 5361. Scientific and professional positions**

Subject to the approval of the Civil Service Commission, the head of the agency concerned shall fix the annual rate of basic pay for scientific and professional positions established under section 3104 of this title at not less than the minimum rate for GS-16 nor more than the maximum rate for GS-18.

**§ 5362. Hearing examiners**

Hearing examiners appointed under section 3105 of this title are entitled to pay prescribed by the Civil Service Commission independently of agency recommendations or ratings and in accordance with subchapter III of this chapter and chapter 51 of this title.

**§ 5363. Limitation on pay fixed by administrative action**

Except as provided by the Government Employees Salary Reform Act of 1964 (78 Stat. 400) and notwithstanding the provisions of other statutes, the head of an Executive agency or military department who is authorized to fix by administrative action the annual rate of basic pay for a position or employee may not fix the rate at more than the maximum rate for GS-18. This section does not impair the authorities provided by—

- (1) section 121 of title 2, Canal Zone Code (76A Stat. 15);
- (2) sections 248, 481, and 1819 of title 12;
- (3) section 831b of title 16; or
- (4) sections 403a-403c, 403e-403h, and 403j of title 50.

**§ 5364. Miscellaneous positions in the executive branch**

The head of the agency concerned shall fix the annual rate of basic pay for each position in the executive branch specifically referred to in, or covered by, a conforming change in statute made by section 305 of the Government Employees Salary Reform Act of 1964 (78 Stat. 422), or other position in the executive branch for which the annual pay is fixed at a rate of \$18,500 or more under special provision of statute enacted before August 14, 1964, which is not placed in a level of the Executive Schedule set forth in subchapter II of this chapter, at a rate equal to the pay rate of a grade and step of the General Schedule set forth in section 5332 of this title. The head of the agency concerned shall report each action taken under this section to the Civil Service Commission and publish a notice thereof in the Federal Register, except when the President determines that the report and publication would be contrary to the interest of national security.

Publication in  
Federal Register.

**CHAPTER 55—PAY ADMINISTRATION****SUBCHAPTER I—GENERAL PROVISIONS**

Sec.

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5502. Unauthorized office; prohibition on use of funds.
5503. Recess appointments.
5504. Biweekly pay periods; computation of pay.
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### Sec.

- 5511. Withholding pay; employees removed for cause.
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## SUBCHAPTER VI—PAYMENT FOR ACCUMULATED AND ACCRUED LEAVE

### Sec.

- 5551. Lump-sum payment for accumulated and accrued leave on separation.
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### Sec.

- 5561. Definitions.
- 5562. Pay and allowances; continuance while in a missing status; limitations.
- 5563. Allotments; continuance, suspension, initiation, resumption, or increase while in a missing status; limitations.
- 5564. Travel and transportation; dependents; household and personal effects; motor vehicles; sale of bulky items; claims for proceeds; appropriation chargeable.
- 5565. Agency review.
- 5566. Agency determinations.
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- 5568. Income tax deferment.

## SUBCHAPTER VIII—SETTLEMENT OF ACCOUNTS

## Sec.

5581. Definitions.

5582. Designation of beneficiary; order of precedence.

5583. Payment of money due; settlement of accounts.

## SUBCHAPTER IX—BACK PAY

## Sec.

5591. Back pay; individuals reinstated or restored after removal or suspension for cause.

5592. Back pay; preference eligibles reinstated or restored after removal, suspension, or furlough.

5593. Back pay; individuals reinstated or restored after reduction in force.

5594. Back pay; individuals reinstated or restored after suspension or removal for national security.

## SUBCHAPTER I—GENERAL PROVISIONS

**§ 5501. Disposition of money accruing from lapsed salaries or unused appropriations for salaries**

Money accruing from lapsed salaries or from unused appropriations for salaries shall be covered into the Treasury of the United States. An individual who violates this section shall be removed from the service.

**§ 5502. Unauthorized office; prohibition on use of funds**

(a) Payment for services may not be made from the Treasury of the United States to an individual acting or assuming to act as an officer in the civil service or uniformed services in an office which is not authorized by existing law, unless the office is later sanctioned by law.

(b) Except as otherwise provided by statute, public money and appropriations may not be used for pay or allowance for an individual employed by an official of the United States retired from active service.

**§ 5503. Recess appointments**

(a) Payment for services may not be made from the Treasury of the United States to an individual appointed during a recess of the Senate to fill a vacancy in an existing office, if the vacancy existed while the Senate was in session and was by law required to be filled by and with the advice and consent of the Senate, until the appointee has been confirmed by the Senate. This subsection does not apply—

(1) if the vacancy arose within 30 days before the end of the session of the Senate;

(2) if, at the end of the session, a nomination for the office, other than the nomination of an individual appointed during the preceding recess of the Senate, was pending before the Senate for its advice and consent; or

(3) if a nomination for the office was rejected by the Senate within 30 days before the end of the session and an individual other than the one whose nomination was rejected thereafter receives a recess appointment.

(b) A nomination to fill a vacancy referred to by paragraph (1), (2), or (3) of subsection (a) of this section shall be submitted to the Senate not later than 40 days after the beginning of the next session of the Senate.

**§ 5504. Biweekly pay periods; computation of pay**

(a) The pay period for an employee covers two administrative workweeks. For the purpose of this subsection, "employee" means—

(1) an employee in or under an Executive agency;

(2) an employee in or under the Office of the Architect of the Capitol, the Botanic Garden, and the Library of Congress, for whom a basic administrative workweek is established under section 6101(c) of this title; and

(3) an individual employed by the government of the District of Columbia;

but does not include—

(A) an employee on the Isthmus of Panama in the service of the Canal Zone Government or the Panama Canal Company; or

(B) an employee or individual excluded from the definition of employee in section 5541(2) of this title.

(b) For pay computation purposes affecting an employee, the annual rate of basic pay established by or under statute is deemed payment for employment during 52 basic administrative workweeks of 40 hours. When it is necessary for computation of pay under this subsection to convert an annual rate of basic pay to a basic hourly, daily, weekly, or biweekly rate, the following rules govern:

(1) To derive an hourly rate, divide the annual rate by 2,080.

(2) To derive a daily rate, multiply the hourly rate by the number of daily hours of service required.

(3) To derive a weekly or biweekly rate, multiply the hourly rate by 40 or 80, as the case may be.

Rates are computed to the nearest cent, counting one-half and over as a whole cent. For the purpose of this subsection, "employee" means—

(A) an employee in or under an Executive agency;

(B) an employee in or under the judicial branch;

(C) an employee in or under the Office of the Architect of the Capitol, the Botanic Garden, and the Library of Congress, for whom a basic administrative workweek is established under section 6101(c) of this title; and

(D) an individual employed by the government of the District of Columbia;

but does not include an employee or individual excluded from the definition of employee in section 5541(2) of this title.

(c) The Civil Service Commission may prescribe regulations, subject to the approval of the President, necessary for the administration of this section insofar as this section affects employees in or under an Executive agency.

#### **§ 5505. Monthly pay periods; computation of pay**

The pay period for an individual in the service of the United States whose pay is monthly or annual covers one calendar month, and the following rules for division of time and computation of pay for services performed govern:

(1) A month's pay is one-twelfth of a year's pay.

(2) A day's pay is one-thirtieth of a month's pay.

(3) The 31st day of a calendar month is ignored in computing pay, except that one day's pay is forfeited for one day's unauthorized absence on the 31st day of a calendar month.

(4) For each day of the month elapsing before entering the service, one day's pay is deducted from the first month's pay of the individual.

This section does not apply to an employee whose pay is computed under section 5504(b) of this title.

#### **§ 5506. Computation of extra pay based on standard or daylight saving time**

When an employee as defined by section 2105 of this title or an individual employed by the government of the District of Columbia

is entitled to extra pay for services performed between or after certain named hours of the day or night, the extra pay is computed on the basis of either standard or daylight saving time, depending on the time observed by law, custom, or practice where the services are performed.

**§ 5507. Officer affidavit; condition to pay**

An officer required by section 3332 of this title to file an affidavit may not be paid until the affidavit has been filed.

**§ 5508. Officer entitled to leave; effect on pay status**

An officer in the executive branch and an officer of the government of the District of Columbia to whom subchapter I of chapter 63 of this title applies are not entitled to the pay of their offices solely because of their status as officers.

**§ 5509. Appropriations**

There are authorized to be appropriated sums necessary to carry out the provisions of this title.

SUBCHAPTER II—WITHHOLDING PAY

**§ 5511. Withholding pay; employees removed for cause**

(a) Except as provided by subsection (b) of this section, the earned pay of an employee removed for cause may not be withheld or confiscated.

(b) If an employee indebted to the United States is removed for cause, the pay accruing to the employee shall be applied in whole or in part to the satisfaction of any claim or indebtedness due the United States.

**§ 5512. Withholding pay; individuals in arrears**

(a) The pay of an individual in arrears to the United States shall be withheld until he has accounted for and paid into the Treasury of the United States all sums for which he is liable.

(b) When pay is withheld under subsection (a) of this section, the General Accounting Office, on request of the individual, his agent, or his attorney, shall report immediately to the Attorney General the balance due; and the Attorney General, within 60 days, shall order suit to be commenced against the individual and his sureties.

**§ 5513. Withholding pay; credit disallowed or charge raised for payment**

When the General Accounting Office, on a statement of the account of a disbursing or certifying official of the United States, disallows credit or raises a charge for a payment to an individual in or under an Executive agency otherwise entitled to pay, the pay of the payee shall be withheld in whole or in part until full reimbursement is made under regulations prescribed by the head of the Executive agency from which the payee is entitled to receive pay. This section does not repeal or modify existing statutes relating to the collection of the indebtedness of an accountable, certifying, or disbursing official.

**§ 5514. Installment deduction for indebtedness because of erroneous payment**

(a) When the head of the agency concerned or his designee determines that an employee, a member of the armed forces, or a Reserve of the armed forces, is indebted to the United States because of an erroneous payment made by the agency to or on behalf of the individual, the amount of the indebtedness may be collected in monthly installments, or at officially established regular pay period

intervals, by deduction in reasonable amounts from the current pay account of the individual. The deductions may be made only from basic pay, special pay, incentive pay, retired pay, retainer pay, or, in the case of an individual not entitled to basic pay, other authorized pay. Collection shall be made over a period not greater than the anticipated period of active duty or employment, as the case may be. The amount deducted for any period may not exceed two-thirds of the pay from which the deduction is made, unless the deduction of a greater amount is necessary to make the collection within the period of anticipated active duty or employment. If the individual retires or resigns, or if his employment or period of active duty otherwise ends, before collection of the amount of the indebtedness is completed, deduction shall be made from later payments of any nature due the individual from the agency concerned.

(b) The head of each agency shall prescribe regulations, subject to the approval of the Director of the Bureau of the Budget, to carry out this section and section 581d of title 31. Regulations prescribed by the Secretaries of the military departments shall be uniform for the military services insofar as practicable.

(c) Subsection (a) of this section does not modify existing statutes which provide for forfeiture of pay or allowances. This section and section 581d of title 31 do not repeal, modify, or amend section 4837(d) or 9837(d) of title 10 or section 1007 (b), (c) of title 37.

#### **§ 5515. Crediting amounts received for jury service in State courts**

An amount received by an employee as defined by section 2105 of this title or an individual employed by the government of the District of Columbia for jury service in a State court for a period during which the employee or individual is entitled to leave under section 6322 of this title shall be credited against pay payable by the United States or the District of Columbia to the employee or individual.

#### **§ 5516. Withholding District of Columbia income taxes**

(a) The Secretary of the Treasury, under regulations prescribed by the President, shall enter into an agreement with the Commissioners of the District of Columbia within 120 days of a request for agreement from the Commissioners. The agreement shall provide that the head of each agency of the United States shall comply with the requirements of subchapter II of chapter 15 of title 47, District of Columbia Code, in the case of employees of the agency who are subject to income taxes imposed by that subchapter and whose regular place of employment is within the District of Columbia. The agreement may not apply to pay for service as a member of the armed forces, or to pay of an employee who is not a resident of the District of Columbia as defined in subchapter II of chapter 15 of title 47, District of Columbia Code. For the purpose of this subsection, "employee" has the meaning given it by section 1551c(z) of title 47, District of Columbia Code.

(b) This section does not give the consent of the United States to the application of a statute which imposes more burdensome requirements on the United States than on other employers, or which subjects the United States or its employees to a penalty or liability because of this section.

#### **§ 5517. Withholding State income taxes**

(a) When a State statute—

(1) provides for the collection of a tax by imposing on employers generally the duty of withholding sums from the pay of employees and making returns of the sums to the State; and

(2) imposes the duty to withhold generally with respect to the pay of employees who are residents of the State; the Secretary of the Treasury, under regulations prescribed by the President, shall enter into an agreement with the State within 120 days of a request for agreement from the proper State official. The agreement shall provide that the head of each agency of the United States shall comply with the requirements of the State withholding statute in the case of employees of the agency who are subject to the tax and whose regular place of Federal employment is within the State with which the agreement is made. The agreement may not apply to pay for service as a member of the armed forces.

(b) This section does not give the consent of the United States to the application of a statute which imposes more burdensome requirements on the United States than on other employers, or which subjects the United States or its employees to a penalty or liability because of this section. An agency of the United States may not accept pay from a State for services performed in withholding State income taxes from the pay of the employees of the agency.

(c) For the purpose of this section, "State" means a State or territory or possession of the United States.

#### **§ 5518. Deductions for State retirement systems; National Guard employees**

When—

(1) a State statute provides for the payment of employee contributions to a State employee retirement system or to a State sponsored plan providing retirement, disability, or death benefits, by withholding sums from the pay of State employees and making returns of the sums withheld to State authorities or to the person or organization designated by State authorities to receive sums withheld for the program; and

(2) individuals employed by the Army National Guard and the Air National Guard, except employees of the National Guard Bureau, are eligible for membership in a State employee retirement system or other State sponsored plan;

the Secretary of Defense, under regulations prescribed by the President, shall enter into an agreement with the State within 120 days of a request for agreement from the proper State official. The agreement shall provide that the Department of Defense shall comply with the requirements of State statute as to the individuals named by paragraph (2) of this section who are eligible for membership in the State employee retirement system. The disbursing officials paying these individuals shall withhold and pay to the State employee retirement system or to the person or organization designated by State authorities to receive sums withheld for the program the employee contributions for these individuals. For the purpose of this section, "State" means a State or territory or possession of the United States including the Commonwealth of Puerto Rico.

### **SUBCHAPTER III—ADVANCEMENT, ALLOTMENT, AND ASSIGNMENT OF PAY**

#### **§ 5521. Definitions**

For the purpose of this subchapter—

- (1) "agency" means—
- (A) an Executive agency;
  - (B) the judicial branch;
  - (C) the Library of Congress;
  - (D) the Government Printing Office; and
  - (E) the government of the District of Columbia;

(2) "employee" means an individual employed in or under an agency;

(3) "head of each agency" means—

(A) the Director of the Administrative Office of the United States Courts with respect to the judicial branch; and

(B) the Board of Commissioners of the District of Columbia with respect to the government of the District of Columbia; and

(4) "United States", when used in a geographical sense, means the several States and the District of Columbia.

**§ 5522. Advance payments; rates; amounts recoverable**

(a) The head of each agency may provide for the advance payment of the pay, allowances, and differentials, or any of them, covering a period of not more than 30 days, to or for the account of each employee of the agency (or, under emergency circumstances and on a reimbursable basis, an employee of another agency) whose evacuation (or that of his dependents or immediate family, as the case may be) from a place inside or outside the United States is ordered for military or other reasons which create imminent danger to the life or lives of the employee or of his dependents or immediate family.

(b) Subject to adjustment of the account of an employee under section 5524 of this title and other applicable statute, the advance payment of pay, allowances, and differentials is at rates currently authorized with respect to the employee on the date the advance payment is made under agency procedures governing advance payments under this subsection. The rates so authorized may not exceed the rates to which the employee was entitled immediately before issuance of the evacuation order.

(c) An advance of funds under subsection (a) of this section is recoverable by the Government of the United States or the government of the District of Columbia, as the case may be, from the employee or his estate by—

(1) setoff against accrued pay, amount of retirement credit, or other amount due to the employee from the Government of the United States or the government of the District of Columbia; and

(2) such other method as is provided by law.

The head of the agency concerned may waive in whole or in part a right of recovery of an advance of funds under subsection (a) of this section, if it is shown that the recovery would be against equity and good conscience or against the public interest.

**§ 5523. Duration of payments; rates; active service period**

(a) The head of each agency may provide for—

(1) the payment of monetary amounts covering a period of not more than 60 days to or for the account of each employee of the agency (or, under emergency circumstances and on a reimbursable basis, an employee of another agency)—

(A) whose evacuation from a place inside or outside the United States is ordered for military or other reasons which create imminent danger to the life of the employee; and

(B) who is prevented, by circumstances beyond his control and beyond the control of the Government of the United States or the government of the District of Columbia, or both, as the case may be, from performing the duties of the posi-

tion which he held immediately before issuance of the evacuation order; and

(2) the termination of payment of the monetary amounts.

The President, with respect to the Executive agencies, may extend the 60-day period for not more than 120 additional days if he determines that the extension of the period is in the interest of the United States.

(b) Subject to adjustment of the account of an employee under section 5524 of this title and other applicable statute, each payment under this section is at rates of pay, allowances, and differentials, or any of them, currently authorized with respect to the employee on the date payment is made under agency procedures governing payments under this section. The rates so authorized may not exceed the rates to which the employee was entitled immediately before issuance of the evacuation order. An employee in an Executive agency may be granted such additional allowance payments as the President determines necessary to offset the direct added expenses incident to the evacuation.

(c) Each period for which payment of amounts is made under this section to or for the account of an employee is deemed, for all purposes with respect to the employee, a period of active service, without break in service, performed by the employee in the employment of the Government of the United States or the government of the District of Columbia.

#### § 5524. Review of accounts

The head of each agency shall provide for—

(1) the review of the account of each employee of the agency in receipt of payments under section 5522 or 5523 of this title, or both, as the case may be; and

(2) the adjustment of the amounts of the payments on the basis of—

(A) the rates of pay, allowances, and differentials to which the employee would have been entitled under applicable statute other than this subchapter for the respective periods covered by the payments, if he had performed active service under the terms of his appointment during each period in the position he held immediately before the issuance of the applicable evacuation order; and

(B) such additional amounts as the employee is authorized to receive in accordance with a determination of the President under section 5523(b) of this title.

#### § 5525. Allotment and assignment of pay

The head of each agency may establish procedures under which each employee of the agency is permitted to make allotments and assignments of amounts out of his pay for such purpose as the head of the agency considers appropriate.

#### § 5526. Funds available on reimbursable basis

Funds available to an agency for payment of pay, allowances, and differentials to or for the accounts of employees of the agency are available on a reimbursable basis for payment of pay, allowances, and differentials to or for the accounts of employees of another agency under this subchapter.

#### § 5527. Regulations

(a) To the extent practicable in the public interest, the President shall coordinate the policies and procedures of the respective Executive agencies under this subchapter.

(b) The President, with respect to the Executive agencies, and the head of the agency concerned, with respect to the appropriate agency outside the executive branch, shall prescribe and issue, or provide for the formulation and issuance of, regulations necessary and appropriate to carry out the provisions, accomplish the purposes, and govern the administration of this subchapter.

(c) The head of each Executive agency may prescribe and issue regulations, not inconsistent with the regulations of the President issued under subsection (b) of this section, necessary and appropriate to carry out his functions under this subchapter.

#### SUBCHAPTER IV—DUAL PAY AND DUAL EMPLOYMENT

##### § 5531. Definitions

For the purpose of sections 5532 and 5533 of this title—

- (1) "officer" has the meaning given it by section 101 of title 37; and
- (2) "position" means a civilian office or position (including a temporary, part-time, or intermittent position), appointive or elective, in the legislative, executive, or judicial branch of the Government of the United States (including a Government corporation and a nonappropriated fund instrumentality under the jurisdiction of the armed forces) or in the government of the District of Columbia.

##### § 5532. Employment of retired officers of the uniformed services; reduction in retired or retirement pay; exceptions

(a) For the purpose of this section, "period for which he receives pay" means the full calendar period for which a retired officer of a regular component of a uniformed service receives the pay of a position when employed on a full-time basis, but only the days for which he actually receives that pay when employed on a part-time or intermittent basis.

(b) A retired officer of a regular component of a uniformed service who holds a position is entitled to receive the full pay of the position, but during the period for which he receives pay, his retired or retirement pay shall be reduced to an annual rate equal to the first \$2,000 of the retired or retirement pay plus one-half of the remainder, if any. In the operation of the formula for the reduction of retired or retirement pay under this subsection, the amount of \$2,000 shall be increased, from time to time, by appropriate percentage, in direct proportion to each increase in retired or retirement pay under section 1401a(b) of title 10 to reflect changes in the Consumer Price Index.

(c) The reduction in retired or retirement pay required by subsection (b) of this section does not apply to a retired officer of a regular component of a uniformed service—

- (1) whose retirement was based on disability—
  - (A) resulting from injury or disease received in line of duty as a direct result of armed conflict; or
  - (B) caused by an instrumentality of war and incurred in line of duty during a period of war as defined by sections 101 and 301 of title 38; or
- (2) employed on a temporary (full-time or part-time) basis, any other part-time basis, or an intermittent basis, for the first 30-day period for which he receives pay.

The exemption from reduction in retired or retirement pay under paragraph (2) of this subsection does not apply longer than—

(i) the first 30-day period for which he receives pay under one appointment from the position in which he is employed, if he is serving under not more than one appointment; and

(ii) the first period for which he receives pay under more than one appointment, in a fiscal year, which consists in the aggregate of 30 days, from all positions in which he is employed, if he is serving under more than one appointment in that fiscal year.

(d) Except as otherwise provided by this subsection, the Civil Service Commission, subject to the supervision and control of the President, may prescribe regulations under which exceptions may be made to the restrictions in subsection (b) of this section when appropriate authority determines that the exceptions are warranted because of special or emergency employment needs which otherwise cannot be readily met. The President of the Senate with respect to the United States Senate, the Speaker of the House of Representatives with respect to the United States House of Representatives, and the Architect of the Capitol with respect to the Office of the Architect of the Capitol each may provide for a means by which exceptions may be made to the restrictions in subsection (b) of this section when he determines that the exceptions are warranted because of special or emergency employment needs which otherwise cannot be readily met. The Administrator of the National Aeronautics and Space Administration may except, at any time, an individual appointed to a scientific, engineering, or administrative position under section 2473(b)(2)(A) of title 42 from the restrictions in subsection (b) of this section when he determines that the exception is warranted because of special or emergency employment needs which otherwise cannot be readily met, but not more than 30 exceptions may exist at any one time under this authority.

**§ 5533. Dual pay from more than one position; limitations; exceptions**

(a) Except as provided by subsections (b), (c), and (d) of this section, an individual is not entitled to receive basic pay from more than one position for more than an aggregate of 40 hours of work in one calendar week (Sunday through Saturday).

(b) Except as otherwise provided by subsection (c) of this section, the Civil Service Commission, subject to the supervision and control of the President, may prescribe regulations under which exceptions may be made to the restrictions in subsection (a) of this section when appropriate authority determines that the exceptions are warranted because personal services otherwise cannot be readily obtained.

(c) Unless otherwise authorized by law, appropriated funds are not available for payment to an individual of pay from more than one position if the aggregate amount of the basic pay from the positions is more than \$2,000 a year, and if—

(1) the pay of one of the positions is paid by the Secretary of the Senate or the Clerk of the House of Representatives; or

(2) one of the positions is under the Office of the Architect of the Capitol.

(d) Subsection (a) of this section does not apply to—

(1) pay on a when-actually-employed basis received from more than one consultant or expert position if the pay is not received for the same hours of the same day;

(2) pay consisting of fees paid on other than a time basis;

(3) pay received by a teacher of the public schools of the District of Columbia for employment in a position during the summer vacation period;

- (4) pay paid by the Tennessee Valley Authority to an employee performing part-time or intermittent work in addition to his normal duties when the Authority considers it to be in the interest of efficiency and economy;
- (5) pay received by an individual holding a position—
  - (A) the pay of which is paid by the Secretary of the Senate or the Clerk of the House of Representatives; or
  - (B) under the Architect of the Capitol;
- (6) pay paid by the United States Coast Guard to an employee occupying a part-time position of lamplighter; and
- (7) pay within the purview of any of the following statutes:
  - (A) section 162 of title 2;
  - (B) section 23(b) of title 13;
  - (C) section 327 of title 15;
  - (D) section 907 of title 20;
  - (E) section 873 of title 33;
  - (F) section 3335 (a) or (c) of title 39;
  - (G) section 631 or 631a of title 31, District of Columbia Code; or
  - (H) section 102 of title 2, Canal Zone Code.

(e) This section does not apply to an individual employed under sections 174j-1 to 174j-7 or 174k of title 40.

#### § 5534. Dual employment and pay of Reserves and National Guardsmen

A Reserve of the armed forces or member of the National Guard may accept a civilian office or position under the Government of the United States or the government of the District of Columbia, and he is entitled to receive the pay of that office or position in addition to pay and allowances as a Reserve or member of the National Guard.

#### § 5535. Extra pay for details prohibited

(a) An officer may not receive pay in addition to the pay for his regular office for performing the duties of a vacant office as authorized by sections 3345-3347 of this title.

(b) An employee may not receive—

- (1) additional pay or allowances for performing the duties of another employee; or
- (2) pay in addition to the regular pay received for employment held before his appointment or designation as acting for or instead of an occupant of another position or employment.

This subsection does not prevent a regular and permanent appointment by promotion from a lower to a higher grade of employment.

#### § 5536. Extra pay for extra services prohibited

An employee or a member of a uniformed service whose pay or allowance is fixed by statute or regulation may not receive additional pay or allowance for the disbursement of public money or for any other service or duty, unless specifically authorized by law and the appropriation therefor specifically states that it is for the additional pay or allowance.

#### § 5537. Fees for jury service in courts of the United States

An employee as defined by section 2105 of this title or an individual employed by the government of the District of Columbia may not receive fees for jury service in a court of the United States.

## SUBCHAPTER V—PREMIUM PAY

**§ 5541. Definitions**

For the purpose of this subchapter—

- (1) "agency" means—
- (A) an Executive agency;
  - (B) a military department;
  - (C) an agency in the judicial branch;
  - (D) the Library of Congress;
  - (E) the Botanic Garden;
  - (F) the Office of the Architect of the Capitol; and
  - (G) the government of the District of Columbia; and

- (2) "employee" means—
- (A) an employee in or under an Executive agency;
  - (B) an individual employed by the government of the District of Columbia; and

(C) an employee in or under the judicial branch, the Library of Congress, the Botanic Garden, and the Office of the Architect of the Capitol, who occupies a position subject to chapter 51 and subchapter III of chapter 53 of this title;

but does not include—

- (i) a justice or judge of the United States;
- (ii) the head of an agency other than the government of the District of Columbia;

(iii) a teacher, school official, or employee of the Board of Education of the District of Columbia, whose pay is fixed under chapter 15 of title 31, District of Columbia Code;

(iv) a member of the Metropolitan Police, the Fire Department of the District of Columbia, the United States Park Police, or the White House Police;

(v) a student-employee as defined by section 5351 of this title;

(vi) an employee in the postal field service;

(vii) an employee outside the continental United States or in Alaska who is paid in accordance with local native prevailing wage rates for the area in which employed;

(viii) an employee of the Tennessee Valley Authority;

(ix) an individual to whom section 1291(a) of title 50, appendix, applies;

(x) an employee of a Federal land bank, a Federal intermediate credit bank, or a bank for cooperatives;

(xi) an employee whose basic pay is fixed and adjusted from time to time in accordance with prevailing rates by a wage board or similar administrative authority serving the same purpose, except as provided by section 5544 of this title;

(xii) an employee of the Transportation Corps of the Army on a vessel operated by the United States, a vessel employee of the Coast and Geodetic Survey, a vessel employee of the Department of the Interior, or a vessel employee of the Panama Canal Company; or

(xiii) a "teacher" or an individual holding a "teaching position" as defined by section 901 of title 20.

**§ 5542. Overtime rates; computation**

(a) Hours of work officially ordered or approved in excess of 40 hours in an administrative workweek performed by an employee are overtime work and shall be paid for, except as otherwise provided by this subchapter, at the following rates:

- (1) For an employee whose basic pay is at a rate which does not exceed the minimum rate of basic pay for GS-9, the overtime

hourly rate of pay is an amount equal to one and one-half times the hourly rate of basic pay of the employee, and all that amount is premium pay.

(2) For an employee whose basic pay is at a rate which exceeds the minimum rate of basic pay for GS-9, the overtime hourly rate of pay is an amount equal to one and one-half times the hourly rate of the minimum rate of basic pay for GS-9, and all that amount is premium pay.

(b) For the purpose of this subchapter—

(1) unscheduled overtime work performed by an employee on a day when work was not scheduled for him, or for which he is required to return to his place of employment, is deemed at least 2 hours in duration; and

(2) time spent in a travel status away from the official-duty station of an employee is not hours of employment unless—

(A) the time spent is within the days and hours of the regularly scheduled administrative workweek of the employee, including regularly scheduled overtime hours; or

(B) the travel involves the performance of work while traveling or is carried out under arduous conditions.

#### § 5543. Compensatory time off

(a) The head of an agency may—

(1) on request of an employee, grant the employee compensatory time off from his scheduled tour of duty instead of payment for an equal amount of time spent in irregular or occasional overtime work; and

(2) provide that an employee whose rate of basic pay is in excess of the maximum rate of basic pay for GS-9 shall be granted compensatory time off from his scheduled tour of duty equal to the amount of time spent in irregular or occasional overtime work instead of being paid for that work under section 5542 of this title.

(b) The Architect of the Capitol may grant an employee paid on an annual basis compensatory time off from duty instead of overtime pay for overtime work.

#### § 5544. Wage-board overtime rates; computation

(a) An employee whose basic rate of pay is fixed and adjusted from time to time in accordance with prevailing rates by a wage board or similar administrative authority serving the same purpose is entitled to overtime pay for overtime work in excess of 8 hours a day or 40 hours a week. However, an employee subject to this subsection who regularly is required to remain at or within the confines of his post of duty in excess of 8 hours a day in a standby or on-call status is entitled to overtime pay only for hours of duty, exclusive of eating and sleeping time, in excess of 40 a week. The overtime hourly rate of pay is computed as follows:

(1) If the basic rate of pay of the employee is fixed on a basis other than an annual or monthly basis, multiply the basic hourly rate of pay by not less than one and one-half.

(2) If the basic rate of pay of the employee is fixed on an annual basis, divide the basic annual rate of pay by 2,080, and multiply the quotient by one and one-half.

(3) If the basic rate of pay of the employee is fixed on a monthly basis, multiply the basic monthly rate of pay by 12 to derive a basic annual rate of pay, divide the basic annual rate of pay by 2,080, and multiply the quotient by one and one-half.

(b) An employee under the Office of the Architect of the Capitol who is paid on a daily or hourly basis and who is not subject to chapter

51 and subchapter III of chapter 53 of this title is entitled to overtime pay for overtime work in accordance with subsection (a) of this section. The overtime hourly rate of pay is computed in accordance with subsection (a) (1) of this section.

**§ 5545. Night, standby, and irregular duty differential**

(a) Except as provided by subsection (b) of this section, nightwork is regularly scheduled work between the hours of 6:00 p.m. and 6:00 a.m., and includes—

(1) periods of absence with pay during these hours due to holidays; and

(2) periods of leave with pay during these hours if the periods of leave with pay during a pay period total less than 8 hours.

Except as otherwise provided by subsection (c) of this section, an employee is entitled to pay for nightwork at his rate of basic pay plus premium pay amounting to 10 percent of that basic rate. This subsection and subsection (b) of this section do not modify section 180 of title 31, or other statute authorizing additional pay for nightwork.

(b) The head of an agency may designate a time after 6:00 p.m. and a time before 6:00 a.m. as the beginning and end, respectively, of nightwork for the purpose of subsection (a) of this section, at a post outside the United States where the customary hours of business extend into the hours of nightwork provided by subsection (a) of this section.

(c) The head of an agency, with the approval of the Civil Service Commission, may provide that—

(1) an employee in a position requiring him regularly to remain at, or within the confines of, his station during longer than ordinary periods of duty, a substantial part of which consists of remaining in a standby status rather than performing work, shall receive premium pay for this duty on an annual basis instead of premium pay provided by other provisions of this subchapter, except for irregular, unscheduled overtime duty in excess of his regularly scheduled weekly tour. Premium pay under this paragraph is determined as an appropriate percentage, not in excess of 25 percent, of such part of the rate of basic pay for the position as does not exceed the minimum rate of basic pay for GS-9, by taking into consideration the number of hours of actual work required in the position, the number of hours required in a standby status at or within the confines of the station, the extent to which the duties of the position are made more onerous by night or holiday work, or by being extended over periods of more than 40 hours a week, and other relevant factors; or

(2) an employee in a position in which the hours of duty cannot be controlled administratively, and which requires substantial amounts of irregular, unscheduled, overtime duty and duty at night and on holidays with the employee generally being responsible for recognizing, without supervision, circumstances which require him to remain on duty, shall receive premium pay for this duty on an annual basis instead of premium pay provided by other provisions of this subchapter, except for regularly scheduled overtime duty. Premium pay under this paragraph is determined as an appropriate percentage, not in excess of 15 percent, of such part of the rate of basic pay for the position as does not exceed the minimum rate of basic pay for GS-9, by taking into consideration the frequency and duration of night, holiday, and unscheduled overtime duty required in the position.

**§ 5546. Pay for holiday work**

(a) An employee who performs work on a holiday designated by Federal statute, Executive order, or with respect to an employee of the government of the District of Columbia, by order of the Board of Commissioners of the District of Columbia, is entitled to pay at the rate of his basic pay, plus premium pay at a rate equal to the rate of his basic pay, for that holiday work which is not—

(1) in excess of 8 hours; or

(2) overtime work as defined by section 5542(a) of this title.

(b) An employee who is required to perform any work on a designated holiday is entitled to pay for at least 2 hours of holiday work.

(c) An employee who performs overtime work as defined by section 5442(a) of this title on a Sunday or a designated holiday is entitled to pay for that overtime work in accordance with section 5542(a) of this title.

(d) Premium pay under this section is in addition to premium pay which may be due for the same work under section 5545 (a) and (b) of this title, providing premium pay for nightwork.

**§ 5547. Limitation on premium pay**

An employee may be paid premium pay under this subchapter only to the extent that the payment does not cause his aggregate rate of pay for any pay period to exceed the maximum rate for GS-15.

**§ 5548. Regulations**

The Civil Service Commission may prescribe regulations, subject to the approval of the President, necessary for the administration of this subchapter, except section 5544, insofar as this subchapter affects employees in or under an Executive agency.

**§ 5549. Effect on other statutes**

This subchapter does not prevent payment for overtime services or for Sunday or holiday work under any of the following statutes—

(1) section 394 of title 7;

(2) sections 1353a and 1353b of title 8;

(3) sections 261, 267, 1450, 1451, 1451a, and 1452 of title 19;

(4) section 382b of title 46; and

(5) section 154(f)(3) of title 47.

However, an employee may not receive premium pay under this subchapter for the same services for which he is paid under one of these statutes.

**SUBCHAPTER VI—PAYMENT FOR ACCUMULATED AND ACCRUED LEAVE****§ 5551. Lump-sum payment for accumulated and accrued leave on separation**

(a) An employee as defined by section 2105 of this title or an individual employed by the government of the District of Columbia, who is separated from the service or elects to receive a lump-sum payment for leave under section 5552 of this title, is entitled to receive a lump-sum payment for accumulated and current accrued annual or vacation leave to which he is entitled by statute. The lump-sum payment shall equal the pay the employee or individual would have received had he remained in the service until expiration of the period of the annual or vacation leave, except that it may not exceed pay for a period of annual or vacation leave in excess of 30 days or the number of days carried over to his credit at the beginning of the leave year in which entitlement to payment occurs, whichever is greater. The lump-sum payment is considered pay for taxation purposes only.

(b) The accumulated and current accrued annual leave to which an officer excepted from subchapter I of chapter 63 of this title by section 6301(2)(x)-(xii) of this title, is entitled immediately before the date he is excepted under that section shall be liquidated by a lump-sum payment in accordance with subsection (a) of this section or subchapter VIII of this chapter, except that the payment is—

- (1) based on the rate of pay which he was receiving immediately before the date on which section 6301(2)(x)-(xii) of this title became applicable to him; and
- (2) made without regard to the limitation in subsection (a) of this section on the amount of leave compensable.

**§ 5552. Lump-sum payment for accumulated and accrued leave on entering active duty; election**

An employee as defined by section 2105 of this title or an individual employed by a territory or possession of the United States or the government of the District of Columbia who enters on active duty in the armed forces is entitled to—

- (1) receive, in addition to his pay and allowances from the armed forces, a lump-sum payment for accumulated and current accrued annual or vacation leave in accordance with section 5551 of this title; or
- (2) elect to have the leave remain to his credit until his return from active duty.

**SUBCHAPTER VII—PAYMENTS TO MISSING  
EMPLOYEES**

**§ 5561. Definitions**

For the purpose of this subchapter—

(1) “agency” means an Executive agency and a military department;

(2) “employee” means an employee in or under an agency who is a citizen or national of the United States or an alien admitted to the United States for permanent residence, but does not include a part-time or intermittent employee or native labor casually hired on an hourly or daily basis. However, such an employee who enters a status listed in paragraph (5)(A)-(E) of this section—

(A) inside the continental United States; or

(B) who is a resident at or in the vicinity of his place of employment in a territory or possession of the United States or in a foreign country and who was not living there solely as a result of his employment;

is an employee for the purpose of this subchapter only on a determination by the head of the agency concerned that this status is the proximate result of employment by the agency;

(3) “dependent” means—

(A) a wife;

(B) an unmarried child (including an unmarried dependent stepchild or adopted child) under 21 years of age;

(C) a dependent mother or father;

(D) a dependent designated in official records; and

(E) an individual determined to be dependent by the head of the agency concerned or his designee;

(4) “active service” means active Federal service by an employee;

(5) "missing status" means the status of an employee who is in active service and is officially carried or determined to be absent in a status of—

- (A) missing;
- (B) missing in action;
- (C) interned in a foreign country;
- (D) captured, beleaguered, or besieged by a hostile force;

or

(E) detained in a foreign country against his will; but does not include the status of an employee for a period during which he is officially determined to be absent from his post of duty without authority; and

(6) "pay and allowances" means—

- (A) basic pay;
- (B) special pay;
- (C) incentive pay;
- (D) basic allowance for quarters;
- (E) basic allowance for subsistence; and
- (F) station per diem allowances for not more than 90 days.

**§ 5562. Pay and allowances; continuance while in a missing status; limitations**

(a) An employee in a missing status is entitled to receive or have credited to his account, for the period he is in that status, the same pay and allowances to which he was entitled at the beginning of that period or may become entitled thereafter.

(b) Entitlement to pay and allowances under subsection (a) of this section ends on the date of—

- (1) receipt by the head of the agency concerned of evidence that the employee is dead; or
- (2) death prescribed or determined under section 5565 of this title.

That entitlement does not end—

- (A) on the expiration of the term of service or employment of an employee while he is in a missing status; or
- (B) earlier than the dates prescribed in paragraphs (1) and (2) of this subsection if the employee dies while he is in a missing status.

(c) An employee who is officially determined to be absent from his post of duty without authority is indebted to the United States for payments of amounts credited to his account under subsection (a) of this section for the period of that absence.

(d) When an employee in a missing status is continued in that status under section 5565 of this title, he continues to be entitled to have pay and allowances credited under subsection (a) of this section.

**§ 5563. Allotments; continuance, suspension, initiation, resumption, or increase while in a missing status; limitations**

(a) An allotment (including one for the purchase of United States savings bonds) made by an employee before he was in a missing status may be continued for the period he is in that status, notwithstanding the end of the period for which the allotment was made.

(b) In the absence of an allotment or when an allotment is insufficient for a purpose authorized by the head of the agency concerned, he or his designee may authorize such a new or increased allotment as circumstances warrant, which is payable for the period the employee concerned is in a missing status.

(c) All allotments from the pay and allowances of an employee in a missing status may not total more than the amount of pay and allowances he is permitted to allot under regulations prescribed by the head of the agency concerned.

(d) A premium paid by the United States on insurance issued on the life of an employee, which is unearned because it covers a period after his death, reverts to the appropriation of the agency concerned.

(e) Subject to subsections (f) and (g) of this section, the head of the agency concerned or his designee may direct the initiation, continuance, discontinuance, increase, decrease, suspension, or resumption of an allotment from the pay and allowances of an employee in a missing status when that action is in the interests of the employee, his dependents, or the United States.

(f) When the head of the agency concerned officially reports that an employee in a missing status is alive, an allotment under subsections (a)–(d) of this section may be paid, subject to section 5562 of this title, until the date the head of the agency concerned receives evidence that the employee is dead or has returned to the controllable jurisdiction of the agency concerned.

(g) When an employee in a missing status is continued in that status under section 5565 of this title, an allotment under subsections (a)–(d) of this section may be continued, increased, or initiated.

(h) When the head of the agency concerned considers it essential for the well-being and protection of the dependents of an employee in active service (other than an employee in a missing status), he may, with or without the consent of the employee and subject to termination on specific request of the employee—

- (1) direct the payment of a new allotment from the pay of the employee;
- (2) increase or decrease the amount of an allotment made by the employee; and
- (3) continue payment of an allotment of the employee which has expired.

**§ 5564. Travel and transportation; dependents; household and personal effects; motor vehicles; sale of bulky items; claims for proceeds; appropriation chargeable**

(a) For the purpose of this section, “household and personal effects” and “household effects” may include, in addition to other authorized weight allowances, one privately owned motor vehicle which may be shipped at United States expense when it is located outside the United States or in Alaska or Hawaii.

(b) Transportation (including packing, crating, draying, temporarily storing, and unpacking of household and personal effects) may be provided for the dependents and household and personal effects of an employee in active service (without regard to pay grade) who is officially reported as dead, injured, or absent for more than 29 days in a status listed in section 5561(5)(A)–(E) of this title to—

- (1) the official residence of record for the employee;
- (2) the residence of his dependent, next of kin, or other person entitled to the effects under regulations prescribed by the head of the agency concerned; or
- (3) another location determined in advance or later approved by the head of the agency concerned or his designee on request of the employee (if injured) or his dependent, next of kin, or other person described in paragraph (2) of this subsection.

(c) When an employee described in subsection (b) of this section is in an injured status, transportation of dependents and household and personal effects may be provided under this section only when prolonged hospitalization or treatment is anticipated.

(d) Transportation on request of a dependent may be authorized under this section only when there is a reasonable relationship between the circumstances of the dependent and the destination requested.

(e) Instead of providing transportation for dependents under this section, when the travel has been completed the head of the agency concerned may authorize—

(1) reimbursement for the commercial cost of the transportation; or

(2) a monetary allowance, instead of transportation, as authorized by statute for the whole or that part of the travel for which transportation in kind was not furnished.

(f) The head of the agency concerned may store the household and personal effects of an employee described in subsection (b) of this section until proper disposition can be made. The cost of the storage and transportation (including packing, crating, draying, temporarily storing, and unpacking) of household and personal effects shall be charged against appropriations currently available.

(g) When the head of the agency concerned determines that an emergency exists and that a sale would be in the best interests of the United States, he may provide for the public or private sale of motor vehicles and other bulky items of the household and personal effects of an employee described in subsection (b) of this section. Before a sale, and if practicable, a reasonable effort shall be made to determine the desires of interested persons. The net proceeds from the sale shall be sent to the owner or other person entitled thereto under regulations prescribed by the head of the agency concerned. If there is no owner or other person entitled thereto, or if the owner or other person or their addresses are not ascertained within 1 year from the date of sale, the net proceeds may be covered into the Treasury of the United States as miscellaneous receipts.

(h) A claim for net proceeds covered into the Treasury under subsection (g) of this section may be filed with the General Accounting Office by the owner, his heir or next of kin, or his legal representative at any time before the end of 5 years from the date the proceeds are covered into the Treasury. When a claim is filed, the General Accounting Office shall allow or disallow it. A claim that is allowed shall be paid from the appropriation for refunding money erroneously received and covered. If a claim is not filed before the end of 5 years from the date the proceeds are covered into the Treasury, it is barred from being acted on by the General Accounting Office or the courts.

(i) This section does not amend or repeal—

(1) section 2575, 2733, 4712, 4713, 6522, 9712, or 9713 of title 10;

(2) section 507 of title 14; or

(3) chapter 171 of title 28.

### § 5565. Agency review

(a) When an employee has been in a missing status almost 12 months and no official report of his death or the circumstances of his continued absence has been received by the head of the agency concerned, he shall have the case fully reviewed. After that review and the end of 12 months in a missing status, or after any later review which shall be made when warranted by information received or other circumstances, the head of the agency concerned or his designee may—

(1) direct the continuance of his missing status, if there is a reasonable presumption that the employee is alive; or

(2) make a finding of death.

(b) When a finding of death is made under subsection (a) of this section, it shall include the date death is presumed to have occurred for

the purpose of the ending of crediting pay and allowances and settlement of accounts. That date is—

(1) the day after the day on which the 12 months in a missing status ends; or

(2) a day determined by the head of the agency concerned or his designee when the missing status has been continued under subsection (a) of this section.

(c) For the purpose of determining status under this section, a dependent of an employee in active service is deemed an employee. A determination under this section made by the head of the agency concerned or his designee is conclusive on all other agencies of the United States. This section does not entitle a dependent to pay, allowances, or other compensation to which he is not otherwise entitled.

#### § 5566. Agency determinations

(a) The head of the agency concerned or his designee may make any determination necessary to administer this subchapter, and when so made it is conclusive as to—

(1) death or finding of death;

(2) the fact of dependency under this subchapter;

(3) any other status covered by this subchapter;

(4) an essential date, including one on which evidence or information is received by the head of the agency concerned; and

(5) whether information received concerning an employee is to be construed and acted on as an official report of death.

(b) When the head of the agency concerned receives information that he considers to conclusively establish the death of an employee, he shall take action thereon as an official report of death, notwithstanding an earlier action relating to death or other status of the employee. After the end of 12 months in a missing status prescribed by section 5565 of this title, the head of the agency concerned or his designee shall make a finding of death when he considers that the information received, or a lapse of time without information, establishes a reasonable presumption that an employee in a missing status is dead.

(c) The head of the agency concerned or his designee may determine the entitlement of an employee to pay and allowances under this subchapter, including credits and charges in his account, and that determination is conclusive. An account may not be charged or debited with an amount that an employee captured, beleaguered, or besieged by a hostile force may receive or be entitled to receive from, or have placed to his credit by, the hostile force as pay, allowances, or other compensation.

(d) When circumstances warrant the reconsideration of a determination made under this subchapter, the head of the agency concerned or his designee may change or modify it.

(e) When the account of an employee has been charged or debited with an allotment paid under this subchapter, the amount so charged or debited shall be recredited to the account of the employee if the head of the agency concerned or his designee determines that the payment was induced by fraud or misrepresentation to which the employee was not a party.

(f) Except an allotment for an unearned insurance premium, an allotment paid from the pay and allowances of an employee for the period he is in a missing status may not be collected from the allottee as an overpayment when payment was caused by delay in receiving evidence of death. An allotment paid for a period after the end, under this subchapter or otherwise, of entitlement to pay and allowances may

not be collected from the allottee or charged against the pay of a deceased employee when payment was caused by delay in receiving evidence of death.

(g) The head of the agency concerned or his designee may waive the recovery of an erroneous payment or overpayment of an allotment to a dependent if he considers recovery is against equity and good conscience.

(h) For the purpose of determining status under this section, a dependent of an employee in active service is deemed an employee. A determination under this section made by the head of the agency concerned or his designee is conclusive on all other agencies of the United States. This section does not entitle a dependent to pay, allowances, or other compensation to which he is not otherwise entitled.

#### § 5567. Settlement of accounts

(a) The head of the agency concerned or his designee may settle the accounts of—

(1) an employee for whose account payment has been made under sections 5562, 5563, and 5565 of this title; and

(2) a survivor of a casualty to a ship, station, or military installation which results in the loss or destruction of disbursing records.

That settlement is conclusive on the accounting officials of the United States in settling the accounts of disbursing officials.

(b) Payment or settlement of an account made pursuant to a report, determination, or finding of death may not be recovered or reopened because of a later report or determination which fixes a date of death. However, an account shall be reopened and settled on the basis of a date of death so fixed which is later than that used as a basis for earlier settlement.

(c) In settling the accounts of a disbursing official, he is entitled to credit for an erroneous payment or overpayment made by him in carrying out this subchapter, except section 5568, if there is no fraud or criminality by him. Recovery may not be made from an individual who authorizes a payment under this subchapter, except section 5568, if there is no fraud or criminality by him.

#### § 5568. Income tax deferment

Notwithstanding other statutes, any Federal income tax return of, or the payment of any Federal income tax by, an employee who, at the time the return or payment would otherwise become due, is in a missing status does not become due until the earlier of the following dates:

(1) the fifteenth day of the third month in which he ceased (except because of death or incompetency) being in a missing status, unless before the end of that fifteenth day he is again in a missing status; or

(2) the fifteenth day of the third month after the month in which an executor, administrator, or conservator of the estate of the taxpayer is appointed.

That due date is prescribed subject to the power of the Secretary of the Treasury or his delegate to extend the time for filing the return or paying the tax, as in other cases, and to assess and collect the tax as provided by sections 6851, 6861, and 6871 of title 26 in cases in which the assessment or collection is jeopardized and in cases of bankruptcy or receivership.

## SUBCHAPTER VIII—SETTLEMENT OF ACCOUNTS

**§ 5581. Definitions**

For the purpose of this subchapter—

(1) "employee" means—

(A) an employee as defined by section 2105 of this title;  
and

(B) an individual employed by the government of the District of Columbia;

but does not include an employee of—

(i) a Federal land bank;

(ii) a Federal intermediate credit bank;

(iii) a regional bank for cooperatives; or

(iv) the Senate within the purview of section 36a of title 2;

(2) "money due" means the pay and allowances due on account of the services of a deceased employee for the Government of the United States or the government of the District of Columbia.

It includes, but is not limited to—

(A) per diem instead of subsistence, mileage, and amounts due in reimbursement of travel expenses, including incidental and miscellaneous expenses in connection therewith for which reimbursement is due;

(B) allowances on change of official station;

(C) quarters and cost-of-living allowances and overtime or premium pay;

(D) amounts due for payment of cash awards for employees' suggestions;

(E) amounts due as refund of pay deductions for United States savings bonds;

(F) payment for accumulated and current accrued annual or vacation leave equal to the pay the deceased employee would have received had he lived and remained in the service until the end of the period of annual or vacation leave;

(G) amounts of checks drawn for pay and allowances which were not delivered by the Government to the employee during his lifetime;

(H) amounts of unnegotiated checks returned to the Government because of the death of the employee; and

(I) retroactive pay under section 5344(a)(2) of this title.

It does not include benefits, refunds, or interest payable under subchapter III of chapter 83 of this title applicable to the service of the deceased employee, or amounts the disposition of which is otherwise expressly prescribed by Federal statute.

**§ 5582. Designation of beneficiary; order of precedence**

(a) The employing agency shall notify each employee of his right to designate a beneficiary or beneficiaries to receive money due, and of the disposition of money due if a beneficiary is not designated. An employee may change or revoke a designation at any time under such regulations as the Comptroller General of the United States may prescribe.

(b) In order to facilitate the settlement of the accounts of deceased employees, money due an employee at the time of his death shall be paid to the person or persons surviving at the date of death, in the following order of precedence, and the payment bars recovery by another person of amounts so paid:

First, to the beneficiary or beneficiaries designated by the employee in a writing received in the employing agency before his death.

Second, if there is no designated beneficiary, to the widow or widower of the employee.

Third, if none of the above, to the child or children of the employee and descendants of deceased children by representation.

Fourth, if none of the above, to the parents of the employee or the survivor of them.

Fifth, if none of the above, to the duly appointed legal representative of the estate of the employee.

Sixth, if none of the above, to the person or persons entitled under the laws of the domicile of the employee at the time of his death.

### § 5583. Payment of money due; settlement of accounts

(a) Under such regulations as the Comptroller General of the United States may prescribe, the employing agency shall pay money due a deceased employee to the beneficiary designated by the employee under section 5582(b) of this title, or, if none, to the widow or widower of the employee.

(b) Except as the Comptroller General may by regulation otherwise authorize or direct, accounts not payable under subsection (a) of this section are payable on settlement of the General Accounting Office. However—

(1) accounts of employees of the government of the District of Columbia shall be paid by the District of Columbia;

(2) accounts of employees of the Canal Zone Government on the Isthmus of Panama shall be paid by the Canal Zone Government; and

(3) accounts of employees of Government corporations or mixed ownership Government corporations may be paid by the corporations.

## SUBCHAPTER IX—BACK PAY

### § 5591. Back pay; individuals reinstated or restored after removal or suspension for cause

An individual removed or suspended under section 7501 of this title who, after filing a written answer to the charges under section 7501 of this title or after further appeal to proper authority after receipt of an adverse decision on the answer, is reinstated or restored to duty because the action was unjustified or unwarranted is—

(1) entitled to pay, at the rate received on the date of the removal or suspension, for the period for which he did not receive pay with respect to the position from which he was removed or suspended, less the amount he earned through other employment during that period; and

(2) deemed to have performed service during that period for all purposes except for the accumulation of leave.

Decision on an appeal to proper authority under this section shall be made at the earliest practicable date.

### § 5592. Back pay; preference eligibles reinstated or restored after removal, suspension, or furlough

An individual removed, suspended, or furloughed under section 7512 of this title who, after answering the reasons advanced for the proposed adverse action under section 7512 of this title or after an appeal to the Civil Service Commission under section 7701 of this title, is reinstated or restored to duty because the action was unjustified or unwarranted is—

(1) entitled to pay, at the rate received on the date of the removal, suspension, or furlough, for the period for which he did

not receive pay with respect to the position from which he was removed, suspended, or furloughed, less the amounts he earned through other employment during that period; and

(2) deemed to have performed service during that period for all purposes except for the accumulation of leave.

**§ 5593. Back pay; individuals reinstated or restored after reduction in force**

An individual removed or furloughed without pay in a reduction in force who, after an appeal to proper authority, is reinstated or restored to duty because the action was unjustified or unwarranted is—

(1) entitled to pay, at the rate received on the date of the removal or furlough, for the period for which he did not receive pay with respect to the position from which he was removed or furloughed, less the amounts he earned through other employment during that period; and

(2) deemed to have performed service during that period for all purposes except for the accumulation of leave.

Decision on an appeal to proper authority under this section shall be made at the earliest practicable date.

**§ 5594. Back pay; individuals reinstated or restored after suspension or removal for national security**

An individual suspended or removed under section 7532 of this title who is reinstated or restored to duty under section 3571 of this title is entitled to pay in an amount not to exceed the amount he normally would have earned during the period of suspension or removal, at the rate received on the date of suspension or removal, for all or a part of the period for which he did not receive pay with respect to the position from which he was suspended or removed, less the amounts he earned through other employment during that period.

**CHAPTER 57—TRAVEL, TRANSPORTATION, AND  
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### SUBCHAPTER I—TRAVEL AND SUBSISTENCE EXPENSES; MILEAGE ALLOWANCES

#### § 5701. Definitions

For the purpose of this subchapter—

(1) “agency” means—

(A) an Executive agency;

(B) a military department;

(C) an office, agency, or other establishment in the legislative branch;

(D) an office, agency, or other establishment in the judicial branch; and

(E) the government of the District of Columbia;

but does not include—

(i) a Government controlled corporation;

(ii) a Member of Congress; or

(iii) an office or committee of either House of Congress or of the two Houses;

(2) “employee” means an individual employed in or under an agency;

(3) “subsistence” means lodging, meals, and other necessary expenses for the personal sustenance and comfort of the traveler;

(4) “per diem allowance” means a daily flat rate payment instead of actual expenses for subsistence and fees or tips to porters and stewards;

(5) “Government” means the Government of the United States and the government of the District of Columbia; and

(6) “continental United States” means the several States and the District of Columbia, but does not include Alaska or Hawaii.

#### § 5702. Per diem; employees traveling on official business

(a) An employee, while traveling on official business away from his designated post of duty, is entitled to a per diem allowance prescribed by the agency concerned. For travel inside the continental United States, the per diem allowance may not exceed the rate of \$16. For travel outside the continental United States, the per diem allowance may not exceed the rate established by the President or his designee, who may be the Director of the Bureau of the Budget or another officer of the Government of the United States, for the locality where the travel is performed.

(b) Under regulations prescribed under section 5707 of this title, an employee who, while traveling on official business away from his designated post of duty, becomes incapacitated by illness or injury not due to his own misconduct is entitled to the per diem allowances, and transportation expenses to his designated post of duty.

(c) Under regulations prescribed under section 5707 of this title, the head of the agency concerned may prescribe conditions under which an employee may be reimbursed for the actual and necessary expenses of the trip, not to exceed an amount named in the travel authorization, when the maximum per diem allowance would be much less than these expenses due to the unusual circumstances of the travel assignment. The amount named in the travel authorization may not exceed—

(1) \$30 for each day in a travel status inside the continental United States; or

(2) the maximum per diem allowance plus \$10 for each day in a travel status outside the continental United States.

(d) This section does not apply to a justice or judge except to the extent provided by section 456 of title 28.

### **§ 5703. Per diem, travel, and transportation expenses; experts and consultants; individuals serving without pay**

(a) For the purpose of this section, "appropriation" includes funds made available by statute under section 849 of title 31.

(b) An individual employed intermittently in the Government service as an expert or consultant and paid on a daily when-actually-employed basis may be allowed travel expenses under this subchapter while away from his home or regular place of business, including a per diem allowance under this subchapter while at his place of employment.

(c) An individual serving without pay or at \$1 a year may be allowed transportation expenses under this subchapter and a per diem allowance under this section while en route and at his place of service or employment away from his home or regular place of business. Unless a higher rate is named in an appropriation or other statute, the per diem allowance may not exceed—

(1) the rate of \$16 for travel inside the continental United States; and

(2) the rates established under section 5702(a) of this title for travel outside the continental United States.

(d) Under regulations prescribed under section 5707 of this title, the head of the agency concerned may prescribe conditions under which an individual to whom this section applies may be reimbursed for the actual and necessary expenses of the trip, not to exceed an amount named in the travel authorization, when the maximum per diem allowance would be much less than these expenses due to the unusual circumstances of the travel assignment. The amount named in the travel authorization may not exceed—

(1) \$30 for each day in a travel status inside the continental United States; or

(2) the maximum per diem allowance plus \$10 for each day in a travel status outside the continental United States.

### **§ 5704. Mileage and related allowances**

(a) Under regulations prescribed under section 5707 of this title, an employee or other individual performing service for the Government, who is engaged on official business inside or outside his designated post of duty or place of service, is entitled to not in excess of—

(1) 8 cents a mile for the use of a privately owned motorcycle; or

(2) 12 cents a mile for the use of a privately owned automobile or airplane;

instead of the actual expenses of transportation when that mode of transportation is authorized or approved as more advantageous to the Government. A determination of advantage is not required when

payment on a mileage basis is limited to the cost of travel by common carrier including per diem.

(b) In addition to the mileage allowance under subsection (a) of this section, the employee or other individual performing service for the Government may be reimbursed for—

- (1) parking fees;
- (2) ferry fares; and
- (3) bridge, road, and tunnel tolls.

#### § 5705. Advancements and deductions

An agency may advance, through the proper disbursing official, to an employee or individual entitled to per diem or mileage allowances under this subchapter, a sum considered advisable with regard to the character and probable duration of the travel to be performed. A sum advanced and not used for allowable travel expenses is recoverable from the employee or individual or his estate by—

- (1) setoff against accrued pay, retirement credit, or other amount due the employee or individual;
- (2) deduction from an amount due from the United States; and
- (3) such other method as is provided by law.

#### § 5706. Allowable travel expenses

Except as otherwise permitted by this subchapter or by statutes relating to members of the uniformed services, only actual and necessary travel expenses may be allowed to an individual holding employment or appointment under the United States.

#### § 5707. Regulations

The Director of the Bureau of the Budget shall prescribe regulations necessary for the administration of this subchapter. The fixing, payment, advancement, and recovery of travel allowances, and the reimbursement of travel expenses, under this subchapter shall be in accordance with the regulations. This section does not apply to the fixing or payment of a per diem allowance under section 5703(c) of this title.

#### § 5708. Effect on other statutes

This subchapter does not modify or repeal—

- (1) any statute providing for the traveling expenses of the President;
- (2) any statute providing for mileage allowances for Members of Congress;
- (3) any statute fixing or permitting rates higher than the maximum rates established under this subchapter; or
- (4) any appropriation statute item for examination of estimates in the field.

### SUBCHAPTER II—TRAVEL AND TRANSPORTATION EXPENSES; NEW APPOINTEES, STUDENT TRAINEES, AND TRANSFERRED EMPLOYEES

#### § 5721. Definitions

For the purpose of this subchapter—

- (1) "agency" means—
  - (A) an Executive agency;
  - (B) a military department;
  - (C) a court of the United States;
  - (D) the Administrative Office of the United States Courts;
  - (E) the Library of Congress;

- (F) the Botanic Garden;
- (G) the Government Printing Office; and
- (H) the government of the District of Columbia;

but does not include a Government controlled corporation;

(2) "employee" means an individual employed in or under an agency;

(3) "continental United States" means the several States and the District of Columbia, but does not include Alaska or Hawaii;

(4) "Government" means the Government of the United States and the government of the District of Columbia; and

(5) "appropriation" includes funds made available by statute under section 849 of title 31.

**§ 5722. Travel and transportation expenses of new appointees; posts of duty outside the continental United States**

(a) Under such regulations as the President may prescribe and subject to subsections (b) and (c) of this section, an agency may pay from its appropriations—

(1) travel expenses of a new appointee and transportation expenses of his immediate family and his household goods and personal effects from the place of actual residence at the time of appointment to the place of employment outside the continental United States; and

(2) these expenses on the return of an employee from his post of duty outside the continental United States to the place of his actual residence at the time of assignment to duty outside the United States.

(b) An agency may pay expenses under subsection (a)(1) of this section only after the individual selected for appointment agrees in writing to remain in the Government service for a minimum period of—

(1) one school year as determined under chapter 25 of title 20, if selected for appointment to a teaching position, except as a substitute, in the Department of Defense under that chapter; or

(2) 12 months after his appointment, if selected for appointment to any other position;

unless separated for reasons beyond his control which are acceptable to the agency concerned. If the individual violates the agreement, the money spent by the United States for the expenses is recoverable from the individual as a debt due the United States.

(c) An agency may pay expenses under subsection (a)(2) of this section only after the individual has served for a minimum period of—

(1) one school year as determined under chapter 25 of title 20, if employed in a teaching position, except as a substitute, in the Department of Defense under that chapter; or

(2) not less than one nor more than 3 years prescribed in advance by the head of the agency, if employed in any other position;

unless separated for reasons beyond his control which are acceptable to the agency concerned. These expenses are payable whether the separation is for Government purposes or for personal convenience.

(d) This section does not apply to appropriations for the Foreign Service of the United States.

**§ 5723. Travel and transportation expenses of new appointees and student trainees; manpower shortage positions**

(a) Under such regulations as the President may prescribe and subject to subsections (b) and (c) of this section, an agency may pay from its appropriations—

(1) travel expenses of a new appointee, or a student trainee when assigned on completion of college work, to a position in the United States for which the Civil Service Commission determines there is a manpower shortage; and

(2) transportation expenses of his immediate family and his household goods and personal effects to the extent authorized by section 5724 of this title;

from his place of residence at the time of selection or assignment to his duty station. If the travel and transportation expenses of a student trainee were paid when he was appointed, they may not be paid when he is assigned after completion of college work. Travel expenses payable under this subsection may include the per diem and mileage allowances authorized for employees by subchapter I of this chapter. Advances of funds may be made for the expenses authorized by this subsection to the extent authorized by section 5724(f) of this title.

(b) An agency may pay travel and transportation expenses under subsection (a) of this section only after the individual selected or assigned agrees in writing to remain in the Government service for 12 months after his appointment or assignment, unless separated for reasons beyond his control which are acceptable to the agency concerned. If the individual violates the agreement, the money spent by the United States for the expenses is recoverable from the individual as a debt due the United States.

(c) An agency may pay travel and transportation expenses under subsection (a) of this section whether or not the individual selected has been appointed at the time of the travel.

(d) The Commission may not delegate its authority to determine positions for which there is a manpower shortage for the purpose of this section.

(e) This section does not impair or otherwise affect the authority of an agency under existing statute to pay travel and transportation expenses of individuals named by subsection (a) of this section.

**§ 5724. Travel and transportation expenses of employees transferred; advancement of funds; reimbursement on commuted basis**

(a) Under such regulations as the President may prescribe and when the head of the agency concerned or his designee authorizes or approves, the agency shall pay from Government funds—

(1) the travel expenses of an employee transferred in the interest of the Government from one official station or agency to another for permanent duty, and the transportation expenses of his immediate family, or a commutation thereof under section 5704 of this title; and

(2) the expenses of transporting, packing, crating, temporarily storing, draying, and unpacking his household goods and personal effects not in excess of 7,000 pounds net weight.

(b) Under such regulations as the President may prescribe, an employee who transports a house trailer or mobile dwelling inside the continental United States, inside Alaska, or between the continental United States and Alaska, for use as a residence, and who otherwise would be entitled to transportation of household goods and personal

effects under subsection (a) of this section, is entitled, instead of that transportation, to—

(1) a reasonable allowance not in excess of 20 cents a mile for transportation of the house trailer or mobile dwelling, if the trailer or dwelling is transported by the employee; or

(2) commercial transportation of the house trailer or mobile dwelling, at Government expense, or reimbursement to the employee therefor, including the payment of necessary tolls, charges, and permit fees, if the trailer or dwelling is not transported by the employee.

However, payment under this subsection may not exceed the maximum payment to which the employee otherwise would be entitled under subsection (a) of this section for transportation and temporary storage of his household goods and personal effects in connection with this transfer.

(c) Under such regulations as the President may prescribe, an employee who transfers between points inside the continental United States, instead of being paid for the actual expenses of transporting, packing, crating, temporarily storing, draying, and unpacking of household goods and personal effects, shall be reimbursed on a commuted basis at the rates per 100 pounds that are fixed by zones in the regulations. The reimbursement may not exceed the amount which would be allowable for the authorized weight allowance.

(d) When an employee transfers to a post of duty outside the continental United States, his expenses of travel and transportation to and from the post shall be allowed to the same extent and with the same limitations prescribed for a new appointee under section 5722 of this title.

(e) When an employee transfers from one agency to another, the agency to which he transfers pays the expenses authorized by this section.

(f) An advance of funds may be made to an employee under the regulations of the President with the same safeguards required under section 5705 of this title.

(g) The allowances authorized by this section do not apply to an employee transferred under chapter 14 of title 22.

(h) When a transfer is made primarily for the convenience or benefit of an employee, including an employee in the Foreign Service of the United States, or at his request, his expenses of travel and transportation and the expenses of transporting, packing, crating, temporarily storing, draying, and unpacking of household goods and personal effects may not be allowed or paid from Government funds.

#### **§ 5725. Transportation expenses; employees assigned to danger areas**

(a) When an employee of the United States is on duty, or is transferred or assigned to duty, at a place designated by the head of the agency concerned as inside a zone—

(1) from which his immediate family should be evacuated; or

(2) to which they are not permitted to accompany him;

because of military or other reasons which create imminent danger to life or property, or adverse living conditions which seriously affect the health, safety, or accommodations of the immediate family, Government funds may be used to transport his immediate family and household goods and personal effects, under regulations prescribed by the head of the agency, to a location designated by the employee. When circumstances prevent the employee from designating a location, or it is administratively impracticable to determine his intent, the

immediate family may designate the location. When the designated location is inside a zone to which movement of families is prohibited under this subsection, the employee or his immediate family may designate an alternate location.

(b) When the employee is assigned to a duty station from which his immediate family is not excluded by the restrictions in subsection (a) of this section, Government funds may be used to transport his immediate family and household goods and personal effects from the designated or alternate location to the duty station.

#### **§ 5726. Storage expenses; household goods and personal effects**

(a) For the purpose of this section, "household goods and personal effects" means such personal property of an employee and his dependents as the President may by regulation authorize to be transported or stored, including, in emergencies, motor vehicles authorized to be shipped at Government expense.

(b) Under such regulations as the President may prescribe, an employee, including a new appointee and a student trainee to the extent authorized by sections 5722 and 5723 of this title, assigned to a permanent duty station outside the continental United States may be allowed storage expenses and related transportation and other expenses for his household goods and personal effects when—

(1) the duty station is one to which he cannot take or at which he is unable to use his household goods and personal effects; or

(2) the head of the agency concerned authorizes storage of the household goods and personal effects in the public interest or for reasons of economy.

The weight of the household goods and personal effects stored under this subsection, together with the weight of property transported under section 5724(a), may not exceed 7,000 pounds net weight, excluding a motor vehicle described by subsection (a) of this section.

#### **§ 5727. Transportation of motor vehicles**

(a) Except as specifically authorized by statute, an authorization in a statute or regulation to transport the effects of an employee or other individual at Government expense is not an authorization to transport an automobile.

(b) Under such regulations as the President may prescribe, the privately owned motor vehicle of an employee, including a new appointee and a student trainee to the extent authorized by sections 5722 and 5723 of this title, may be transported at Government expense to, from, and between the continental United States and a post of duty outside the continental United States, or between posts of duty outside the continental United States, when—

(1) the employee is assigned to the post of duty for other than temporary duty; and

(2) the head of the agency concerned determines that it is in the interest of the Government for the employee to have the use of a motor vehicle at the post of duty.

(c) An employee may transport only one motor vehicle under subsection (b) of this section during a 4-year period, except when the head of the agency concerned determines that replacement of the motor vehicle during the period is necessary for reasons beyond the control of the employee and is in the interest of the Government, and authorizes in advance the transportation under subsection (b) of this section of one additional privately owned motor vehicle as a replacement. When an employee has remained in continuous service outside the United States during the 4-year period after the date of trans-

portation under subsection (b) of this section of his motor vehicle, the head of the agency concerned may authorize transportation under subsection (b) of this section of a replacement for that motor vehicle.

(d) When the head of an agency authorizes transportation under subsection (b) of this section of a privately owned motor vehicle, the transportation may be by—

- (1) commercial means, if available at reasonable rates and under reasonable conditions; or
  - (2) Government means on a space-available basis.
- (e) (1) This section, except subsection (a), does not apply to—
- (A) the Foreign Service of the United States; or
  - (B) the Central Intelligence Agency.
- (2) This section, except subsection (a), does not affect—
- (A) section 1138 of title 22; or
  - (B) section 403e(4) of title 50.

### § 5728. Travel and transportation expenses; vacation leave

(a) Under such regulations as the President may prescribe, an agency shall pay from its appropriations the expenses of round-trip travel of an employee, and the transportation of his immediate family, but not household goods, from his post of duty outside the continental United States to the place of his actual residence at the time of appointment or transfer to the post of duty, after he has satisfactorily completed an agreed period of service outside the continental United States and is returning to his actual place of residence to take leave before serving another tour of duty at the same or another post of duty outside the continental United States under a new written agreement made before departing from the post of duty.

(b) Under such regulations as the President may prescribe, an agency shall pay from its appropriations the expenses of round-trip travel of an employee of the United States appointed by the President, by and with the advice and consent of the Senate, for a term fixed by statute, and of transportation of his immediate family, but not household goods, from his post of duty outside the continental United States to the place of his actual residence at the time of appointment to the post of duty, after he has satisfactorily completed each 2 years of service outside the continental United States and is returning to his actual place of residence to take leave before serving at least 2 more years of duty outside the continental United States.

(c) This section does not apply to appropriations for the Foreign Service of the United States.

### § 5729. Transportation expenses; prior return of family

(a) Under such regulations as the President may prescribe, an agency shall pay from its appropriations, not more than once before the return to the United States or its territories or possessions of an employee whose post of duty is outside the continental United States, the expenses of transporting his immediate family and of shipping his household goods and personal effects from his post of duty to his actual place of residence when—

- (1) he has acquired eligibility for that transportation; or
- (2) the public interest requires the return of the immediate family for compelling personal reasons of a humanitarian or compassionate nature, such as may involve physical or mental health, death of a member of the immediate family, or obligation imposed by authority or circumstances over which the individual has no control.

(b) Under such regulations as the President may prescribe, an agency shall reimburse from its appropriations an employee whose post of duty is outside the continental United States for the proper transportation expenses of returning his immediate family and his household goods and personal effects to the United States or its territories or possessions, when—

- (1) their return was made at the expense of the employee before his return and for other than reasons of public interest; and
- (2) he acquires eligibility for those transportation expenses.

(c) This section does not apply to appropriations for the Foreign Service of the United States.

#### **§ 5730. Funds available**

Funds available for travel expenses of an employee are available for expenses of transportation of his immediate family, and funds available for transportation of things are available for transportation of household goods and personal effects, as authorized by this subchapter.

#### **§ 5731. Expenses limited to lowest first-class rate**

(a) The allowance for actual expenses for transportation may not exceed the lowest first-class rate by the transportation facility used unless it is certified, in accordance with regulations prescribed by the President, that—

- (1) lowest first-class accommodations are not available; or
- (2) use of a compartment or other accommodation authorized or approved by the head of the agency concerned or his designee is required for security purposes.

(b) Instead of the maximum fixed by subsection (a) of this section, the allowance to an employee of the United States for actual expenses for transportation on an inter-island steamship in Hawaii may not exceed the rate for accommodations on the steamship that is equivalent as nearly as possible to the rate for the lowest first-class accommodations on trans-pacific steamships.

#### **§ 5732. General average contribution; payment or reimbursement**

Under such regulations as the President may prescribe, appropriations chargeable for the transportation of baggage and household goods and personal effects of employees of the United States, volunteers as defined by section 8142(a) of this title, and members of the uniformed services are available for the payment or reimbursement of general average contributions required. Appropriations are not available for the payment or reimbursement of general average contributions—

- (1) required in connection with and applicable to quantities of baggage and household goods and personal effects in excess of quantities authorized by statute or regulation to be transported;
- (2) when the individual concerned is allowed under statute or regulation a commutation instead of actual transportation expenses; or
- (3) when the individual concerned selected the means of shipment.

### **SUBCHAPTER III—TRANSPORTATION OF REMAINS, DEPENDENTS, AND EFFECTS**

#### **§ 5741. General prohibition**

Except as specifically authorized by statute, the head of an Executive department or military department may not authorize an expenditure in connection with the transportation of remains of a deceased employee.

**§ 5742. Transportation of remains, dependents, and effects; death occurring away from official station or abroad**

(a) For the purpose of this section, "agency" means—

- (1) an Executive agency;
- (2) a military department;
- (3) an agency in the legislative branch; and
- (4) an agency in the judicial branch.

(b) When an employee dies, the head of the agency concerned, under regulations prescribed by the President and, except as otherwise provided by law, may pay from appropriations available for the activity in which the employee was engaged—

(1) the expense of preparing and transporting the remains to the home or official station of the employee, or such other place appropriate for interment as is determined by the head of the agency concerned, if death occurred while the employee was in a travel status away from his official station in the United States or while performing official duties outside the United States or in transit thereto or therefrom; and

(2) the expense of transporting his dependents, including expenses of packing, crating, draying, and transporting household effects and other personal property to his former home or such other place as is determined by the head of the agency concerned, if death occurred while the employee was performing official duties outside the United States or in transit thereto or therefrom.

(c) When a dependent of an employee dies while residing with the employee performing official duties outside the continental United States or in Alaska or in transit thereto or therefrom, the head of the agency concerned may pay the necessary expenses of transporting the remains to the home of the dependent, or such other place appropriate for interment as is determined by the head of the agency concerned. If practicable, the agency concerned in respect of the deceased may furnish mortuary services and supplies on a reimbursable basis when—

(1) local commercial mortuary facilities and supplies are not available; or

(2) the cost of available mortuary facilities and supplies are prohibitive in the opinion of the head of the agency.

Reimbursement for the cost of mortuary services and supplies furnished under this subsection shall be collected and credited to current appropriations available for the payment of these costs.

(d) The benefits of this section may not be denied because the deceased was temporarily absent from duty when death occurred.

**CHAPTER 59—ALLOWANCES****SUBCHAPTER I—UNIFORMS**

Sec.

5901. Uniform allowances.

**SUBCHAPTER II—QUARTERS**

Sec.

5911. Quarters and facilities; employees in the United States.

5912. Quarters in Government owned or rented buildings; employees in foreign countries.

5913. Official residence expenses.

## SUBCHAPTER III—OVERSEAS DIFFERENTIALS AND ALLOWANCES

### Sec.

- 5921. Definitions.
- 5922. General provisions.
- 5923. Quarters allowances.
- 5924. Cost-of-living allowances.
- 5925. Post differentials.

## SUBCHAPTER IV—MISCELLANEOUS ALLOWANCES

### Sec.

- 5941. Allowances based on living costs and conditions of environment; employees stationed outside continental United States or in Alaska.
- 5942. Allowance based on duty on California offshore islands.
- 5943. Foreign currency appreciation allowances.
- 5944. Illness and burial expenses; native employees in foreign countries.
- 5945. Notary public commission expenses.
- 5946. Membership fees; expenses of attendance at meetings; limitations.

## SUBCHAPTER I—UNIFORMS

### § 5901. Uniform allowances

(a) There is authorized to be appropriated annually to each agency of the Government of the United States, including a Government owned corporation, and of the government of the District of Columbia, on a showing of necessity or desirability, an amount not to exceed \$100 multiplied by the number of employees of the agency who are required by regulation or statute to wear a prescribed uniform in the performance of official duties and who are not being furnished with the uniform. The head of the agency concerned, out of funds made available by the appropriation, shall—

- (1) furnish to each of these employees a uniform at a cost not to exceed \$100 a year; or
- (2) pay to each of these employees an allowance for a uniform not to exceed \$100 a year.

The allowance may be paid only at the times and in the amounts authorized by the regulations prescribed under subsection (d) of this section.

(b) When the furnishing of a uniform or the payment of a uniform allowance is authorized under another statute or regulation existing on September 1, 1954, the head of the agency concerned may continue the furnishing of the uniform or the payment of the uniform allowance under that statute or regulation, but in that event a uniform may not be furnished or allowance paid under this section.

(c) An allowance paid under this section is not wages within the meaning of section 409 of title 42 or chapters 21 and 24 of title 26.

(d) The Director of the Bureau of the Budget shall prescribe regulations necessary for the uniform administration of this section.

## SUBCHAPTER II—QUARTERS

### § 5911. Quarters and facilities; employees in the United States

(a) For the purpose of this section—

- (1) "Government" means the Government of the United States;
- (2) "agency" means an Executive agency, but does not include the Tennessee Valley Authority;
- (3) "employee" means an employee of an agency;

(4) "United States" means the several States, the District of Columbia, and the territories and possessions of the United States including the Commonwealth of Puerto Rico;

(5) "quarters" means quarters owned or leased by the Government; and

(6) "facilities" means household furniture and equipment, garage space, utilities, subsistence, and laundry service.

(b) The head of an agency may provide, directly or by contract, an employee stationed in the United States with quarters and facilities, when conditions of employment or of availability of quarters warrant the action.

(c) Rental rates for quarters provided for an employee under subsection (b) of this section or occupied on a rental basis by an employee or member of a uniformed service under any other provision of statute, and charges for facilities made available in connection with the occupancy of the quarters, shall be based on the reasonable value of the quarters and facilities to the employee or member concerned, in the circumstances under which the quarters and facilities are provided, occupied, or made available. The amounts of the rates and charges shall be paid by, or deducted from the pay of, the employee or member of a uniformed service, or otherwise charged against him in accordance with law. The amounts of payroll deductions for the rates and charges shall remain in the applicable appropriation or fund. When payment of the rates and charges is made by other than payroll deductions, the amounts of payment shall be credited to the Government as provided by law.

(d) When, as an incidental service in support of a program of the Government, quarters and facilities are provided by appropriate authority of the Government to an individual other than an employee or member of a uniformed service, the rates and charges therefor shall be determined in accordance with this section. The amounts of payment of the rates and charges shall be credited to the Government as provided by law.

(e) The head of an agency may not require an employee or member of a uniformed service to occupy quarters on a rental basis, unless the agency head determines that necessary service cannot be rendered, or that property of the Government cannot adequately be protected, otherwise.

(f) The President may prescribe regulations governing the provision, occupancy, and availability of quarters and facilities, the determination of rates and charges therefor, and other related matters, necessary and appropriate to carry out this section. The head of each agency may prescribe regulations, not inconsistent with the regulations of the President, necessary and appropriate to carry out the functions of the agency head under this section.

(g) Subsection (c) of this section does not repeal or modify any provision of statute authorizing the provision of quarters or facilities, either without charge or at rates or charges specifically fixed by statute.

#### **§ 5912. Quarters in Government owned or rented buildings; employees in foreign countries**

Under regulations prescribed by the head of the agency concerned and approved by the President, an employee who is a citizen of the United States permanently stationed in a foreign country may be furnished, without cost to him, living quarters, including heat, fuel, and light, in a Government owned or rented building. The rented quarters may be furnished only within the limits of appropriations made therefor.

**§ 5913. Official residence expenses**

(a) For the purpose of this section, "agency" has the meaning given it by section 5721 of this title.

(b) Under such regulations as the President may prescribe, funds available to an agency for administrative expenses may be allotted to posts in foreign countries to defray the unusual expenses incident to the operation and maintenance of official residences suitable for—

- (1) the chief representatives of the United States at the posts; and
- (2) such other senior officials of the Government of the United States as the President may designate.

### SUBCHAPTER III—OVERSEAS DIFFERENTIALS AND ALLOWANCES

**§ 5921. Definitions.**

For the purpose of this subchapter—

- (1) "Government" means the Government of the United States;
- (2) "agency" means an Executive agency and the Library of Congress, but does not include a Government controlled corporation;
- (3) "employee" means an employee in or under an agency and more specifically defined by regulations prescribed by the President;
- (4) "United States", when used in a geographical sense, means the several States and the District of Columbia;
- (5) "continental United States" means the several States and the District of Columbia, but does not include Alaska or Hawaii; and
- (6) "foreign area" means—
  - (A) the Trust Territory of the Pacific Islands; and
  - (B) any other area outside the United States, the Commonwealth of Puerto Rico, the Canal Zone, and territories and possessions of the United States.

**§ 5922. General provisions**

(a) Notwithstanding section 5536 of this title and except as otherwise provided by this subchapter, the allowances and differentials authorized by this subchapter may be granted to an employee officially stationed in a foreign area—

- (1) who is a citizen of the United States; and
- (2) whose rate of basic pay is fixed by statute or, without taking into consideration the allowances and differentials provided by this subchapter, is fixed by administrative action pursuant to law or is fixed administratively in conformity with rates paid by the Government for work of a comparable level of difficulty and responsibility in the continental United States.

To the extent authorized by a provision of statute other than this subchapter, the allowances and differentials provided by this subchapter may be paid to an employee officially stationed in a foreign area who is not a citizen of the United States.

(b) Allowances granted under this subchapter may be paid in advance, or advance of funds may be made therefor, through the proper disbursing official in such sums as are considered advisable in consideration of the need and the period of time during which expenditures must be made in advance by the employee. An advance of funds

not subsequently covered by allowances accrued to the employee under this subchapter is recoverable by the Government by—

(1) setoff against accrued pay, compensation, amount of retirement credit, or other amount due the employee from the Government; and

(2) such other method as is provided by law for the recovery of amounts owing to the Government.

The head of the agency concerned, under regulations of the President, may waive in whole or in part a right of recovery under this subsection, if it is shown that the recovery would be against equity and good conscience or against the public interest.

(c) The allowances and differentials authorized by this subchapter shall be paid under regulations prescribed by the President governing—

(1) payments of the allowances and differentials and the respective rates at which the payments are made;

(2) the foreign areas, the groups of positions, and the categories of employees to which the rates apply; and

(3) other related matters.

### § 5923. Quarters allowances

When Government owned or rented quarters are not provided without charge for an employee in a foreign area, one or more of the following quarters allowances may be granted when applicable:

(1) A temporary lodging allowance for the reasonable cost of temporary quarters incurred by the employee and his family—

(A) for a period not in excess of 3 months after first arrival at a new post of assignment in a foreign area or a period ending with the occupation of residence quarters, whichever is shorter; and

(B) for a period of not more than 1 month immediately before final departure from the post after the necessary evacuation of residence quarters.

(2) A living quarters allowance for rent, heat, light, fuel, gas, electricity, and water, without regard to section 529 of title 31.

(3) Under unusual circumstances, payment or reimbursement for extraordinary, necessary, and reasonable expenses, not otherwise compensated for, incurred in initial repairs, alterations, and improvements to the privately leased residence of an employee at a post of assignment in a foreign area, if—

(A) the expenses are administratively approved in advance; and

(B) the duration and terms of the lease justify payment of the expenses by the Government.

### § 5924. Cost-of-living allowances

The following cost-of-living allowances may be granted, when applicable, to an employee in a foreign area:

(1) A post allowance to offset the difference between the cost of living at the post of assignment of the employee in a foreign area and the cost of living in the District of Columbia.

(2) A transfer allowance for extraordinary, necessary, and reasonable expenses, not otherwise compensated for, incurred by an employee incident to establishing himself at a post of assignment in—

(A) a foreign area; or

(B) the United States between assignments to posts in foreign areas.

(3) A separate maintenance allowance to assist an employee who is compelled, because of dangerous, notably unhealthful, or excessively adverse living conditions at his post of assignment in a foreign area, or for the convenience of the Government, to meet the additional expense of maintaining, elsewhere than at the post, his wife or his dependents, or both.

(4) An education allowance or payment of travel costs to assist an employee with the extraordinary and necessary expenses, not otherwise compensated for, incurred because of his service in a foreign area or foreign areas in providing adequate education for his dependents, as follows:

(A) An allowance not to exceed the cost of obtaining such elementary and secondary educational services as are ordinarily provided without charge by the public schools in the United States, plus, in those cases when adequate schools are not available at the post of the employee, board and room, and periodic transportation between that post and the nearest locality where adequate schools are available, without regard to section 529 of title 31. The amount of the allowance granted shall be determined on the basis of the educational facility used.

(B) The travel expenses of dependents of an employee to and from a school in the United States to obtain an American secondary or undergraduate college education, not to exceed one trip each way for each dependent for the purpose of obtaining each type of education. An allowance payment under subparagraph (A) of this paragraph (4) may not be made for a dependent during the 12 months following his arrival in the United States for secondary education under authority contained in this subparagraph (B). Notwithstanding section 5921(6) of this title, travel expenses, for the purpose of obtaining undergraduate college education, may be authorized under this subparagraph (B), under such regulations as the President may prescribe, for dependents of employees who are citizens of the United States stationed in the Canal Zone.

#### **§ 5925. Post differentials**

A post differential may be granted on the basis of conditions of environment which differ substantially from conditions of environment in the continental United States and warrant additional pay as a recruitment and retention incentive. A post differential may be granted to an employee officially stationed in the United States who is on extended detail in a foreign area. A post differential may not exceed 25 percent of the rate of basic pay.

### **SUBCHAPTER IV—MISCELLANEOUS ALLOWANCES**

#### **§ 5941. Allowances based on living costs and conditions of environment; employees stationed outside continental United States or in Alaska**

(a) Appropriations or funds available to an Executive agency, except a Government controlled corporation, for pay of employees stationed outside the continental United States or in Alaska whose rates of basic pay are fixed by statute, are available for allowances to these employees. The allowance is based on—

(1) living costs substantially higher than in the District of Columbia;

(2) conditions of environment which differ substantially from conditions of environment in the continental United States and warrant an allowance as a recruitment incentive; or

(3) both of these factors.

The allowance may not exceed 25 percent of the rate of basic pay. Except as otherwise specifically authorized by statute, the allowance is paid only in accordance with regulations prescribed by the President establishing the rates and defining the area, groups of positions, and classes of employees to which each rate applies.

(b) An employee entitled to a cost-of-living allowance under section 5924 of this title may not be paid an allowance under subsection (a) of this section based on living costs substantially higher than in the District of Columbia.

#### **§ 5942. Allowance based on duty on California offshore islands**

Notwithstanding section 5536 of this title, an employee who is assigned to duty, except temporary duty, on one of the California offshore islands is entitled, in addition to pay otherwise due him, to an allowance of not to exceed \$10 a day. However, the allowance shall be paid under regulations prescribed by the President establishing the rates at which the allowance will be paid, and defining the areas and groups of positions to which the rates apply.

#### **§ 5943. Foreign currency appreciation allowances**

(a) The President, under such regulations as he may prescribe and on recommendation of the Director of the Bureau of the Budget, may meet losses sustained by employees and members of the uniformed services while serving in a foreign country due to the appreciation of foreign currency in its relation to the American dollar. Allowances and expenditures under this section are not subject to income taxes.

(b) Annual appropriations are authorized to carry out subsection (a) of this section and to cover any deficiency in the accounts of the Secretary of the Treasury, including interest, arising out of the arrangement approved by the President on July 27, 1933, for the conversion into foreign currency of checks and drafts of employees and members of the uniformed services for pay and expenses.

(c) Payment under subsection (a) of this section may not be made to an employee or member of a uniformed service for a period during which his check or draft was converted into foreign currency under the arrangement referred to by subsection (b) of this section.

(d) The Director of the Bureau of the Budget shall report annually to Congress all expenditures made under this section.

#### **§ 5944. Illness and burial expenses; native employees in foreign countries**

(a) The head of an Executive department or military department which maintains a permanent staff of employees in foreign countries may pay the burial expenses and expenses in connection with the last illness and death of a native employee of his department in a country in which the Secretary of State determines it is customary for employers to pay these expenses. Payment of these expenses may not exceed \$100 in any one case.

(b) The head of an Executive department or military department which maintains a permanent staff of employees in foreign countries in which the custom referred to by subsection (a) of this section does not exist, on finding that the immediate family of the deceased is destitute, may pay such of the expenses referred to by subsection (a) of this section within the limitations in that subsection to the family, heirs at law, or persons responsible for the debts of the deceased, as the em-

ployee in charge of the office abroad in which the deceased was employed considers proper.

(c) Payments under this section are made from appropriations available to the department concerned for miscellaneous or contingent expenses.

#### **§ 5945. Notary public commission expenses**

An employee as defined by section 2105 of this title or an individual employed by the government of the District of Columbia who is required to serve as a notary public in connection with the performance of official business is entitled to an allowance, established by the agency concerned, not in excess of the expense required to obtain the commission. Funds available to an agency concerned for personal services or general administrative expenses are available to carry out this section.

#### **§ 5946. Membership fees; expenses of attendance at meetings; limitations**

Except as authorized by a specific appropriation, by express terms in a general appropriation, or by sections 4109 and 4110 of this title, appropriated funds may not be used for payment of—

- (1) membership fees or dues of an employee as defined by section 2105 of this title or an individual employed by the government of the District of Columbia in a society or association; or
- (2) expenses of attendance of an individual at meetings or conventions of members of a society or association.

This section does not prevent the use of appropriations for the Department of Agriculture for expenses incident to the delivery of lectures, the giving of instructions, or the acquiring of information at meetings by its employees on subjects relating to the authorized work of the Department.

### **Subpart E—Attendance and Leave**

#### **CHAPTER 61—HOURS OF WORK**

Sec.

6101. Basic 40-hour workweek; work schedules; regulations.

6102. Eight-hour day; 40-hour workweek; wage-board employees.

6103. Holidays.

6104. Holidays; daily, hourly, and piece-work basis employees.

6105. Closing of Executive departments.

6106. Time clocks; restrictions.

#### **§ 6101. Basic 40-hour workweek; work schedules; regulations**

(a) The head of each Executive agency, military department, and of the government of the District of Columbia shall—

- (1) establish a basic administrative workweek of 40 hours for each full-time employee in his organization; and
- (2) require that the hours of work within that workweek be performed within a period of not more than 6 of any 7 consecutive days.

(b) Except when the head of an Executive agency, a military department, or of the government of the District of Columbia determines that his organization would be seriously handicapped in carrying out its functions or that costs would be substantially increased, he shall provide, with respect to each employee in his organization, that—

- (1) assignments to tours of duty are scheduled in advance over periods of not less than 1 week;

(2) the basic 40-hour workweek is scheduled on 5 days, Monday through Friday when possible, and the 2 days outside the basic workweek are consecutive;

(3) the working hours in each day in the basic workweek are the same;

(4) the basic nonovertime workday may not exceed 8 hours;

(5) the occurrence of holidays may not affect the designation of the basic workweek; and

(6) breaks in working hours of more than 1 hour may not be scheduled in a basic workday.

(c) The Architect of the Capitol may apply this section to employees under the Office of the Architect of the Capitol or the Botanic Garden. The Librarian of Congress may apply this section to employees under the Library of Congress.

(d) For the purpose of this section, "employee" includes an individual employed by the government of the District of Columbia, but does not include an employee or individual excluded from the definition of employee in section 5541 (2) of this title.

(e) The Civil Service Commission may prescribe regulations, subject to the approval of the President, necessary for the administration of this section insofar as this section affects employees in or under an Executive agency.

#### **§ 6102. Eight-hour day; 40-hour workweek; wage-board employees**

The regular hours of work for an employee whose basic rate of pay is fixed and adjusted from time to time in accordance with prevailing rates by a wage board or similar administrative authority serving the same purpose are established at not more than 8 a day or 40 a week. However, work in excess of these hours is permitted when administratively determined to be in the public interest.

#### **§ 6103. Holidays**

(a) The following are legal public holidays:

January 1, New Year's Day.

February 22, Washington's Birthday.

May 30, Memorial Day.

July 4, Independence Day.

The first Monday in September, Labor Day.

November 11, Veterans Day.

The fourth Thursday in November, Thanksgiving Day.

December 25, Christmas.

(b) For the purpose of statutes relating to pay and leave of employees, with respect to a legal public holiday and any other day declared to be a holiday by Federal statute or Executive order, the following rules apply:

(1) Instead of a holiday that occurs on a Saturday, the Friday immediately before is a legal public holiday for—

(A) employees whose basic workweek is Monday through Friday; and

(B) the purpose of section 6309 of this title.

(2) Instead of a holiday that occurs on a regular weekly non-workday of an employee whose basic workweek is other than Monday through Friday, except the regular weekly nonworkday administratively scheduled for the employee instead of Sunday, the workday immediately before that regular weekly nonworkday is a legal public holiday for the employee.

This subsection, except subparagraph (B) of paragraph (1), does not apply to an employee whose basic workweek is Monday through Saturday.

(c) January 20 of each fourth year after 1965, Inauguration Day, is a legal public holiday for the purpose of statutes relating to pay and leave of employees as defined by section 2105 of this title and individuals employed by the government of the District of Columbia employed in the District of Columbia, Montgomery and Prince Georges Counties in Maryland, Arlington and Fairfax Counties in Virginia, and the cities of Alexandria and Falls Church in Virginia. When January 20 of any fourth year after 1965 falls on Sunday, the next succeeding day selected for the public observance of the inauguration of the President is a legal public holiday for the purpose of this subsection.

#### § 6104. Holidays; daily, hourly, and piece-work basis employees

When a regular employee as defined by section 2105 of this title or an individual employed regularly by the government of the District of Columbia, whose pay is fixed at a daily or hourly rate, or on a piece-work basis, is relieved or prevented from working on a day—

(1) on which agencies are closed by Executive order, or, for individuals employed by the government of the District of Columbia, by order of the Board of Commissioners;

(2) by administrative order under regulations issued by the President, or, for individuals employed by the government of the District of Columbia, by the Board of Commissioners; or

(3) solely because of the occurrence of a legal public holiday under section 6103 of this title, or a day declared a holiday by Federal statute, Executive order, or, for individuals employed by the government of the District of Columbia, by order of the Board of Commissioners;

he is entitled to the same pay for that day as for a day on which an ordinary day's work is performed.

#### § 6105. Closing of Executive departments

An Executive department may not be closed as a mark to the memory of a deceased former official of the United States.

#### § 6106. Time clocks; restrictions

A recording clock may not be used to record time of an employee of an Executive department in the District of Columbia.

### CHAPTER 63—LEAVE

#### SUBCHAPTER I—ANNUAL AND SICK LEAVE

Sec.

- 6301. Definitions.
- 6302. General provisions.
- 6303. Annual leave; accrual.
- 6304. Annual leave; accumulation.
- 6305. Home leave; leave for Chiefs of Missions.
- 6306. Annual leave; refund of lump-sum payment; recredit of annual leave.
- 6307. Sick leave; accrual and accumulation.
- 6308. Transfers between positions under different leave systems.
- 6309. Leave of absence; rural carriers.
- 6310. Leave of absence; aliens.
- 6311. Regulations.

#### SUBCHAPTER II—OTHER PAID LEAVE

Sec.

- 6321. Absence of veterans to attend funeral services.
- 6322. Leave for jury service.
- 6323. Military leave; Reserves and National Guardsmen.
- 6324. Absence of certain police and firemen.

## SUBCHAPTER I—ANNUAL AND SICK LEAVE

**§ 6301. Definitions**

For the purpose of this subchapter—

(1) "United States", when used in a geographical sense, means the several States and the District of Columbia; and

(2) "employee" means—

(A) an employee as defined by section 2105 of this title; and

(B) an individual employed by the government of the District of Columbia;

but does not include—

(i) a teacher or librarian of the public schools of the District of Columbia;

(ii) a part-time employee, except an hourly employee in the postal field service, who does not have an established regular tour of duty during the administrative workweek;

(iii) a temporary employee engaged in construction work at an hourly rate;

(iv) an employee of the Canal Zone Government or the Panama Canal Company when employed on the Isthmus of Panama;

(v) a physician, dentist, or nurse in the Department of Medicine and Surgery, Veterans' Administration;

(vi) an employee of either House of Congress or of the two Houses;

(vii) an employee of a corporation supervised by the Farm Credit Administration if private interests elect or appoint a member of the board of directors;

(viii) an alien employee who occupies a position outside the United States, except as provided by section 6310 of this title;

(ix) a "teacher" or an individual holding a "teaching position" as defined by section 901 of title 20;

(x) an officer in the executive branch or in the government of the District of Columbia who is appointed by the President and whose rate of basic pay exceeds the highest rate payable under section 5332 of this title;

(xi) an officer in the executive branch or in the government of the District of Columbia who is designated by the President, except a postmaster, United States attorney, or United States marshal; or

(xii) an officer who receives pay under section 866 of title 22.

**§ 6302. General provisions**

(a) The days of leave provided by this subchapter are days on which an employee would otherwise work and receive pay and are exclusive of holidays and nonworkdays established by Federal statute, Executive order, or administrative order.

(b) For the purpose of this subchapter an employee is deemed employed for a full biweekly pay period if he is employed during the days within that period, exclusive of holidays and nonworkdays established by Federal statute, Executive order, or administrative order, which fall within his basic administrative workweek.

(c) A part-time employee, unless otherwise excepted, is entitled to the benefits provided by subsection (d) of this section and sections 6303, 6304 (a), (b), 6305 (a), 6307, and 6310 of this title on a pro rata basis.

(d) The annual leave provided by this subchapter, including annual leave that will accrue to an employee during the year, may be granted at any time during the year as the head of the agency concerned may prescribe.

(e) If an officer excepted from this subchapter by section 6301 (2) (x)–(xii) of this title, without a break in service, again becomes subject to this subchapter on completion of his service as an excepted officer, the unused annual and sick leave standing to his credit when he was excepted from this subchapter is deemed to have remained to his credit.

### § 6303. Annual leave; accrual

(a) An employee is entitled to annual leave with pay which accrues as follows—

(1) one-half day for each full biweekly pay period for an employee with less than 3 years of service;

(2) three-fourths day for each full biweekly pay period, except that the accrual for the last full biweekly pay period in the year is one and one-fourth days, for an employee with 3 but less than 15 years of service; and

(3) one day for each full biweekly pay period for an employee with 15 or more years of service.

In determining years of service, an employee is entitled to credit for all service creditable under section 8332 of this title for the purpose of an annuity under subchapter III of chapter 83 of this title. However, an employee who is a retired member of a uniformed service as defined by section 3501 of this title is entitled to credit for active military service only if—

(A) his retirement was based on disability—

(i) resulting from injury or disease received in line of duty as a direct result of armed conflict; or

(ii) caused by an instrumentality of war and incurred in line of duty during a period of war as defined by sections 101 and 301 of title 38;

(B) that service was performed in the armed forces during a war, or in a campaign or expedition for which a campaign badge has been authorized; or

(C) on November 30, 1964, he was employed in a position to which this subchapter applies and thereafter he continued to be so employed without a break in service of more than 30 days.

The determination of years of service may be made on the basis of an affidavit of the employee. Leave provided by this subchapter accrues to an employee who is not paid on the basis of biweekly pay periods on the same basis as it would accrue if the employee were paid on the basis of biweekly pay periods.

(b) Notwithstanding subsection (a) of this section, an employee is entitled to annual leave under this subchapter only after being currently employed for a continuous period of 90 days under one or more appointments without a break in service. After completing the 90-day period, the employee is entitled to be credited with the leave that would have accrued to him under subsection (a) of this section except for this subsection.

(c) A change in the rate of accrual of annual leave by an employee under this section takes effect at the beginning of the pay period after the pay period, or corresponding period for an employee who is not paid on the basis of biweekly pay periods, in which the employee completed the prescribed period of service.

(d) Leave granted under this subchapter is exclusive of time actually and necessarily occupied in going to or from a post of duty and

time necessarily occupied awaiting transportation, in the case of an employee—

- (1) to whom section 6304 (b) of this title applies;
- (2) whose post of duty is outside the United States; and
- (3) who returns on leave to the United States, or to his place of residence, which is outside the area of employment, in its territories or possessions including the Commonwealth of Puerto Rico.

This subsection does not apply to more than one period of leave in a prescribed tour of duty at a post outside the United States.

#### § 6304. Annual leave; accumulation

(a) Except as provided by subsection (b) of this section, annual leave provided by section 6303 of this title, which is not used by an employee, accumulates for use in succeeding years until it totals not more than 30 days at the beginning of the first full biweekly pay period, or corresponding period for an employee who is not paid on the basis of biweekly pay periods, occurring in a year.

(b) Annual leave not used by an employee of the Government of the United States in one of the following classes of employees stationed outside the United States accumulates for use in succeeding years until it totals not more than 45 days at the beginning of the first full biweekly pay period, or corresponding period for an employee who is not paid on the basis of biweekly pay periods, occurring in a year:

(1) Individuals directly recruited or transferred by the Government of the United States from the United States or its territories or possessions including the Commonwealth of Puerto Rico for employment outside the area of recruitment or from which transferred.

(2) Individuals employed locally but—

(A) (i) who were originally recruited from the United States or its territories or possessions including the Commonwealth of Puerto Rico but outside the area of employment;

(ii) who have been in substantially continuous employment by other agencies of the United States, United States firms, interests, or organizations, international organizations in which the United States participates, or foreign governments; and

(iii) whose conditions of employment provide for their return transportation to the United States or its territories or possessions including the Commonwealth of Puerto Rico; or

(B) (i) who were at the time of employment temporarily absent, for the purpose of travel or formal study, from the United States, or from their respective places of residence in its territories or possessions including the Commonwealth of Puerto Rico; and

(ii) who, during the temporary absence, have maintained residence in the United States or its territories or possessions including the Commonwealth of Puerto Rico but outside the area of employment.

(3) Individuals who are not normally residents of the area concerned and who are discharged from service in the armed forces to accept employment with an agency of the Government of the United States.

(c) Annual leave in excess of the amount allowable—

(1) under subsection (a) or (b) of this section which was accumulated under earlier statute; or

(2) under subsection (a) of this section which was accumulated under subsection (b) of this section by an employee who becomes subject to subsection (a) of this section; remains to the credit of the employee until used. The excess annual leave is reduced at the beginning of the first full biweekly pay period, or corresponding period for an employee who is not paid on the basis of biweekly pay periods, occurring in a year, by the amount of annual leave the employee used during the preceding year in excess of the amount which accrued during that year, until the employee's accumulated leave does not exceed the amount allowed under subsection (a) or (b) of this section, as appropriate.

#### § 6305. Home leave; leave for Chiefs of Missions

(a) After 24 months of continuous service outside the United States, an employee may be granted leave of absence, under regulations of the President, at a rate not to exceed 1 week for each 4 months of that service without regard to other leave provided by this subchapter. Leave so granted—

(1) is for use in the United States, or if the employee's place of residence is outside the area of employment, in its territories or possessions including the Commonwealth of Puerto Rico;

(2) accumulates for future use without regard to the limitation in section 6304(b) of this title; and

(3) may not be made the basis for terminal leave or for a lump-sum payment.

(b) The President may authorize leave of absence to an officer excepted from this subchapter by section 6301(2)(xii) of this title for use in the United States and its territories or possessions. Leave so authorized does not constitute a leave system and may not be made the basis for a lump-sum payment.

#### § 6306. Annual leave; refund of lump-sum payment; recredit of annual leave

(a) When an individual who received a lump-sum payment for leave under section 5551 of this title is reemployed before the end of the period covered by the lump-sum payment in or under the Government of the United States or the government of the District of Columbia, except in a position excepted from this subchapter by section 6301(2)(ii), (iii), (vi), or (vii) of this title, he shall refund to the employing agency an amount equal to the pay covering the period between the date of reemployment and the expiration of the lump-sum period.

(b) An amount refunded under subsection (a) of this section shall be deposited in the Treasury of the United States to the credit of the employing agency. When an individual is reemployed under the same leave system, an amount of leave equal to the leave represented by the refund shall be recredited to him in the employing agency. When an individual is reemployed under a different leave system, an amount of leave equal to the leave represented by the refund shall be recredited to him in the employing agency on an adjusted basis under regulations prescribed by the Civil Service Commission. When an individual is reemployed in a position excepted from this subchapter by section 6301(2)(x)-(xii) of this title, an amount of leave equal to the leave represented by the refund is deemed, on separation from the service, death, or transfer to another position in the service, to have remained to his credit.

#### § 6307. Sick leave; accrual and accumulation

(a) An employee is entitled to sick leave with pay which accrues on the basis of one-half day for each full biweekly pay period, except that

sick leave with pay accrues to a member of the Firefighting Division of the Fire Department of the District of Columbia on the basis of two-fifths of a day for each full biweekly pay period.

(b) Sick leave provided by this section, which is not used by an employee, accumulates for use in succeeding years.

(c) When required by the exigencies of the situation, a maximum of 30 days sick leave with pay may be advanced for serious disability or ailment, except that a maximum of 24 days sick leave with pay may be advanced to a member of the Firefighting Division of the Fire Department of the District of Columbia.

#### **§ 6308. Transfers between positions under different leave systems**

The annual and sick leave to the credit of an employee who transfers between positions under different leave systems without a break in service shall be transferred to his credit in the employing agency on an adjusted basis under regulations prescribed by the Civil Service Commission, unless the individual is excepted from this subchapter by section 6301(2) (ii), (iii), (vi), or (vii) of this title. However, when a former member receiving a retirement annuity under sections 521-535 of title 4, District of Columbia Code, is reemployed in a position to which this subchapter applies, his sick leave balance may not be recredited to his account on the later reemployment.

#### **§ 6309. Leave of absence; rural carriers**

The authorized absence of a rural carrier on a Saturday which occurs at the beginning, within, or at the end of a period of annual or sick leave of at least 5 days' duration, or 4 days' duration if a holiday falls at the beginning, within, or at the end of the period of annual or sick leave, is without charge to leave or loss of pay. A Saturday occurring in a period of annual or sick leave taken in a smaller number of days, at the option of the carrier, may be charged to his accrued leave and when so charged he is entitled to be paid for that absence.

#### **§ 6310. Leave of absence; aliens**

The head of the agency concerned may grant leave of absence with pay, not in excess of the amount of annual and sick leave allowable to citizen employees under this subchapter, to alien employees who occupy positions outside the United States.

#### **§ 6311. Regulations**

The Civil Service Commission may prescribe regulations necessary for the administration of this subchapter.

### **SUBCHAPTER II—OTHER PAID LEAVE**

#### **§ 6321. Absence of veterans to attend funeral services**

An employee in or under an Executive agency who is a veteran of a war, or of a campaign or expedition for which a campaign badge has been authorized, or a member of an honor or ceremonial group of an organization of those veterans, may be excused from duty without loss of pay or deduction from annual leave for the time necessary, not to exceed 4 hours in any one day, to enable him to participate as an active pallbearer or as a member of a firing squad or a guard of honor in a funeral ceremony for a member of the armed forces whose remains are returned from abroad for final interment in the United States.

**§ 6322. Leave for jury service**

Except as provided by section 5515 of this title, the pay of an employee as defined by section 2105 of this title or an individual employed by the government of the District of Columbia may not be reduced during a period of absence for jury service in a State court or a court of the United States because of the absence. The period of absence for jury service is without deduction from other leave of absence authorized by statute.

**§ 6323. Military leave; Reserves and National Guardsmen**

(a) An employee as defined by section 2105 of this title (except a substitute in the postal field service) or an individual employed by the government of the District of Columbia, permanent or temporary indefinite, is entitled to leave without loss of pay, time, or performance or efficiency rating for each day, not in excess of 15 days in a calendar year, in which he is on active duty or is engaged in field or coast defense training under sections 502-505 of title 32 as a Reserve of the armed forces or member of the National Guard.

(b) A substitute employee in the postal field service is entitled to leave without loss of pay, time, or efficiency rating for absence, not in excess of 80 hours in a calendar year, because of active duty or field or coast defense training under sections 502-505 of title 32 as a Reserve of the armed forces or member of the National Guard. This leave is on the basis of 1 hour of leave for each period aggregating 26 hours of work performed during the calendar year immediately before the calendar year in which he is ordered to that duty or training. However, he is entitled to this leave only if he worked at least 1,040 hours during that calendar year.

**§ 6324. Absence of certain police and firemen**

(a) Sick leave may not be charged to the account of a member of the Metropolitan Police force or the Fire Department of the District of Columbia, the United States Park Police force, or the White House Police force for an absence due to injury or illness resulting from the performance of duty.

(b) The determination of whether an injury or illness resulted from the performance of duty shall be made under regulations prescribed by—

(1) the Commissioners of the District of Columbia for members of the Metropolitan Police force and the Fire Department of the District of Columbia;

(2) the Secretary of the Interior for the United States Park Police force; and

(3) the Secretary of the Treasury for the White House Police force.

**Subpart F—Employee Relations****CHAPTER 71—POLICIES****SUBCHAPTER I—EMPLOYEE ORGANIZATIONS**

Sec.

7101. Right to organize; postal employees.

7102. Right to petition Congress; employees.

## SUBCHAPTER II—ANTIDISCRIMINATION IN EMPLOYMENT

### Sec.

7151. Policy.

7152. Marital status.

7153. Physical handicap.

7154. Other prohibitions.

## SUBCHAPTER I—EMPLOYEE ORGANIZATIONS

### § 7101. Right to organize; postal employees

A postal employee may not be reduced in rank or pay or removed from the postal service because of—

(1) membership in an organization of postal employees having for its objects, among other things, improvements in the working conditions of its members, including hours of work, pay, and leave of absence, and which is not affiliated with an outside organization imposing an obligation on the employees to engage in a strike, or proposing to assist them in a strike, against the United States; or

(2) presenting, individually or as a member of a group of postal employees, a grievance to Congress or a Member of Congress.

### § 7102. Right to petition Congress; employees

The right of employees, individually or collectively, to petition Congress or a Member of Congress, or to furnish information to either House of Congress, or to a committee or Member thereof, may not be interfered with or denied.

## SUBCHAPTER II—ANTIDISCRIMINATION IN EMPLOYMENT

### § 7151. Policy

It is the policy of the United States to insure equal employment opportunities for employees without discrimination because of race, color, religion, sex, or national origin. The President shall use his existing authority to carry out this policy.

### § 7152. Marital status

The President may prescribe rules which shall prohibit, as nearly as conditions of good administration warrant, discrimination because of marital status in an Executive agency or in the competitive service.

### § 7153. Physical handicap

The President may prescribe rules which shall prohibit, as nearly as conditions of good administration warrant, discrimination because of physical handicap in an Executive agency or in the competitive service with respect to a position the duties of which, in the opinion of the Civil Service Commission, can be performed efficiently by an individual with a physical handicap, except that the employment may not endanger the health or safety of the individual or others.

### § 7154. Other prohibitions

(a) The head of an Executive department or military department may appoint qualified women to positions in the department with the legal pay of the positions to which appointed.

(b) In the administration of chapter 51, subchapter III of chapter 53, and sections 305 and 3324 of this title, discrimination because of race, color, creed, sex, or marital status is prohibited with respect to an individual or a position held by an individual.

(c) The Civil Service Commission may prescribe regulations necessary for the administration of subsection (b) of this section.

**CHAPTER 73—SUITABILITY, SECURITY, AND CONDUCT****SUBCHAPTER I—REGULATION OF CONDUCT**

Sec.

7301. Presidential regulations.

**SUBCHAPTER II—LOYALTY, SECURITY, AND STRIKING**

Sec.

7311. Loyalty and striking.

7312. Employment and clearance; individuals removed for national security.

**SUBCHAPTER III—POLITICAL ACTIVITIES**

Sec.

7321. Political contributions and services.

7322. Political use of authority or influence; prohibition.

7323. Political contributions; prohibition.

7324. Influencing elections; taking part in political campaigns; prohibitions; exceptions.

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7327. Political activity permitted; employees residing in certain municipalities.

**SUBCHAPTER IV—FOREIGN DECORATIONS**

Sec.

7341. Receipt and display of foreign decorations.

**SUBCHAPTER V—MISCONDUCT**

Sec.

7351. Gifts to superiors.

7352. Excessive and habitual use of intoxicants.

**SUBCHAPTER I—REGULATION OF CONDUCT****§ 7301. Presidential regulations**

The President may prescribe regulations for the conduct of employees in the executive branch.

**SUBCHAPTER II—LOYALTY, SECURITY, AND STRIKING****§ 7311. Loyalty and striking**

An individual may not accept or hold a position in the Government of the United States or the government of the District of Columbia if he—

(1) advocates the overthrow of our constitutional form of government;

(2) is a member of an organization that he knows advocates the overthrow of our constitutional form of government;

(3) participates in a strike, or asserts the right to strike, against the Government of the United States or the government of the District of Columbia; or

(4) is a member of an organization of employees of the Government of the United States or of individuals employed by the government of the District of Columbia that he knows asserts the right to strike against the Government of the United States or the government of the District of Columbia.

**§ 7312. Employment and clearance; individuals removed for national security**

Removal under section 7332 of this title does not affect the right of an individual so removed to seek or accept employment in an agency of the United States other than the agency from which removed. However, the appointment of an individual so removed may be made only after the head of the agency concerned has consulted with the Civil

Service Commission. The Commission, on written request of the head of the agency or the individual so removed, may determine whether the individual is eligible for employment in an agency other than the agency from which removed.

### SUBCHAPTER III—POLITICAL ACTIVITIES

#### § 7321. Political contributions and services

The President may prescribe rules which shall provide, as nearly as conditions of good administration warrant, that an employee in an Executive agency or in the competitive service is not obliged, by reason of that employment, to contribute to a political fund or to render political service, and that he may not be removed or otherwise prejudiced for refusal to do so.

#### § 7322. Political use of authority or influence; prohibition

The President may prescribe rules which shall provide, as nearly as conditions of good administration warrant, that an employee in an Executive agency or in the competitive service may not use his official authority or influence to coerce the political action of a person or body.

#### § 7323. Political contributions; prohibition

An employee in an Executive agency (except one appointed by the President, by and with the advice and consent of the Senate) may not request or receive from, or give to, an employee, a Member of Congress, or an officer of a uniformed service a thing of value for political purposes. An employee who violates this section shall be removed from the service.

#### § 7324. Influencing elections; taking part in political campaigns; prohibitions; exceptions

(a) An employee in an Executive agency or an individual employed by the government of the District of Columbia may not—

(1) use his official authority or influence for the purpose of interfering with or affecting the result of an election; or

(2) take an active part in political management or in political campaigns.

For the purpose of this subsection, the phrase "an active part in political management or in political campaigns" means those acts of political management or political campaigning which were prohibited on the part of employees in the competitive service before July 19, 1940, by determinations of the Civil Service Commission under the rules prescribed by the President.

(b) An employee or individual to whom subsection (a) of this section applies retains the right to vote as he chooses and to express his opinion on political subjects and candidates.

(c) Subsection (a) of this section does not apply to an individual employed by an educational or research institution, establishment, agency, or system which is supported in whole or in part by the District of Columbia or by a recognized religious, philanthropic, or cultural organization.

(d) Subsection (a) (2) of this section does not apply to—

(1) an employee paid from the appropriation for the office of the President;

(2) the head or the assistant head of an Executive department or military department;

(3) an employee appointed by the President, by and with the advice and consent of the Senate, who determines policies to be

pursued by the United States in its relations with foreign powers or in the nationwide administration of Federal laws;

- (4) the Commissioners of the District of Columbia; or
- (5) the Recorder of Deeds of the District of Columbia.

#### § 7325. Penalties

An employee or individual who violates section 7324 of this title shall be removed from his position, and funds appropriated for the position from which removed thereafter may not be used to pay the employee or individual. However, if the Civil Service Commission finds by unanimous vote that the violation does not warrant removal, a penalty of not less than 30 days' suspension without pay shall be imposed by direction of the Commission.

#### § 7326. Nonpartisan political activity permitted

Section 7324(a) (2) of this title does not prohibit political activity in connection with—

- (1) an election and the preceding campaign if none of the candidates is to be nominated or elected at that election as representing a party any of whose candidates for presidential elector received votes in the last preceding election at which presidential electors were selected; or
- (2) a question which is not specifically identified with a National or State political party or political party of a territory or possession of the United States.

For the purpose of this section, questions relating to constitutional amendments, referendums, approval of municipal ordinances, and others of a similar character, are deemed not specifically identified with a National or State political party or political party of a territory or possession of the United States.

#### § 7327. Political activity permitted; employees residing in certain municipalities

(a) Section 7324(a) (2) of this title does not apply to an employee of The Alaska Railroad who resides in a municipality on the line of the railroad in respect to political activities involving that municipality.

(b) The Civil Service Commission may prescribe regulations permitting employees and individuals to whom section 7324 of this title applies to take an active part in political management and political campaigns involving the municipality or other political subdivision in which they reside, to the extent the Commission considers it to be in their domestic interest, when—

- (1) the municipality or political subdivision is in Maryland or Virginia and in the immediate vicinity of the District of Columbia, or is a municipality in which the majority of voters are employed by the Government of the United States; and
- (2) the Commission determines that because of special or unusual circumstances which exist in the municipality or political subdivision it is in the domestic interest of the employees and individuals to permit that political participation.

### SUBCHAPTER IV—FOREIGN DECORATIONS

#### § 7341. Receipt and display of foreign decorations

A present, decoration, or other thing presented or conferred by a foreign government to an employee, a Member of Congress, the President, or a member of a uniformed service shall be tendered through the Department of State and not to the individual in person.

The Department may deliver the present, decoration, or thing to the individual in person only if authorized by statute. After delivery is authorized by statute, the individual may not publicly show or wear the present, decoration, or thing. The Secretary of State shall furnish the 89th Congress and each alternate Congress thereafter a list of retired individuals for whom the Department of State is holding a present, decoration, or thing under this section.

## SUBCHAPTER V—MISCONDUCT

### § 7351. Gifts to superiors

An employee may not—

- (1) solicit a contribution from another employee for a gift to an official superior;
- (2) make a donation as a gift to an official superior; or
- (3) accept a gift from an employee receiving less pay than himself.

An employee who violates this section shall be removed from the service.

### § 7352. Excessive and habitual use of intoxicants

An individual who habitually uses intoxicating beverages to excess may not be employed in the competitive service.

## CHAPTER 75—ADVERSE ACTIONS

### SUBCHAPTER I—COMPETITIVE SERVICE

Sec.

7501. Cause; procedure; exception.

### SUBCHAPTER II—PREFERENCE ELIGIBLES

Sec.

7511. Definitions.

7512. Cause; procedure; exception.

### SUBCHAPTER III—HEARING EXAMINERS

Sec.

7521. Removal.

### SUBCHAPTER IV—NATIONAL SECURITY

Sec.

7531. Definitions.

7532. Suspension and removal.

7533. Effect on other statutes.

### SUBCHAPTER I—COMPETITIVE SERVICE

#### § 7501. Cause; procedure; exception

(a) An individual in the competitive service may be removed or suspended without pay only for such cause as will promote the efficiency of the service.

(b) An individual in the competitive service whose removal or suspension without pay is sought is entitled to reasons in writing and to—

- (1) notice of the action sought and of any charges preferred against him;
- (2) a copy of the charges;
- (3) a reasonable time for filing a written answer to the charges, with affidavits; and
- (4) a written decision on the answer at the earliest practicable date.

Examination of witnesses, trial, or hearing is not required but may be provided in the discretion of the individual directing the removal or suspension without pay. Copies of the charges, the notice of hearing, the answer, the reasons for and the order of removal or suspension without pay, and also the reasons for reduction in grade or pay, shall be made a part of the records of the employing agency, and, on request, shall be furnished to the individual affected and to the Civil Service Commission.

(c) This section applies to a preference eligible employee as defined by section 7511 of this title only if he so elects. This section does not apply to the suspension or removal of an employee under section 7532 of this title.

## SUBCHAPTER II—PREFERENCE ELIGIBLES

### § 7511. Definitions

For the purpose of this subchapter—

(1) "preference eligible employee" means a permanent or indefinite preference eligible who has completed a probationary or trial period as an employee of an Executive agency or as an individual employed by the government of the District of Columbia, but does not include an employee whose appointment is required by Congress to be confirmed by, or made with the advice and consent of, the Senate, except an employee whose appointment is made under section 3311 of title 39; and

(2) "adverse action" means a removal, suspension for more than 30 days, furlough without pay, or reduction in rank or pay.

### § 7512. Cause; procedure; exception

(a) An agency may take adverse action against a preference eligible employee, or debar him for future appointment, only for such cause as will promote the efficiency of the service.

(b) A preference eligible employee against whom adverse action is proposed is entitled to—

(1) at least 30 days' advance written notice, except when there is reasonable cause to believe him guilty of a crime for which a sentence of imprisonment can be imposed, stating any and all reasons, specifically and in detail, for the proposed action;

(2) a reasonable time for answering the notice personally and in writing and for furnishing affidavits in support of the answer; and

(3) a notice of an adverse decision.

(c) This section does not apply to the suspension or removal of a preference eligible employee under section 7532 of this title.

## SUBCHAPTER III—HEARING EXAMINERS

### § 7521. Removal

A hearing examiner appointed under section 3105 of this title may be removed by the agency in which he is employed only for good cause established and determined by the Civil Service Commission on the record after opportunity for hearing.

## SUBCHAPTER IV—NATIONAL SECURITY

### § 7531. Definitions

For the purpose of this subchapter, "agency" means—

- (1) the Department of State;
- (2) the Department of Commerce;

- (3) the Department of Justice;
- (4) the Department of Defense;
- (5) a military department;
- (6) the Coast Guard;
- (7) the Atomic Energy Commission;
- (8) the National Aeronautics and Space Administration; and
- (9) such other agency of the Government of the United States as the President designates in the best interests of national security.

The President shall report any designation to the Committees on the Armed Services of the Congress.

#### § 7532. Suspension and removal

(a) Notwithstanding other statutes, the head of an agency may suspend without pay an employee of his agency when he considers that action necessary in the interests of national security. To the extent that the head of the agency determines that the interests of national security permit, the suspended employee shall be notified of the reasons for the suspension. Within 30 days after the notification, the suspended employee is entitled to submit to the official designated by the head of the agency statements or affidavits to show why he should be restored to duty.

(b) Subject to subsection (c) of this section, the head of an agency may remove an employee suspended under subsection (a) of this section when, after such investigation and review as he considers necessary, he determines that removal is necessary or advisable in the interests of national security. The determination of the head of the agency is final.

(c) An employee suspended under subsection (a) of this section who—

- (1) has a permanent or indefinite appointment;
- (2) has completed his probationary or trial period; and
- (3) is a citizen of the United States;

is entitled, after suspension and before removal, to—

(A) a written statement of the charges against him within 30 days after suspension, which may be amended within 30 days thereafter and which shall be stated as specifically as security considerations permit;

(B) an opportunity within 30 days thereafter, plus an additional 30 days if the charges are amended, to answer the charges and submit affidavits;

(C) a hearing, at the request of the employee, by an agency authority duly constituted for this purpose;

(D) a review of his case by the head of the agency or his designee, before a decision adverse to the employee is made final; and

(E) a written statement of the decision of the head of the agency.

#### § 7533. Effect on other statutes

This subchapter does not impair the powers vested in the Atomic Energy Commission by chapter 23 of title 42, or the requirement in section 2201(d) of title 42 that adequate provision be made for administrative review of a determination to dismiss an employee of the Atomic Energy Commission.

## CHAPTER 77—APPEALS

Sec.

7701. Appeals of preference eligibles.

### § 7701. Appeals of preference eligibles

A preference eligible employee as defined by section 7511 of this title is entitled to appeal to the Civil Service Commission from an adverse decision under section 7512 of this title of an administrative authority so acting. The employee shall submit the appeal in writing within a reasonable time after receipt of notice of the adverse decision, and is entitled to appear personally or through a representative under regulations prescribed by the Commission. The Commission, after investigation and consideration of the evidence submitted, shall submit its findings and recommendations to the administrative authority and shall send copies of the findings and recommendations to the appellant or his representative. The administrative authority shall take the corrective action that the Commission finally recommends.

## CHAPTER 79—SERVICES TO EMPLOYEES

Sec.

7901. Health service programs.

7902. Safety programs.

7903. Protective clothing and equipment.

### § 7901. Health service programs

(a) The head of each agency of the Government of the United States may establish, within the limits of appropriations available, a health service program to promote and maintain the physical and mental fitness of employees under his jurisdiction.

(b) A health service program may be established by contract or otherwise, but only—

(1) after consultation with the Public Health Service and consideration of its recommendations; and

(2) in localities where there are a sufficient number of employees to warrant providing the service.

(c) A health service program is limited to—

(1) treatment of on-the-job illness and dental conditions requiring emergency attention;

(2) preemployment and other examinations;

(3) referral of employees to private physicians and dentists;

and

(4) preventive programs relating to health.

(d) The Public Health Service, on request, shall review a health service program conducted under this section and shall submit comment and recommendations to the head of the agency concerned.

(e) When this section authorizes the use of the professional services of physicians, that authorization includes the use of the professional services of surgeons and osteopathic practitioners within the scope of their practice as defined by State law.

(f) The health programs conducted by the following agencies are not affected by this section—

(1) the Tennessee Valley Authority;

(2) the Canal Zone Government; and

(3) the Panama Canal Company.

### § 7902. Safety programs

(a) For the purpose of this section—

(1) "employee" means an employee as defined by section 8101 of this title; and

(2) "agency" means an agency in any branch of the Government of the United States, including an instrumentality wholly owned by the United States, and the government of the District of Columbia.

(b) The Secretary of Labor shall carry out a safety program under section 941 (b) (1) of title 33 covering the employment of each employee of an agency.

(c) The President may—

(1) establish by Executive order a safety council composed of representatives of the agencies to serve as an advisory body to the Secretary in furtherance of the safety program carried out by the Secretary under subsection (b) of this section; and

(2) undertake such other measures as he considers proper to prevent injuries and accidents to employees of the agencies.

(d) The head of each agency shall develop and support organized safety promotion to reduce accidents and injuries among employees of his agency, encourage safe practices, and eliminate work hazards and health risks.

(e) Each agency shall—

(1) keep a record of injuries and accidents to its employees whether or not they result in loss of time or in the payment or furnishing of benefits; and

(2) make such statistical or other reports on such forms as the Secretary may prescribe by regulation.

### § 7903. Protective clothing and equipment

Appropriations available for the procurement of supplies and material or equipment are available for the purchase and maintenance of special clothing and equipment for the protection of personnel in the performance of their assigned tasks. For the purpose of this section, "appropriations" includes funds made available by statute under section 849 of title 31.

## Subpart G—Insurance and Annuities

### CHAPTER 81—COMPENSATION FOR WORK INJURIES

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## SUBCHAPTER I—GENERALLY

### § 8101. Definitions

For the purpose of this subchapter—

(1) "employee" means—

(A) a civil officer or employee in any branch of the Government of the United States, including an officer or employee of an instrumentality wholly owned by the United States;

(B) an individual rendering personal service to the United States similar to the service of a civil officer or employee of the United States, without pay or for nominal pay, when a statute authorizes the acceptance or use of the service, or authorizes payment of travel or other expenses of the individual;

(C) an individual, other than an independent contractor or an individual employed by an independent contractor, employed on the Menominee Indian Reservation in Wisconsin in operations conducted under a statute relating to tribal timber and logging operations on that reservation;

(D) an individual employed by the government of the District of Columbia; and

(E) an individual appointed to a position on the office staff of a former President under section 1(b) of the Act of August 25, 1958 (72 Stat. 838);

but does not include—

(i) a commissioned officer of the Regular Corps of the Public Health Service;

(ii) a commissioned officer of the Reserve Corps of the Public Health Service on active duty;

(iii) a commissioned officer of the Coast and Geodetic Survey; or

(iv) a member of the Metropolitan Police or the Fire Department of the District of Columbia who is pensioned or pensionable under sections 521-535 of title 4, District of Columbia Code;

(2) "physician" includes surgeons and osteopathic practitioners within the scope of their practice as defined by State law;

(3) "medical, surgical, and hospital services and supplies" includes services and supplies by osteopathic practitioners and hospitals within the scope of their practice as defined by State law;

(4) "monthly pay" means the monthly pay at the time of injury, or the monthly pay at the time disability begins, or the monthly pay at the time compensable disability recurs, if the recurrence begins more than 6 months after the injured employee resumes regular full-time employment with the United States, whichever is greater, except when otherwise determined under section 8113 of this title with respect to any period;

(5) "injury" includes, in addition to injury by accident, a disease proximately caused by the employment;

(6) "widow" means the wife living with or dependent for support on the decedent at the time of his death, or living apart for reasonable cause or because of his desertion;

(7) "parent" includes stepparents and parents by adoption;

(8) "brother" and "sister" mean one who at the time of the death of the employee is under 18 years of age or over that age and incapable of self-support, and include stepbrothers and stepsisters, half brothers and half sisters, and brothers and sisters by adoption, but do not include married brothers or married sisters;

(9) "child" means one who at the time of the death of the employee is under 18 years of age or over that age and incapable of self-support, and includes stepchildren, adopted children, and posthumous children, but does not include married children;

(10) "grandchild" means one who at the time of the death of the employee is under 18 years of age or over that age and incapable of self-support;

(11) "widower" means one who, because of physical or mental disability, was wholly dependent for support on the employee at the time of her death;

(12) "compensation" includes the money allowance payable to an employee or his dependents and any other benefits paid for from the Employees' Compensation Fund, but this does not in any way reduce the amount of the monthly compensation payable for disability or death;

(13) "war-risk hazard" means a hazard arising during a war in which the United States is engaged; during an armed conflict in which the United States is engaged, whether or not war has been declared; or during a war or armed conflict between military forces of any origin, occurring in the country in which an individual to whom this subchapter applies is serving; from—

(A) the discharge of a missile, including liquids and gas, or the use of a weapon, explosive, or other noxious thing by a hostile force or individual or in combating an attack or an imagined attack by a hostile force or individual;

(B) action of a hostile force or individual, including rebellion or insurrection against the United States or any of its allies;

(C) the discharge or explosion of munitions intended for use in connection with a war or armed conflict with a hostile force or individual;

(D) the collision of vessels on convoy or the operation of vessels or aircraft without running lights or without other customary peacetime aids to navigation; or

(E) the operation of vessels or aircraft in a zone of hostilities or engaged in war activities;

(14) "hostile force or individual" means a nation, a subject of a foreign nation, or an individual serving a foreign nation—

(A) engaged in a war against the United States or any of its allies;

(B) engaged in armed conflict, whether or not war has been declared, against the United States or any of its allies; or

(C) engaged in a war or armed conflict between military forces of any origin in a country in which an individual to whom this subchapter applies is serving;

(15) "allies" means any nation with which the United States is engaged in a common military effort or with which the United States has entered into a common defensive military alliance; and

(16) "war activities" includes activities directly relating to military operations.

#### § 8102. Compensation for disability or death of employee

(a) The United States shall pay compensation as specified by this subchapter for the disability or death of an employee resulting from personal injury sustained while in the performance of his duty, unless the injury or death is—

(1) caused by willful misconduct of the employee;

(2) caused by the employee's intention to bring about the injury or death of himself or of another; or

(3) proximately caused by the intoxication of the injured employee.

(b) Disability or death from a war-risk hazard or during or as a result of capture, detention, or other restraint by a hostile force or individual, suffered by an employee who is employed outside the continental United States or in Alaska or in the Canal Zone, is deemed to have resulted from personal injury sustained while in the performance of his duty, whether or not the employee was engaged in the course of employment when the disability or disability resulting in death occurred or when he was taken by the hostile force or individual. This subsection does not apply to an individual—

(1) whose residence is at or in the vicinity of the place of his employment and who was not living there solely because of the exigencies of his employment, unless he was injured or taken while engaged in the course of his employment; or

(2) who is a prisoner of war or a protected individual under the Geneva Conventions of 1949 and is detained or utilized by the United States.

This subsection does not affect the payment of compensation under this subchapter derived otherwise than under this subsection, but compensation for disability or death does not accrue for a period for which pay, other benefit, or gratuity from the United States accrues to the disabled individual or his dependents on account of detention by the enemy or because of the same disability or death, unless that pay, benefit, or gratuity is refunded or renounced.

**§ 8103. Medical services and initial medical and other benefits**

(a) The United States shall furnish to an employee who is injured while in the performance of duty, the services, appliances, and supplies prescribed or recommended by a qualified physician, which the Secretary of Labor considers likely to cure, give relief, reduce the degree or the period of disability, or aid in lessening the amount of the monthly compensation. These services, appliances, and supplies shall be furnished—

- (1) whether or not disability has arisen;
- (2) notwithstanding that the employee has accepted or is entitled to receive benefits under subchapter III of chapter 83 of this title; and
- (3) by or on the order of United States medical officers and hospitals, or, when this is not practicable, by or on the order of private physicians and hospitals designated or approved by the Secretary.

The employee may be furnished transportation and may be paid all expenses incident to the securing of these services, appliances, and supplies which the Secretary considers necessary and reasonable. These expenses, when authorized or approved by the Secretary, shall be paid from the Employees' Compensation Fund.

(b) The Secretary, under such limitations or conditions as he considers necessary, may authorize the employing agencies to provide for the initial furnishing of medical and other benefits under this section. The Secretary may certify vouchers for these expenses out of the Employees' Compensation Fund when the immediate superior of the employee certifies that the expense was incurred in respect to an injury which was accepted by the employing agency as probably compensable under this subchapter. The Secretary shall prescribe the form and content of the certificate.

**§ 8104. Vocational rehabilitation**

The Secretary of Labor may direct a permanently disabled individual whose disability is compensable under this subchapter to undergo vocational rehabilitation. The Secretary shall provide for furnishing the vocational rehabilitation services. In providing for these services, the Secretary, insofar as practicable, shall use the services or facilities of State agencies and corresponding agencies which cooperate with the Secretary of Health, Education, and Welfare in carrying out the purposes of chapter 4 of title 29, except to the extent that the Secretary of Labor provides for furnishing these services under section 8103 of this title. The cost of providing these services to individuals undergoing vocational rehabilitation under this section shall be paid from the Employees' Compensation Fund. However, in reimbursing a State or corresponding agency under an arrangement pursuant to this section the cost to the agency reimbursable in full under section 32(b)(1) of title 29 is excluded.

**§ 8105. Total disability**

(a) If the disability is total, the United States shall pay the employee during the disability monthly monetary compensation equal to 66 $\frac{2}{3}$  percent of his monthly pay, which is known as his basic compensation for total disability.

(b) The loss of use of both hands, both arms, both feet, or both legs, or the loss of sight of both eyes, is prima facie permanent total disability.

**§ 8106. Partial disability**

(a) If the disability is partial, the United States shall pay the employee during the disability monthly monetary compensation equal to  $66\frac{2}{3}$  percent of the difference between his monthly pay and his monthly wage-earning capacity after the beginning of the partial disability, which is known as his basic compensation for partial disability.

(b) The Secretary of Labor may require a partially disabled employee to report his earnings from employment or self-employment, by affidavit or otherwise, in the manner and at the times the Secretary specifies. The employee shall include in the affidavit or report the value of housing, board, lodging, and other advantages which are part of his earnings in employment or self-employment and which can be estimated in money. An employee who—

(1) fails to make an affidavit or report when required; or  
 (2) knowingly omits or understates any part of his earnings; forfeits his right to compensation with respect to any period for which the affidavit or report was required. Compensation forfeited under this subsection, if already paid, shall be recovered by a deduction from the compensation payable to the employee or otherwise recovered under section 8129 of this title, unless recovery is waived under that section.

(c) A partially disabled employee who—

(1) refuses to seek suitable work; or  
 (2) refuses or neglects to work after suitable work is offered to, procured by, or secured for him;  
 is not entitled to compensation.

**§ 8107. Compensation schedule**

(a) If there is a permanent disability involving—

(1) solely the loss of use of a member or function of the body, whether or not the cause of the disability originates in a part of the body other than the member; or  
 (2) disfigurement as provided by the schedule in subsection (c) of this section;

the employee is entitled to basic compensation for the period specified by the schedule at the rate of  $66\frac{2}{3}$  percent of his monthly pay. The basic compensation is—

(A) in addition to compensation for temporary total or temporary partial disability; and

(B) instead of compensation for permanent disability, except in a case involving disfigurement and as otherwise provided by subsection (b) of this section.

(b) If an injury causes the total and permanent loss of use of an arm, a hand, a leg, a foot, or an eye, including loss of binocular vision, or total and permanent loss of hearing in both ears, whether or not the disability also involves other impairment of the body, the individual is entitled—

(1) for the period specified by the schedule in subsection (c) of this section, to basic compensation at the rate of  $66\frac{2}{3}$  percent of his monthly pay; and

(2) for a later period, to basic compensation as provided by—  
 (A) section 8105 of this title if the disability is total; or  
 (B) section 8106 of this title if the disability is partial.

The basic compensation is in addition to compensation for periods of temporary total or temporary partial disability, and is payable notwithstanding subsection (a) of this section and sections 8105 and 8106 of this title.

## (c) The compensation schedule is as follows:

- (1) Arm lost, 312 weeks' compensation.
- (2) Leg lost, 288 weeks' compensation.
- (3) Hand lost, 244 weeks' compensation.
- (4) Foot lost, 205 weeks' compensation.
- (5) Eye lost, 160 weeks' compensation.
- (6) Thumb lost, 75 weeks' compensation.
- (7) First finger lost, 46 weeks' compensation.
- (8) Great toe lost, 38 weeks' compensation.
- (9) Second finger lost, 30 weeks' compensation.
- (10) Third finger lost, 25 weeks' compensation.
- (11) Toe other than great toe lost, 16 weeks' compensation.
- (12) Fourth finger lost, 15 weeks' compensation.
- (13) Loss of hearing—
  - (A) complete loss of hearing of one ear, 52 weeks' compensation; or
  - (B) complete loss of hearing of both ears, 200 weeks' compensation.
- (14) Compensation for loss of binocular vision or for loss of 80 percent or more of the vision of an eye is the same as for loss of the eye.
- (15) Compensation for loss of more than one phalanx of a digit is the same as for loss of the entire digit. Compensation for loss of the first phalanx is one-half of the compensation for loss of the entire digit.
- (16) If, in the case of an arm or a leg, the member is amputated above the wrist or ankle, compensation is the same as for loss of the arm or leg, respectively.
- (17) Compensation for loss of use of two or more digits, or one or more phalanges of each of two or more digits, of a hand or foot, is proportioned to the loss of use of the hand or foot occasioned thereby.
- (18) Compensation for permanent total loss of use of a member is the same as for loss of the member.
- (19) Compensation for permanent partial loss of use of a member may be for proportionate loss of use of the member. The degree of loss of vision or hearing under this schedule is determined without regard to correction.
- (20) In case of loss of use of more than one member or parts of more than one member as enumerated by this schedule, the compensation is for loss of use of each member or part thereof, and the awards run consecutively. However, when the injury affects only two or more digits of the same hand or foot, paragraph (17) of this subsection applies, and when partial bilateral loss of hearing is involved, compensation is computed on the loss as affecting both ears.
- (21) For serious disfigurement of the face, head, or neck of a character likely to handicap an individual in securing or maintaining employment, proper and equitable compensation not to exceed \$3,500 shall be awarded in addition to any other compensation payable under this schedule.

**§ 8108. Reduction of compensation for subsequent injury to same member**

The period of compensation payable under the schedule in section 8107(c) of this title is reduced by the period of compensation paid or payable under the schedule for an earlier injury if—

(1) compensation in both cases is for disability of the same member or function or different parts of the same member or function or for disfigurement; and

(2) the Secretary of Labor finds that compensation payable for the later disability in whole or in part would duplicate the compensation payable for the preexisting disability.

In such a case, for the purposes of disabilities specified by section 8107(b) of this title, compensation for disability continuing after the scheduled period starts on expiration of that period as reduced under this section.

**§ 8109. Beneficiaries of awards unpaid at death; order of precedence**

(a) If an individual—

(1) has sustained disability compensable under section 8107(a) of this title, including a disability compensable under the schedule in section 8107(c) of this title because of section 8107(b) of this title;

(2) has filed a valid claim in his lifetime; and

(3) dies from a cause other than the injury before the end of the period specified by the schedule;

the compensation specified by the schedule that is unpaid at his death, whether or not accrued or due at his death, shall be paid—

(A) under an award made before or after the death;

(B) for the period specified by the schedule;

(C) to and for the benefit of the persons then in being within the classes and proportions and on the conditions specified by this section; and

(D) in the following order of precedence:

(i) If there is no child, to the widow or widower.

(ii) If there are both a widow or widower and a child or children, one-half to the widow or widower and one-half to the child or children.

(iii) If there is no widow or widower, to the child or children.

(iv) If there is no survivor in the above classes, to the parent or parents wholly or partly dependent for support on the decedent, or to other wholly dependent relatives listed by section 8133(a)(5) of this title, or to both in proportions provided by regulation.

(v) If there is no survivor in the above classes and no burial allowance is payable under section 8134 of this title, an amount not exceeding that which would be expendable under section 8134 of this title if applicable shall be paid to reimburse a person equitably entitled thereto to the extent and in the proportion that he has paid the burial expenses, but a compensated insurer or other person obligated by law or contract to pay the burial expenses or a State or political subdivision or entity is deemed not equitably entitled.

(b) Payments under subsection (a) of this section, except for an amount payable for a period preceding the death of the individual, are at the basic rate of compensation for permanent disability speci-

fied by section 8107(a) of this title even if at the time of death the individual was entitled to the augmented rate specified by section 8110 of this title.

(c) A surviving beneficiary under subsection (a) of this section, except one under subsection (a)(D)(v), does not have a vested right to payment and must be alive to receive payment.

(d) A beneficiary under subsection (a) of this section, except one under subsection (a)(D)(v), ceases to be entitled to payment on the happening of an event which would terminate his right to compensation for death under section 8133 of this title. When that entitlement ceases, compensation remaining unpaid under subsection (a) of this section is payable to the surviving beneficiary in accordance with subsection (a) of this section.

### § 8110. Augmented compensation for dependents

(a) For the purpose of this section, "dependent" means—

(1) a wife, if—

(A) she is a member of the same household as the employee;

(B) she is receiving regular contributions from the employee for her support; or

(C) the employee has been ordered by a court to contribute to her support;

(2) a husband, if wholly dependent on the employee for support because of his own physical or mental disability;

(3) an unmarried child, while living with the employee or receiving regular contributions from the employee toward his support, and who is—

(A) under 18 years of age; or

(B) over 18 years of age and incapable of self-support because of physical or mental disability; and

(4) a parent, while wholly dependent on and supported by the employee.

(b) A disabled employee with one or more dependents is entitled to have his basic compensation for disability augmented—

(1) at the rate of  $8\frac{1}{3}$  percent of his monthly pay if that compensation is payable under section 8105 or 8107(a) of this title including compensation payable under the schedule in section 8107(c) by virtue of section 8107(b) of this title; and

(2) at the rate of  $8\frac{1}{3}$  percent of the difference between his monthly pay and his monthly wage-earning capacity if that compensation is payable under section 8106(a) of this title.

However, for a period of temporary total disability the augmentation of basic compensation for disability payable under section 8105 of this title is limited to that part of the monthly pay of the employee which is not in excess of \$420.

### § 8111. Additional compensation for services of attendants or vocational rehabilitation

(a) The Secretary of Labor may pay an employee who has been awarded compensation an additional sum of not more than \$125 a month, as the Secretary considers necessary, when the Secretary finds that the service of an attendant is necessary constantly because the employee is totally blind, or has lost the use of both hands or both feet, or is paralyzed and unable to walk, or because of other disability resulting from the injury making him so helpless as to require constant attendance.

(b) The Secretary may pay an individual undergoing vocational rehabilitation under section 8104 of this title additional compensation necessary for his maintenance, but not to exceed \$100 a month.

#### § 8112. Maximum and minimum monthly payments

Except as provided by section 8138 of this title, the monthly rate of compensation for disability, including augmented compensation under section 8110 of this title but not including additional compensation under section 8111 of this title, may not exceed \$525 a month, and in case of total disability may not be less than \$180 a month or the amount of the monthly pay of the employee, whichever is less.

#### § 8113. Increase or decrease of basic compensation

(a) If an individual—

(1) was a minor or employed in a learner's capacity at the time of injury; and

(2) was not physically or mentally handicapped before the injury;

the Secretary of Labor, on review under section 8128 of this title after the time the wage-earning capacity of the individual would probably have increased but for the injury, shall recompute prospectively the monetary compensation payable for disability on the basis of an assumed monthly pay corresponding to the probable increased wage-earning capacity.

(b) The Secretary, on review under section 8128 of this title after a disabled employee becomes 70 years of age and his wage-earning capacity would probably have decreased because of old age aside from and independently of the effects of the injury, shall recompute prospectively the monetary compensation payable for disability on the basis of an assumed monthly pay corresponding to the probable decreased wage-earning capacity.

(c) If an individual without good cause fails to apply for and undergo vocational rehabilitation when so directed under section 8104 of this title, the Secretary, on review under section 8128 of this title and after finding that in the absence of the failure the wage-earning capacity of the individual would probably have substantially increased, may reduce prospectively the monetary compensation of the individual in accordance with what would probably have been his wage-earning capacity in the absence of the failure, until the individual in good faith complies with the direction of the Secretary.

#### § 8114. Computation of pay

(a) For the purpose of this section—

(1) "overtime pay" means pay for hours of service in excess of a statutory or other basic workweek or other basic unit of worktime, as observed by the employing establishment; and

(2) "year" means a period of 12 calendar months, or the equivalent thereof as specified by regulations prescribed by the Secretary of Labor.

(b) In computing monetary compensation for disability or death on the basis of monthly pay, that pay is determined under this section.

(c) The monthly pay at the time of injury is deemed one-twelfth of the average annual earnings of the employee at that time. When compensation is paid on a weekly basis, the weekly equivalent of the monthly pay is deemed one-fifty-second of the average annual earnings. However, for so much of a period of total disability as does not exceed 90 calendar days from the date of the beginning of compensable disability, the compensation, in the discretion of the Secre-

tary of Labor, may be computed on the basis of the actual daily wage of the employee at the time of injury in which event he may be paid compensation for the days he would have worked but for the injury.

(d) Average annual earnings are determined as follows:

(1) If the employee worked in the employment in which he was employed at the time of his injury during substantially the whole year immediately preceding the injury and the employment was in a position for which an annual rate of pay—

(A) was fixed, the average annual earnings are the annual rate of pay; or

(B) was not fixed, the average annual earnings are the product obtained by multiplying his daily wage for the particular employment, or the average thereof if the daily wage has fluctuated, by 300 if he was employed on the basis of a 6-day workweek, 280 if employed on the basis of a 5½-day week, and 260 if employed on the basis of a 5-day week.

(2) If the employee did not work in employment in which he was employed at the time of his injury during substantially the whole year immediately preceding the injury, but the position was one which would have afforded employment for substantially a whole year, the average annual earnings are a sum equal to the average annual earnings of an employee of the same class working substantially the whole immediately preceding year in the same or similar employment by the United States in the same or neighboring place, as determined under paragraph (1) of this subsection.

(3) If either of the foregoing methods of determining the average annual earnings cannot be applied reasonably and fairly, the average annual earnings are a sum that reasonably represents the annual earning capacity of the injured employee in the employment in which he was working at the time of the injury having regard to the previous earnings of the employee in Federal employment, and of other employees of the United States in the same or most similar class working in the same or most similar employment in the same or neighboring location, other previous employment of the employee, or other relevant factors. However, the average annual earnings may not be less than 150 times the average daily wage the employee earned in the employment during the days employed within 1 year immediately preceding his injury.

(4) If the employee served without pay or at nominal pay, paragraphs (1), (2), and (3) of this subsection apply as far as practicable, but the average annual earnings of the employee may not exceed the minimum rate of basic pay for GS-15. If the average annual earnings cannot be determined reasonably and fairly in the manner otherwise provided by this section, the average annual earnings shall be determined at the reasonable value of the service performed but not in excess of \$3,600 a year.

(e) The value of subsistence and quarters, and of any other form of remuneration in kind for services if its value can be estimated in money, is included as part of the pay, but account is not taken of—

(1) overtime pay;

(2) additional pay or allowance authorized outside the United States because of differential in cost of living or other special circumstances; or

(3) bonus or premium pay for extraordinary service including bonus or pay for particularly hazardous service in time of war.

### § 8115. Determination of wage-earning capacity

(a) In determining compensation for partial disability, except permanent partial disability compensable under sections 8107-8109 of this title, the wage-earning capacity of an employee is determined by his actual earnings if his actual earnings fairly and reasonably represent his wage-earning capacity. If the actual earnings of the employee do not fairly and reasonably represent his wage-earning capacity or if the employee has no actual earnings, his wage-earning capacity as appears reasonable under the circumstances is determined with due regard to—

- (1) the nature of his injury;
- (2) the degree of physical impairment;
- (3) his usual employment;
- (4) his age;
- (5) his qualifications for other employment;
- (6) the availability of suitable employment; and
- (7) other factors or circumstances which may affect his wage-earning capacity in his disabled condition.

(b) Section 8114(d) of this title is applicable in determining the wage-earning capacity of an employee after the beginning of partial disability.

### § 8116. Limitations on right to receive compensation

(a) While an employee is receiving compensation under this subchapter, or if he has been paid a lump sum in commutation of installment payments until the expiration of the period during which the installment payments would have continued, he may not receive salary, pay, or remuneration of any type from the United States, except—

- (1) in return for service actually performed; and
- (2) pension for service in the Army, Navy, or Air Force.

However, eligibility for or receipt of benefits under subchapter III of chapter 83 of this title does not impair the right of the employee to compensation for scheduled disabilities specified by section 8107(c) of this title.

(b) An individual entitled to benefits under this subchapter because of his injury, or because of the death of an employee, who also is entitled to receive from the United States under a provision of statute other than this subchapter payments or benefits for that injury or death (except proceeds of an insurance policy), because of service by him (or in the case of death, by the deceased) as an employee or in the armed forces, shall elect which benefits he will receive. The individual shall make the election within 1 year after the injury or death or within a further time allowed for good cause by the Secretary of Labor. The election when made is irrevocable, except as otherwise provided by statute.

(c) The liability of the United States or an instrumentality thereof under this subchapter or any extension thereof with respect to the injury or death of an employee is exclusive and instead of all other liability of the United States or the instrumentality to the employee, his legal representative, spouse, dependents, next of kin, and any other person otherwise entitled to recover damages from the United States or the instrumentality because of the injury or death in a direct judicial proceeding, in a civil action, or in admiralty, or by an administrative or judicial proceeding under a workmen's compensation statute or under a Federal tort liability statute. However, this subsection does not apply to a master or a member of a crew of a vessel.

**§ 8117. Time of accrual of right**

An employee is not entitled to compensation for the first 3 days of temporary disability, except—

- (1) when the disability exceeds 21 days;
  - (2) when the disability is followed by permanent disability;
- or
- (3) as provided by sections 8103 and 8104 of this title.

**§ 8118. Election to use annual or sick leave**

An employee may use annual or sick leave to his credit at the time disability begins, but his compensation for disability does not begin, and the time periods specified by section 8117 of this title do not begin to run, until the use of the annual or sick leave ends.

**§ 8119. Notice of injury; failure to give**

(a) An employee injured in the performance of his duty, or someone on his behalf, shall give notice thereof. The notice shall—

- (1) be given within 48 hours after the injury;
- (2) be given to the immediate superior of the employee by personal delivery or by depositing it in the mail properly stamped and addressed;
- (3) be in writing;
- (4) state the name and address of the employee;
- (5) state the year, month, day, and hour when and the particular locality where the injury occurred;
- (6) state the cause and nature of the injury; and
- (7) be signed by and contain the address of the individual giving the notice.

(b) Compensation may be allowed only if the notice is given within 48 hours after the injury or if the immediate superior of the employee has actual knowledge of the injury. However, the Secretary of Labor may allow compensation if—

- (1) the notice is filed within 1 year after the injury and reasonable cause for the delay is shown; or
- (2) the requirement for 48 hours' notice is waived under section 8122 of this title.

**§ 8120. Report of injury**

Immediately after an injury to an employee which results in his death or probable disability, his immediate superior shall report to the Secretary of Labor. The Secretary may—

- (1) prescribe the information that the report shall contain;
- (2) require the immediate superior to make supplemental reports; and
- (3) obtain such additional reports and information from employees as are agreed on by the Secretary and the head of the employing agency.

**§ 8121. Claim**

Compensation under this subchapter may be allowed only if an individual or someone on his behalf makes claim therefor. The claim shall—

- (1) be made in writing within the time specified by section 8122 of this title;
- (2) be delivered to the office of the Secretary of Labor or to an individual whom the Secretary may designate by regulation, or deposited in the mail properly stamped and addressed to the Secretary or his designee;

- (3) be on a form furnished by the Secretary;
- (4) contain all information required by the Secretary;
- (5) be sworn to by the individual entitled to compensation or someone on his behalf; and
- (6) except in case of death, be accompanied by a certificate of the physician of the employee stating the nature of the injury and the nature and probable extent of the disability.

The Secretary may waive paragraphs (3)-(6) of this section for reasonable cause shown.

#### § 8122. Time for making claim

(a) An original claim for compensation—

- (1) for death shall be made within 1 year after the death; and
- (2) for disability shall be made within 60 days after the injury.

However, the Secretary of Labor may allow an original claim for disability to be made within 1 year after the injury for reasonable cause shown.

(b) In a case of latent disability due to radiation or other cause, the time for filing claim does not begin to run until the employee has a compensable disability and is aware, or by the exercise of reasonable diligence should have been aware, of the causal relationship of the compensable disability to his employment. In such a case, the time for giving notice of injury begins to run when the employee is aware, or by the exercise of reasonable diligence should have been aware, that his condition is causally related to his employment, whether or not there is a compensable disability.

(c) The Secretary may waive compliance with the requirements of this subchapter for giving notice of injury and for filing claim for compensation for disability or death if—

- (1) a claim is filed within 5 years after the injury or death; and
- (2) the Secretary finds—
  - (A) that the failure to comply was due to circumstances beyond the control of the individual claiming benefits; or
  - (B) that the individual claiming benefits has shown sufficient cause or reason in explanation of, and material prejudice to the interest of the United States has not resulted from, the failure.

#### § 8123. Physical examinations

(a) An employee shall submit to examination by a medical officer of the United States, or by a physician designated or approved by the Secretary of Labor, after the injury and as frequently and at the times and places as may be reasonably required. The employee may have a physician designated and paid by him present to participate in the examination. If there is disagreement between the physician making the examination for the United States and the physician of the employee, the Secretary shall appoint a third physician who shall make an examination.

(b) An employee is entitled to be paid expenses incident to an examination required by the Secretary which in the opinion of the Secretary are necessary and reasonable, including transportation and loss of wages incurred in order to be examined. The expenses, when authorized or approved by the Secretary, are paid from the Employees' Compensation Fund.

(c) The Secretary shall fix the fees for examinations held under this section by physicians not employed by or under contract to the United States to furnish medical services to employees. The fees, when authorized or approved by the Secretary, are paid from the Employees' Compensation Fund.

(d) If an employee refuses to submit to or obstructs an examination, his right to compensation under this subchapter is suspended until the refusal or obstruction stops. Compensation is not payable while a refusal or obstruction continues, and the period of the refusal or obstruction is deducted from the period for which compensation is payable to the employee.

#### § 8124. Findings and award

The Secretary of Labor shall determine and make a finding of facts and make an award for or against payment of compensation under this subchapter after—

- (1) considering the claim presented by the beneficiary and the report furnished by the immediate superior; and
- (2) completing such investigation as he considers necessary.

#### § 8125. Misbehavior at proceedings

If an individual—

- (1) disobeys or resists a lawful order or process in proceedings under this subchapter before the Secretary of Labor or his representative; or
- (2) misbehaves during a hearing or so near the place of hearing as to obstruct it;

the Secretary or his representative shall certify the facts to the district court having jurisdiction in the place where he is sitting. The court, in a summary manner, shall hear the evidence as to the acts complained of and if the evidence warrants, punish the individual in the same manner and to the same extent as for a contempt committed before the court, or commit the individual on the same conditions as if the forbidden act had occurred with reference to the process of or in the presence of the court.

#### § 8126. Subpenas; oaths; examination of witnesses

The Secretary of Labor, on any matter within his jurisdiction under this subchapter, may—

- (1) issue subpenas for and compel the attendance of witnesses within a radius of 100 miles;
- (2) administer oaths;
- (3) examine witnesses; and
- (4) require the production of books, papers, documents, and other evidence.

#### § 8127. Representation; attorneys' fees

(a) A claimant may authorize an individual to represent him in any proceeding under this subchapter before the Secretary of Labor.

(b) A claim for legal or other services furnished in respect to a case, claim, or award for compensation under this subchapter is valid only if approved by the Secretary.

#### § 8128. Review of award

(a) The Secretary of Labor may review an award for or against payment of compensation at any time on his own motion or on application. The Secretary, in accordance with the facts found on review, may—

- (1) end, decrease, or increase the compensation previously awarded; or
  - (2) award compensation previously refused or discontinued.
- (b) The action of the Secretary or his designee in allowing or denying a payment under this subchapter is—
- (1) final and conclusive for all purposes and with respect to all questions of law and fact; and
  - (2) not subject to review by another official of the United States or by a court by mandamus or otherwise.
- Credit shall be allowed in the accounts of a certifying or disbursing official for payments in accordance with that action.

#### § 8129. Recovery of overpayments

- (a) When an overpayment has been made to an individual under this subchapter because of an error of fact or law, adjustment shall be made under regulations prescribed by the Secretary of Labor by decreasing later payments to which the individual is entitled. If the individual dies before the adjustment is completed, adjustment shall be made by decreasing later benefits payable under this subchapter with respect to the individual's death.
- (b) Adjustment or recovery by the United States may not be made when incorrect payment has been made to an individual who is without fault and when adjustment or recovery would defeat the purpose of this subchapter or would be against equity and good conscience.
- (c) A certifying or disbursing official is not liable for an amount certified or paid by him when—
- (1) adjustment or recovery of the amount is waived under subsection (b) of this section; or
  - (2) adjustment under subsection (a) of this section is not completed before the death of all individuals against whose benefits deductions are authorized.

#### § 8130. Assignment of claim

An assignment of a claim for compensation under this subchapter is void. Compensation and claims for compensation are exempt from claims of creditors.

#### § 8131. Subrogation of the United States

- (a) If an injury or death for which compensation is payable under this subchapter is caused under circumstances creating a legal liability on a person other than the United States to pay damages, the Secretary of Labor may require the beneficiary to—
- (1) assign to the United States any right of action he may have to enforce the liability or any right he may have to share in money or other property received in satisfaction of that liability; or
  - (2) prosecute the action in his own name.

An employee required to appear as a party or witness in the prosecution of such an action is in an active duty status while so engaged.

(b) A beneficiary who refuses to assign or prosecute an action in his own name when required by the Secretary is not entitled to compensation under this subchapter.

(c) The Secretary may prosecute or compromise a cause of action assigned to the United States. When the Secretary realizes on the cause of action, he shall deduct therefrom and place to the credit of the Employees' Compensation Fund the amount of compensation already paid to the beneficiary and the expense of realization or collection. Any surplus shall be paid to the beneficiary and credited on future payments of compensation payable for the same injury.

(d) If an injury or death for which compensation is payable under this subchapter is caused under circumstances creating a legal liability in the Panama Canal Company to pay damages under the law of a State, a territory or possession of the United States, the District of Columbia, or a foreign country, compensation is not payable until the individual entitled to compensation—

(1) releases to the Panama Canal Company any right of action he may have to enforce the liability of the Panama Canal Company; or

(2) assigns to the United States any right he may have to share in money or other property received in satisfaction of the liability of the Panama Canal Company.

### § 8132. Adjustment after recovery from a third person

If an injury or death for which compensation is payable under this subchapter is caused under circumstances creating a legal liability in a person other than the United States to pay damages, and a beneficiary entitled to compensation from the United States for that injury or death receives money or other property in satisfaction of that liability as a result of suit or settlement by him or in his behalf, the beneficiary, after deducting therefrom the costs of suit and a reasonable attorney's fee, shall refund to the United States the amount of compensation paid by the United States and credit any surplus on future payments of compensation payable to him for the same injury. The amount refunded to the United States shall be credited to the Employees' Compensation Fund. If compensation has not been paid to the beneficiary, he shall credit the money or property on compensation payable to him by the United States for the same injury.

### § 8133. Compensation in case of death

(a) If death results from an injury sustained in the performance of duty, the United States shall pay a monthly compensation equal to a percentage of the monthly pay of the deceased employee in accordance with the following schedule:

(1) To the widow or widower, if there is no child, 45 percent.

(2) To the widow or widower, if there is a child, 40 percent and in addition 15 percent for each child not to exceed a total of 75 percent for the widow or widower and children.

(3) To the children, if there is no widow or widower, 35 percent for one child and 15 percent additional for each additional child not to exceed a total of 75 percent, divided among the children share and share alike.

(4) To the parents, if there is no widow, widower, or child, as follows—

(A) 25 percent if one parent was wholly dependent on the employee at the time of death and the other was not dependent to any extent;

(B) 20 percent to each if both were wholly dependent; or

(C) a proportionate amount in the discretion of the Secretary of Labor if one or both were partly dependent.

If there is a widow, widower, or child, so much of the percentages are payable as, when added to the total percentages payable to the widow, widower, and children, will not exceed a total of 75 percent.

(5) To the brothers, sisters, grandparents, and grandchildren, if there is no widow, widower, child, or dependent parent, as follows—

(A) 20 percent if one was wholly dependent on the employee at the time of death;

(B) 30 percent if more than one was wholly dependent, divided among the dependents share and share alike; or

(C) 10 percent if no one is wholly dependent but one or more is partly dependent, divided among the dependents share and share alike.

If there is a widow, widower, child, or dependent parent, so much of the percentages are payable as, when added to the total percentages payable to the widow, widower, children, and dependent parents, will not exceed a total of 75 percent.

(b) The compensation payable under subsection (a) of this section is paid from the time of death until—

(1) a widow dies or remarries;

(2) a widower dies or remarries or becomes capable of self-support;

(3) a child, a brother, a sister, or a grandchild dies or marries or becomes 18 years of age, or if over age 18 and incapable of self-support becomes capable of self-support; or

(4) a parent or grandparent dies or marries or ceases to be dependent.

(c) On the cessation of compensation under this section to or on account of an individual, the compensation of the remaining individuals entitled to compensation for the unexpired part of the period during which their compensation is payable, is that which they would have received if they had been the only individuals entitled to compensation at the time of the death of the employee.

(d) When there are two or more classes of individuals entitled to compensation under this section and the apportionment of compensation under this section would result in injustice, the Secretary may modify the apportionment to meet the requirements of the case.

(e) The monthly pay for computing compensation under this section is deemed at least \$240, but the total monthly compensation may not exceed the monthly pay computed under section 8114 of this title or \$525, whichever is less.

#### § 8134. Funeral expenses; transportation of body

(a) If death results from an injury sustained in the performance of duty, the United States shall pay, to the personal representative of the deceased or otherwise, funeral and burial expenses not to exceed \$800, in the discretion of the Secretary of Labor.

(b) The body of an employee whose home is in the United States, in the discretion of the Secretary, may be embalmed and transported in a hermetically sealed casket to his home or last place of residence at the expense of the Employees' Compensation Fund if—

(1) the employee dies from—

(A) the injury while away from his home or official station or outside the United States; or

(B) from other causes while away from his home or official station for the purpose of receiving medical or other services, appliances, supplies, or examination under this subchapter; and

(2) the relatives of the employee request the return of his body.

If the relatives do not request the return of the body of the employee, the Secretary may provide for its disposition and incur and pay from the Employees' Compensation Fund the necessary and reasonable transportation, funeral, and burial expenses.

#### § 8135. Lump-sum payment

The liability of the United States for compensation to a beneficiary in the case of death or of permanent total or permanent partial disability may be discharged by a lump-sum payment equal to the present

value of all future payments of compensation computed at 4 percent true discount compounded annually if—

- (1) the monthly payment to the beneficiary is less than \$5 a month;
- (2) the beneficiary is or is about to become a nonresident of the United States; or
- (3) the Secretary of Labor determines that it is for the best interest of the beneficiary.

The probability of the death of the beneficiary before the expiration of the period during which he is entitled to compensation shall be determined according to the American Experience Table of Mortality, but the lump-sum payment to a widow or widower of the deceased employee may not exceed 60 months' compensation. The probability of the happening of any other contingency affecting the amount or duration of compensation shall be disregarded.

### § 8136. Initial payments outside the United States

If an employee is injured outside the continental United States, the Secretary of Labor may arrange and provide for initial payment of compensation and initial furnishing of other benefits under this subchapter by an employee or agent of the United States designated by the Secretary for that purpose in the locality in which the employee was employed or the injury occurred.

### § 8137. Compensation for noncitizens and nonresidents

(a) When the Secretary of Labor finds that the amount of compensation payable to an employee who is neither a citizen nor resident of the United States or Canada, or payable to a dependent of such an employee, is substantially disproportionate to compensation for disability or death payable in similar cases under local statute, regulation, custom, or otherwise at the place outside the continental United States or Canada where the employee is working at the time of injury, he may provide for payment of compensation on a basis reasonably in accord with prevailing local payments in similar cases by—

- (1) the adoption or adaption of the substantive features, by a schedule or otherwise, of local workmen's compensation provisions or other local statute, regulation, or custom applicable in cases of personal injury or death; or
- (2) establishing special schedules of compensation for injury, death, and loss of use of members and functions of the body for specific classes of employees, areas, and places.

Irrespective of the basis adopted, the Secretary may at any time—

(A) modify or limit the maximum monthly and total aggregate payments for injury, death, and medical or other benefits;

(B) modify or limit the percentages of the wage of the employee payable as compensation for the injury or death; and

(C) modify, limit, or redesignate the class or classes of beneficiaries entitled to death benefits, including the designation of persons, representatives, or groups entitled to payment under local statute or custom whether or not included in the classes of beneficiaries otherwise specified by this subchapter.

(b) In a case under this section, the Secretary or his designee may—

(1) make a lump-sum award in the manner prescribed by section 8135 of this title when he or his designee considers it to be for the best interest of the United States; and

(2) compromise and pay a claim for benefits, including a claim in which there is a dispute as to jurisdiction or other fact or a question of law.

Compensation paid under this subsection is instead of all other compensation from the United States for the same injury or death, and a payment made under this subsection is deemed compensation under this subchapter and is satisfaction of all liability of the United States in respect to the particular injury or death.

(c) The Secretary may delegate to an employee or agency of the United States, with such limitations and right of review as he considers advisable, authority to process, adjudicate, commute by lump-sum award, compromise, and pay a claim or class of claims for compensation, and to provide other benefits, locally, under this section, in accordance with such regulations and instructions as the Secretary considers necessary. For this purpose, the Secretary may provide or transfer funds, including reimbursement of amounts paid under this subchapter.

(d) The Secretary may waive the application of this subchapter in whole or in part and for such period or periods as he may fix if he finds that—

(1) conditions prevent the establishment of facilities for processing and adjudicating claims under this section; or

(2) claimants under this section are alien enemies.

(e) The Secretary may apply this section retrospectively with adjustment of compensation and benefits as he considers necessary and proper.

#### **§ 8138. Minimum limit modification for noncitizens and aliens**

(a) Except as provided by subsection (b) of this section, the minimum limit on monthly compensation for disability under section 8112 of this title and the minimum limit on monthly pay on which death compensation is computed under section 8133 of this title do not apply in the case of a noncitizen employee, or a class or classes of noncitizen employees, who sustain injury outside the continental United States. The Secretary of Labor may establish a minimum monthly pay on which death compensation is computed in the case of a class or classes of such noncitizen employees.

(b) The President may remove or modify the minimum limit on monthly compensation for disability under section 8112 of this title and the minimum limit on monthly pay on which death compensation is computed under section 8133 of this title in the case of an alien employee, or a class or classes of alien employees, of the Canal Zone Government or the Panama Canal Company.

#### **§ 8139. Employees of the District of Columbia**

Compensation awarded to an employee of the government of the District of Columbia shall be paid in the manner provided by statute for the payment of the general expenses of the government of the District of Columbia.

#### **§ 8140. Members of the Reserve Officers' Training Corps**

(a) Subject to the provisions of this section, this subchapter applies to a member of, or applicant for membership in, the Reserve Officers' Training Corps of the Army, Navy, or Air Force who suffers disability or death from an injury incurred in line of duty—

(1) while engaged in a flight or in flight instruction under chapter 103 of title 10; or

(2) while performing authorized travel to or from, or while attending, field training or a practice cruise under chapter 103 of title 10.

(b) For the purpose of this section, an injury is incurred in line of duty only if it is the proximate result of the performance of military training by the member concerned, or of his travel to or from that training, during the periods specified by subsection (a)(2) of this section. A member or applicant for membership who contracts a disease or illness which is the proximate result of the performance of training during the periods specified by subsection (a)(2) of this section is considered for the purpose of this section to have been injured in line of duty during that period. Subject to review by the Secretary of Labor, the Secretary of the military department concerned, under regulations prescribed by him, shall determine whether or not an injury, disease, or illness was incurred or contracted in line of duty and was the proximate result of the performance of military training by the member concerned or of his travel to or from that military training.

(c) In computing the compensation payable under this section, the monthly pay received by the injured or deceased individual, in cash and kind, is deemed \$150.

(d) The Secretary of the military department concerned shall cooperate fully with the Department of Labor in the prompt investigation and prosecution of a case involving the legal liability of a third party other than the United States.

(e) An individual may not receive disability benefits under this section while on active duty with the armed forces, but these benefits may be reinstated when the individual is released from that active duty.

(f) Expenses incurred by a military department in providing hospitalization, medical and surgical care, necessary transportation incident to that hospitalization or medical and surgical care, or in connection with a funeral and burial on behalf of an individual covered by subsection (a) of this section shall be reimbursed by the Secretary of Labor from the Employees' Compensation Fund in accordance with this subchapter. However, reimbursement may not be made for hospitalization or medical or surgical care provided an individual while attending field training or a practice cruise under chapter 103 of title 10.

#### **§ 8141. Civil Air Patrol volunteers.**

(a) Subject to the provisions of this section, this subchapter applies to a volunteer civilian member of the Civil Air Patrol, except a Civil Air Patrol Cadet.

(b) In administering this subchapter for a member of the Civil Air Patrol covered by this section—

(1) the monthly pay of a member is deemed \$300 for the purpose of computing compensation for disability or death;

(2) the percentages applicable to payments under section 8133 of this title are—

(A) 45 percent for section 8133(a)(2) of this title, if the member dies fully or currently insured under subchapter II of chapter 7 of title 42, with no additional payments for a child or children while the widow or widower remains eligible for payments under section 8133(a)(2) of this title;

(B) 20 percent for section 8133(a)(3) of this title for one child and 10 percent additional for each additional child, but not to exceed a total of 75 percent, if the member died fully or currently insured under subchapter II of chapter 7 of title 42; and

(C) 25 percent for section 8133(a)(4) of this title, if one parent was wholly dependent on the deceased member at the time of his death and the other was not dependent to any extent; 16 percent to each, if both were wholly dependent; and if one was or both were partly dependent, a proportionate amount in the discretion of the Secretary of Labor;

(3) a payment may not be made under section 8133(a)(5) of this title;

(4) "performance of duty" means only active service, and travel to and from that service, rendered in performance or support of operational missions of the Civil Air Patrol under direction of the Department of the Air Force and under written authorization by competent authority covering a specific assignment and prescribing a time limit for the assignment; and

(5) the Secretary of Labor or his designee shall inform the Secretary of Health, Education, and Welfare when a claim is filed and eligibility for compensation is established under section 8133(a)(2) or (3) of this title, and the Secretary of Health, Education, and Welfare shall certify to the Secretary of Labor as to whether or not the member concerned was fully or currently insured under subchapter II of chapter 7 of title 42 at the time of his death.

(c) The Secretary of Labor or his designee may inform the Secretary of the Air Force or his designee when a claim is filed. The Secretary of the Air Force, on request of the Secretary of Labor, shall advise him of the facts concerning the injury and whether or not the member was rendering service, or engaged in travel to or from service, in performance or support of an operational mission of the Civil Air Patrol at the time of injury. This subsection does not dispense with the report of the immediate superior of the member required by section 8120 of this title, or other reports agreed on under that section.

#### § 8142. Peace Corps volunteers

(a) For the purpose of this section, "volunteer" means—

(1) a volunteer enrolled in the Peace Corps under section 2504 of title 22;

(2) a volunteer leader enrolled in the Peace Corps under section 2505 of title 22; and

(3) an applicant for enrollment as a volunteer or volunteer leader during a period of training under section 2507(a) of title 22 before enrollment.

(b) Subject to the provisions of this section, this subchapter applies to a volunteer, except that entitlement to disability compensation payments does not commence until the day after the date of termination of his service as a volunteer.

(c) For the purpose of this subchapter—

(1) a volunteer is deemed receiving monthly pay at the minimum rate for GS-7;

(2) a volunteer leader referred to by section 2505 of title 22 is deemed receiving monthly pay at the minimum rate for GS-11;

(3) an injury suffered by a volunteer when he is outside the several States, territories and possessions of the United States, and the District of Columbia is deemed proximately caused by his employment, unless the injury or disease is—

(A) caused by willful misconduct of the volunteer;

(B) caused by the volunteer's intention to bring about the injury or death of himself or of another; or

(C) proximately caused by the intoxication of the injured volunteer; and

(4) the period of service of an individual as a volunteer includes—

(A) any period of training under section 2507(a) of title 22 before enrollment as a volunteer; and

(B) the period between enrollment as a volunteer and the termination of service as a volunteer by the President or by death or resignation.

#### § 8143. Job Corps enrollees; volunteers in service to America

(a) Subject to the provisions of this subsection, this subchapter applies to an enrollee in the Job Corps under sections 2711–2720 of title 42, except that compensation for disability does not begin to accrue until the day after the date of termination of his enrollment as an enrollee. In administering this subchapter for an enrollee covered by this subsection—

(1) the monthly pay of an enrollee is deemed \$150 for the purpose of computing compensation for disability or death, except that with respect to compensation for disability accruing after the individual concerned becomes 21 years of age the monthly pay is deemed to be that received at the minimum rate for GS-2;

(2) section 8113(a), (b) of this title applies to an enrollee; and

(3) “performance of duty” does not include an act of an enrollee while—

(A) on authorized leave or pass; or

(B) absent from his assigned post of duty, except while participating in an activity authorized by or under the direction or supervision of the Job Corps.

(b) This subchapter applies to a volunteer in service to America during training and a volunteer in service to America assigned under section 2943(a)(2) of title 42 to the same extent as enrollees of the Job Corps under subsection (a) of this section.

#### § 8144. Student-employees

A student-employee as defined by section 5351 of this title who suffers disability or death as a result of personal injury arising out of and in the course of training, or incurred in the performance of duties in connection with that training, is considered for the purpose of this subchapter an employee who incurred the injury in the performance of duty.

#### § 8145. Administration

The Secretary of Labor shall administer, and decide all questions arising under, this subchapter. He may—

(1) appoint employees to administer this subchapter; and

(2) delegate to any employee of the Department of Labor any of the powers conferred on him by this subchapter.

#### § 8146. Administration for the Canal Zone and The Alaska Railroad

(a) The President, from time to time, may transfer the administration of this subchapter—

(1) so far as employees of the Canal Zone Government and of the Panama Canal Company are concerned to the Governor of the Canal Zone; and

(2) so far as employees of The Alaska Railroad are concerned to the general manager of The Alaska Railroad.

(b) When administration is transferred under subsection (a) of this section, the expenses incident to physical examinations which are payable under section 8123 of this title shall be paid from appropriations for the Canal Zone Government or for The Alaska Railroad or from funds of the Panama Canal Company, as the case may be, instead of from the Employees' Compensation Fund. The President may authorize the Governor of the Canal Zone and the general manager of The Alaska Railroad to pay the compensation provided by this subchapter, including medical, surgical, and hospital services and supplies under section 8103 of this title and the transportation and burial expenses under sections 8103 and 8134 of this title, from appropriations for the Canal Zone Government and for The Alaska Railroad, and these appropriations shall be reimbursed for the payments by transfer of funds from the Employees' Compensation Fund.

(c) The President may authorize the Governor of the Canal Zone to waive, at his discretion, the making of the claim required by section 8121 of this title in the case of compensation to an employee of the Canal Zone Government or of the Panama Canal Company for temporary disability, either total or partial.

(d) When administration is transferred under subsection (a) of this section to the general manager of The Alaska Railroad, the Secretary of Labor is not divested of jurisdiction and a claimant is entitled to appeal from the decision of the general manager of The Alaska Railroad to the Secretary of Labor. The Secretary on receipt of an appeal shall, or on his own motion may, review the decision of the general manager of The Alaska Railroad, and in accordance with the facts found on review may proceed under section 8128 of this title. The Secretary shall provide the form and manner of taking an appeal.

(e) The same right of appeal exists with respect to claims filed by employees of the Canal Zone Government and of the Panama Canal Company or their dependents in case of death, as is provided with respect to the claims of other employees to whom this subchapter applies, under section 8149 of this title. The Employees' Compensation Appeals Board referred to by section 8149 of this title has jurisdiction, under regulations prescribed by the Secretary, over appeals relating to claims of the employees or their dependents.

#### **§ 8147. Employees' Compensation Fund**

(a) There is in the Treasury of the United States the Employees' Compensation Fund which consists of sums that Congress, from time to time, may appropriate for or transfer to it, and amounts that otherwise accrue to it under this subchapter or other statute. The Fund is available without time limit for the payment of compensation and other benefits and expenses, except administrative expenses, authorized by this subchapter or any extension or application thereof, except as otherwise provided by this subchapter or other statute. The Secretary of Labor shall submit annually to the Bureau of the Budget estimates of appropriations necessary for the maintenance of the Fund.

(b) Before August 15 of each year, the Secretary shall furnish to each agency and instrumentality of the United States having an employee who is or may be entitled to compensation benefits under this subchapter or any extension or application thereof a statement showing the total cost of benefits and other payments made from the Employees' Compensation Fund during the preceding fiscal year on account of the injury or death of employees or individuals under the jurisdiction of the agency or instrumentality. Each agency and instrumentality shall include in its annual budget estimates for the next

fiscal year a request for an appropriation in an amount equal to the costs. Sums appropriated pursuant to the request shall be deposited in the Treasury to the credit of the Fund within 30 days after they are available. An agency or instrumentality not dependent on an annual appropriation shall make the deposit required by this subsection from funds under its control. If an agency or instrumentality (or part or function thereof) is transferred to another agency or instrumentality, the cost of compensation benefits and other expenses paid from the Fund on account of the injury or death of employees of the transferred agency or instrumentality (or part or function) shall be included in costs of the receiving agency or instrumentality.

(c) In addition to the contributions for the maintenance of the Employees' Compensation Fund required by this section, a mixed ownership corporation as defined by section 856 of title 31, or any other corporation or agency or instrumentality (or activity thereof) which is required by statute to submit an annual budget pursuant to or as provided by sections 841-869 of title 31, shall pay an additional amount for its fair share of the cost of administration of this subchapter as determined by the Secretary. With respect to these corporations, agencies, and instrumentalities, the charges billed by the Secretary under this section shall include an additional amount for these costs, which shall be paid into the Treasury as miscellaneous receipts from the sources authorized and in the manner otherwise provided by this section.

#### § 8148. Reports

The Secretary of Labor shall report to Congress at the beginning of each regular session on the work for the preceding fiscal year under this subchapter. The report shall include—

- (1) a detailed statement of appropriations and expenditures;
- (2) a detailed statement showing receipts of and expenditures from the Employees' Compensation Fund; and
- (3) his recommendations for legislation.

#### § 8149. Regulations

The Secretary of Labor may prescribe rules and regulations necessary for the administration and enforcement of this subchapter. The rules and regulations shall provide for an Employees' Compensation Appeals Board of three individuals designated or appointed by the Secretary with authority to hear and, subject to applicable law and the rules and regulations of the Secretary, make final decisions on appeals taken from determinations and awards with respect to claims of employees.

#### § 8150. Effect on other statutes

- (a) This subchapter does not affect the maritime rights and remedies of a master or member of the crew of a vessel.
- (b) Section 8141 of this title and section 9441 of title 10 do not confer military or veteran status on any individual.

### SUBCHAPTER II—EMPLOYEES OF NONAPPROPRIATED FUND INSTRUMENTALITIES

#### § 8171. Compensation for work injuries; generally

(a) Chapter 18 of title 33 applies with respect to disability or death resulting from injury, as defined by section 902(2) of title 33, occurring to an employee of a nonappropriated fund instrumentality described by section 2105(c) of this title who is—

- (1) a United States citizen or a permanent resident of the United States or a territory or possession of the United States employed outside the continental United States; or

(2) employed inside the continental United States.

However, that part of section 903(a) of title 33 which follows the first comma does not apply to such an employee.

(b) For the purpose of this subchapter, the term "employer" in section 902(4) of title 33 includes the nonappropriated fund instrumentalities described by section 2105(c) of this title.

(c) The Secretary of Labor may—

(1) extend compensation districts established under section 939

(b) of title 33, or establish new districts to include the areas outside the continental United States; and

(2) assign to each district one or more deputy commissioners as the Secretary considers advisable.

(d) Judicial proceedings under sections 918 and 921 of title 33 with respect to an injury or death occurring outside the continental United States shall be instituted in the district court within the territorial jurisdiction of which is located the office of the deputy commissioner having jurisdiction with respect to the injury or death.

### § 8172. Employees not citizens or residents of the United States

In case of disability or death resulting from injury, as defined by section 902(2) of title 33, occurring to an employee of a nonappropriated fund instrumentality described by section 2105(c) of this title who is—

(1) not a citizen or permanent resident of the United States or a territory or possession of the United States; and

(2) employed outside the continental United States;

compensation shall be provided in accordance with regulations prescribed by the Secretary of the military department concerned and approved by the Secretary of Defense or regulations prescribed by the Secretary of the Treasury, as the case may be.

### § 8173. Liability under this subchapter exclusive

The liability of the United States or of a nonappropriated fund instrumentality described by section 2105(c) of this title, with respect to the disability or death resulting from injury, as defined by section 902(2) of title 33, of an employee referred to by sections 8171 and 8172 of this title, shall be determined as provided by this subchapter. This liability is exclusive and instead of all other liability of the United States or the instrumentality to the employee, his legal representative, spouse, dependents, next of kin, and any other person otherwise entitled to recover damages from the United States or the instrumentality because of the disability or death in a direct judicial proceeding, in a civil action, or in admiralty, or by an administrative or judicial proceeding under a workmen's compensation statute or under a Federal tort liability statute.

## CHAPTER 83—RETIREMENT

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### SUBCHAPTER I—GENERAL PROVISIONS

#### § 8301. Uniform retirement date

(a) Except as otherwise specifically provided by this title or other statute, retirement authorized by statute is effective on the first day of the month following the month in which retirement would otherwise be effective.

(b) Notwithstanding subsection (a) of this section, the rate of active or retired pay or allowance is computed as of the date retirement would have occurred but for subsection (a) of this section.

### SUBCHAPTER II—FORFEITURE OF ANNUITIES AND RETIRED PAY

#### § 8311. Definitions

For the purpose of this subchapter—

(1) "employee" means—

- (A) an employee as defined by section 2105 of this title;
- (B) a Member of Congress as defined by section 2106 of this title and a Delegate to Congress;
- (C) a member or former member of a uniformed service; and
- (D) an individual employed by the government of the District of Columbia;

(2) "annuity" means a retirement benefit, including a disability insurance benefit and a dependent's or survivor's benefit under subchapter II of chapter 7 of title 42, and a monthly annuity under section 228b or 228e of title 45, payable by an agency of the Government of the United States or the government of the District of Columbia on the basis of service as a civilian employee and other service which is creditable to an employee

toward the benefit under the statute, regulation, or agreement which provides the benefit, but does not include—

(A) a benefit provided under statutes administered by the Veterans' Administration;

(B) pay or compensation which may not be diminished under section 1 of Article III of the Constitution of the United States;

(C) that portion of a benefit payable under subchapter II of chapter 7 of title 42 which would be payable without taking into account, for any of the purposes of that subchapter, including determinations of periods of disability under section 416(i) of title 42, pay for services as an employee;

(D) monthly annuity awarded under section 228b or 228e of title 45 before September 26, 1961, whether or not computed under section 228c(e) of title 45;

(E) that portion of an annuity awarded under section 228b or 228e of title 45 after September 25, 1961, which would be payable without taking into account military service creditable under section 228c-1 of title 45;

(F) a retirement benefit, including a disability insurance benefit and a dependent's or survivor's benefit under subchapter II of chapter 7 of title 42, awarded before September 1, 1954, to an individual or his survivor or beneficiary, insofar as the individual, before September 1, 1954—

(i) was convicted of an offense named by subsection (b) of section 8312 of this title, to the extent provided by that subsection; or

(ii) violated section 8314 or 8315(a)(1) of this title;

or

(G) a retirement benefit, including a disability insurance benefit and a dependent's or survivor's benefit under subchapter II of chapter 7 of title 42, awarded before September 26, 1961, to an individual or his survivor or beneficiary, insofar as the individual, before September 26, 1961—

(i) was convicted of an offense named by subsection (c) of section 8312 of this title, to the extent provided by that subsection; or

(ii) violated section 8315(a)(2) of this title; and

(3) "retired pay" means retired pay, retirement pay, retainer pay, or equivalent pay, payable under a statute to a member or former member of a uniformed service, and an annuity payable to an eligible beneficiary of the member or former member under chapter 73 of title 10 or section 5 of the Uniformed Services Contingency Option Act of 1953 (67 Stat. 504), but does not include—

(A) a benefit provided under statutes administered by the Veterans' Administration;

(B) retired pay, retirement pay, retainer pay, or equivalent pay, awarded before September 1, 1954, to an individual, insofar as the individual, before September 1, 1954—

(i) was convicted of an offense named by subsection (b) of section 8312 of this title, to the extent provided by that subsection; or

(ii) violated section 8314 or 8315(a)(1) of this title;

(C) retired pay, retirement pay, retainer pay, or equivalent

pay, awarded before September 26, 1961, to an individual, insofar as the individual, before September 26, 1961—

(i) was convicted of an offense named by subsection (c) of section 8312 of this title, to the extent provided by that subsection; or

(ii) violated section 8315(a) (2) of this title; or

(D) an annuity payable to an eligible beneficiary of an individual under chapter 73 of title 10 or section 5 of the Uniformed Services Contingency Option Act of 1953 (67 Stat. 504), if the annuity was awarded to the beneficiary, or if retired pay was awarded to the individual, before September 26, 1961, insofar as the individual, on the basis of whose service the annuity was awarded, before September 26, 1961—

(i) was convicted of an offense named by section 8312 of this title, to the extent provided by that section; or

(ii) violated section 8314 or 8315 of this title.

### § 8312. Conviction of certain offenses

(a) An individual, or his survivor or beneficiary, may not be paid annuity or retired pay on the basis of the service of the individual which is creditable toward the annuity or retired pay, subject to the exceptions in section 8311 (2) and (3) of this title, if the individual—

(1) was convicted, before, on, or after September 1, 1954, of an offense named by subsection (b) of this section, to the extent provided by that subsection; or

(2) was convicted, before, on, or after September 26, 1961, of an offense named by subsection (c) of this section, to the extent provided by that subsection.

The prohibition on payment of annuity or retired pay applies—

(A) with respect to the offenses named by subsection (b) of this section, to the period after the date of the conviction or after September 1, 1954, whichever is later; and

(B) with respect to the offenses named by subsection (c) of this section, to the period after the date of conviction or after September 26, 1961, whichever is later.

(b) The following are the offenses to which subsection (a) of this section applies if the individual was convicted before, on, or after September 1, 1954:

(1) An offense within the purview of—

(A) section 792 (harboring or concealing persons), 793 (gathering, transmitting, or losing defense information), 794 (gathering or delivering defense information to aid foreign government), or 798 (disclosure of classified information), of chapter 37 (relating to espionage and censorship) of title 18;

(B) chapter 105 (relating to sabotage) of title 18;

(C) section 2381 (treason), 2382 (misprision of treason), 2383 (rebellion or insurrection), 2384 (seditious conspiracy), 2385 (advocating overthrow of government), 2387 (activities affecting armed forces generally), 2388 (activities affecting armed forces during war), 2389 (recruiting for service against United States), or 2390 (enlistment to serve against United States), of chapter 115 (relating to treason, sedition, and subversive activities) of title 18;

(D) section 10(b) (2), (3), or (4) of the Atomic Energy Act of 1946 (60 Stat. 766, 767), as in effect before August 30, 1954;

(E) section 16(a) or (b) of the Atomic Energy Act of 1946 (60 Stat. 773), as in effect before August 30, 1954, insofar as the offense is committed with intent to injure the United States or with intent to secure an advantage to a foreign nation; or

(F) an earlier statute on which a statute named by subparagraph (A), (B), or (C) of this paragraph (1) is based.

(2) An offense within the purview of—

(A) article 104 (aiding the enemy) or article 106 (spies) of the Uniform Code of Military Justice (chapter 47 of title 10) or an earlier article on which article 104 or article 106, as the case may be, is based; or

(B) a current article of the Uniform Code of Military Justice (or an earlier article on which the current article is based) not named by subparagraph (A) of this paragraph (2) on the basis of charges and specifications describing a violation of a statute named by paragraph (1), (3), or (4) of this subsection, if the executed sentence includes death, dishonorable discharge, or dismissal from the service, or if the defendant dies before execution of that sentence as finally approved.

(3) Perjury committed under the statutes of the United States or the District of Columbia—

(A) in falsely denying the commission of an act which constitutes an offense within the purview of—

(i) a statute named by paragraph (1) of this subsection; or

(ii) an article or statute named by paragraph (2) of this subsection insofar as the offense is within the purview of an article or statute named by paragraph (1) or (2)

(A) of this subsection;

(B) in falsely testifying before a Federal grand jury, court of the United States, or court-martial with respect to his service as an employee in connection with a matter involving or relating to an interference with or endangerment of, or involving or relating to a plan or attempt to interfere with or endanger, the national security or defense of the United States; or

(C) in falsely testifying before a congressional committee in connection with a matter under inquiry before the congressional committee involving or relating to an interference with or endangerment of, or involving or relating to a plan or attempt to interfere with or endanger, the national security or defense of the United States.

(4) Subornation of perjury committed in connection with the false denial or false testimony of another individual as specified by paragraph (3) of this subsection.

(c) The following are the offenses to which subsection (a) of this section applies if the individual was convicted before, on, or after September 26, 1961:

(1) An offense within the purview of—

(A) section 2272 (violation of specific sections) or 2273 (violation of sections generally of chapter 23 of title 42) of title 42 insofar as the offense is committed with intent to injure the United States or with intent to secure an advantage to a foreign nation;

(B) section 2274 (communication of restricted data), 2275 (receipt of restricted data), or 2276 (tampering with restricted data) of title 42; or

(C) section 783 (conspiracy and communication or receipt of classified information), 822 (conspiracy or evasion of apprehension during internal security emergency), or 823 (aiding evasion of apprehension during internal security emergency) of title 50.

(2) An offense within the purview of a current article of the Uniform Code of Military Justice (chapter 47 of title 10) or an earlier article on which the current article is based, as the case may be, on the basis of charges and specifications describing a violation of a statute named by paragraph (1), (3), or (4) of this subsection, if the executed sentence includes death, dishonorable discharge, or dismissal from the service, or if the defendant dies before execution of that sentence as finally approved.

(3) Perjury committed under the statutes of the United States or the District of Columbia in falsely denying the commission of an act which constitutes an offense within the purview of a statute named by paragraph (1) of this subsection.

(4) Subornation of perjury committed in connection with the false denial of another individual as specified by paragraph (3) of this subsection.

### § 8313. Absence from the United States to avoid prosecution

(a) An individual, or his survivor or beneficiary, may not be paid annuity or retired pay on the basis of the service of the individual which is creditable toward the annuity or retired pay, subject to the exceptions in section 8311 (2) and (3) of this title, if the individual—

(1) is under indictment, or has outstanding against him charges preferred under the Uniform Code of Military Justice—

(A) after July 31, 1956, for an offense named by section 8312(b) of this title; or

(B) after September 26, 1961, for an offense named by section 8312(c) of this title; and

(2) willfully remains outside the United States, or its territories and possessions including the Commonwealth of Puerto Rico, for more than 1 year with knowledge of the indictment or charges, as the case may be.

(b) The prohibition on payment of annuity or retired pay under subsection (a) of this section applies to the period after the end of the 1-year period and continues until—

(1) a nolle prosequi to the entire indictment is entered on the record or the charges are dismissed by competent authority;

(2) the individual returns and thereafter the indictment or charges is or are dismissed; or

(3) after trial by court or court-martial, the accused is found not guilty of the offense or offenses.

### § 8314. Refusal to testify

(a) An individual, or his survivor or beneficiary, may not be paid annuity or retired pay on the basis of the service of the individual which is creditable toward the annuity or retired pay, subject to the exceptions in section 8311 (2) and (3) of this title, if the individual, before, on, or after September 1, 1954, refused or refuses, or knowingly and willfully failed or fails, to appear, testify, or produce a book, paper, record, or other document, relating to his service as an em-

ployee, before a Federal grand jury, court of the United States, court-martial, or congressional committee, in a proceeding concerning—

(1) his past or present relationship with a foreign government;

or

(2) a matter involving or relating to an interference with or endangerment of, or involving or relating to a plan or attempt to interfere with or endanger, the national security or defense of the United States.

(b) The prohibition on payment of annuity or retired pay under subsection (a) of this section applies to the period after the date of the failure or refusal of the individual, or after September 1, 1954, whichever is later.

### § 8315. Falsifying employment applications

(a) An individual, or his survivor or beneficiary, may not be paid annuity or retired pay on the basis of the service of the individual which is creditable toward the annuity or retired pay, subject to the exceptions in section 8311 (2) and (3) of this title, if the individual knowingly and willfully made or makes a false, fictitious, or fraudulent statement or representation, or knowingly and willfully concealed or conceals a material fact—

(1) before, on, or after September 1, 1954, concerning his—

(A) past or present membership in, affiliation or association with, or support of the Communist Party, or a chapter, branch, or subdivision thereof, in or outside the United States, or other organization, party, or group advocating—

(i) the overthrow, by force, violence, or other unconstitutional means, of the Government of the United States;

(ii) the establishment, by force, violence, or other unconstitutional means, of a Communist totalitarian dictatorship in the United States; or

(iii) the right to strike against the United States;

(B) conviction of an offense named by subsection (b) of section 8312 of this title, to the extent provided by that subsection; or

(C) failure or refusal to appear, testify, or produce a book, paper, record, or other document, as specified by section 8314 of this title; or

(2) before, on, or after September 26, 1961, concerning his conviction of an offense named by subsection (c) of section 8312 of this title, to the extent provided by that subsection;

in a document executed by the individual in connection with his employment in, or application for, a civilian or military office or position in or under the legislative, executive, or judicial branch of the Government of the United States or the government of the District of Columbia.

(b) The prohibition on the payment of annuity or retired pay applies—

(1) with respect to matters specified by subsection (a) (1) of this section, to the period after the statement, representation, or concealment of fact is made or occurs, or after September 1, 1954, whichever is later; and

(2) with respect to matters specified by subsection (a) (2) of this section, to the period after the statement, representation, or concealment of fact is made or occurs, or after September 26, 1961, whichever is later.

**§ 8316. Refund of contributions and deposits**

(a) When payment of annuity or retired pay is denied under this subchapter because an individual was convicted of an offense named by section 8312 of this title, to the extent provided by that section, or violated section 8314 or 8315 of this title—

(1) the amount, except employment taxes, contributed by the individual toward the annuity, less the amount previously refunded or paid as annuity benefits; and

(2) deposits made under section 1438 of title 10 or section 5 of the Uniformed Services Contingency Option Act of 1953 (67 Stat. 504) to provide the eligible beneficiary with annuity for any period, less the amount previously paid as retired pay benefits; shall be refunded, on appropriate application therefor—

(A) to the individual;

(B) if the individual is dead, to the beneficiary designated to receive refunds by or under the statute, regulation, or agreement under which the annuity, the benefits of which are denied under this subchapter, would have been payable; or

(C) if a beneficiary is not designated, in the order of precedence prescribed by section 8342(c) of this title or section 2771 of title 10, as the case may be.

(b) A refund under subsection (a) of this section shall be made with interest at the rate and for the period provided under the statute, regulation, or agreement under which the annuity would have been payable. However, interest may not be computed—

(1) if the individual was convicted of an offense named by section 8312(b) of this title, or violated section 8314 or 8315(a) (1) of this title, for the period after the conviction or commission of the violation, or after September 1, 1954, whichever is later; or

(2) if the individual was convicted of an offense named by section 8312(c) of this title, or violated section 8315(a) (2) of this title, for the period after the conviction or commission of the violation, or after September 26, 1961, whichever is later.

**§ 8317. Repayment of annuity or retired pay properly paid; waiver**

(a) An individual, or his survivor or beneficiary, to whom payment of annuity is denied under this subchapter is not thereafter required to repay that part of the annuity otherwise properly paid to the individual, or to his survivor or beneficiary on the basis of the service of the individual, which is in excess of the aggregate amount of the contributions of the individual toward the annuity, with applicable interest.

(b) An individual, including an eligible beneficiary under chapter 73 of title 10 or section 5 of the Uniformed Services Contingency Option Act of 1953 (67 Stat. 504), to whom payment of retired pay is denied under this subchapter is not thereafter required to repay retired pay otherwise properly paid to the individual or beneficiary which is paid in violation of this subchapter.

**§ 8318. Restoration of annuity or retired pay**

(a) If an individual who was convicted, before, on, or after September 1, 1954, of—

(1) an offense named by section 8312 of this title; or

(2) an offense constituting a violation of section 8314 or 8315 of this title;

is pardoned by the President, the right of the individual and his survivor or beneficiary to receive annuity or retired pay previously denied under this subchapter is restored as of the date of the pardon.

(b) The President may restore, effective as of the date he prescribes, the right to receive annuity or retired pay which is denied, before, on, or after September 1, 1954, under section 8314 or 8315 of this title, to the individual and to his survivor or beneficiary.

(c) Payment of annuity or retired pay which results from pardon or restoration by the President under subsection (a) or (b) of this section may not be made for a period before—

(1) the date of pardon referred to by subsection (a) of this section; or

(2) the effective date of restoration referred to by subsection (b) of this section.

(d) Credit for a period of service covered by a refund under section 8316 of this title is allowed only after the amount refunded has been redeposited.

**§ 8319. Removal of members of the uniformed services from rolls; restoration; reappointment**

(a) The President may drop from the rolls a member of a uniformed service who is deprived of retired pay under this subchapter.

(b) The President may restore—

(1) military status to an individual dropped from the rolls to whom retired pay is restored under this subchapter or under section 2 of the Act of September 26, 1961 (75 Stat. 648); and

(2) all rights and privileges to the individual and his beneficiaries of which he or they were deprived because his name was dropped from the rolls.

(c) If the individual restored was a commissioned officer, the President alone may reappoint him to the grade and position on the retired list held when his name was dropped from the rolls.

**§ 8320. Offense or violation committed in compliance with orders**

When it is established by satisfactory evidence that an individual—

(1) was convicted of an offense named by section 8312 of this title; or

(2) violated section 8314 or 8315 of this title;

as a result of proper compliance with orders issued, in a confidential relationship, by an agency or other authority of the Government of the United States or the government of the District of Columbia, the right to receive annuity or retired pay may not be denied.

**§ 8321. Liability of accountable employees**

An accountable employee may not be held responsible for a payment made in violation of this subchapter when the payment made is in due course and without fraud, collusion, or gross negligence.

**§ 8322. Effect on other statutes**

This subchapter does not restrict authority under a statute, other than this subchapter, to deny or withhold benefits authorized by statute.

**SUBCHAPTER III—CIVIL SERVICE RETIREMENT**

**§ 8331. Definitions**

For the purpose of this subchapter—

(1) "employee" means—

(A) an employee as defined by section 2105 of this title;

(B) the Architect of the Capitol and an employee of the Architect of the Capitol;

(C) a Congressional employee as defined by section 2107 of this title (except the Architect of the Capitol and an employee of the Architect of the Capitol), after he gives notice in writing to the official by whom he is paid of his desire to come within the purview of this subchapter;

(D) a temporary Congressional employee appointed at an annual rate of pay, after he gives notice in writing to the official by whom he is paid of his desire to come within the purview of this subchapter;

(E) a United States Commissioner whose total pay for services performed as Commissioner is not less than \$3,000 in each of the last 3 consecutive calendar years ending after December 31, 1954;

(F) an individual employed by a county committee established under section 590h(b) of title 16;

(G) an individual employed by the government of the District of Columbia;

(H) an individual employed by Gallaudet College; and

(I) an individual appointed to a position on the office staff of a former President under section 1(b) of the Act of August 25, 1958 (72 Stat. 838);

3 USC 102 note.

but does not include—

(i) a justice or judge of the United States as defined by section 451 of title 28;

(ii) an employee subject to another retirement system for Government employees;

(iii) an employee or group of employees in or under an Executive agency excluded by the Civil Service Commission under section 8347(g) of this title;

(iv) an individual or group of individuals employed by the government of the District of Columbia excluded by the Commission under section 8347(h) of this title;

(v) a temporary employee of the Administrative Office of the United States Courts or of a court named by section 610 of title 28;

(vi) a construction employee or other temporary, part-time, or intermittent employee of the Tennessee Valley Authority;

(vii) an employee under the Office of the Architect of the Capitol excluded by the Architect of the Capitol under section 8347(i) of this title;

(viii) an employee under the Library of Congress excluded by the Librarian of Congress under section 8347(j) of this title; or

(ix) a student-employee as defined by section 5351 of this title.

Notwithstanding this paragraph, the employment of a teacher in the recess period between two school years in a position other than a teaching position in which he served immediately before the recess period does not qualify the individual as an employee for the purpose of this subchapter. For the purpose of the preceding sentence, "teacher" and "teaching position" have the meanings given them by section 901 of title 20;

(2) "Member" means a Member of Congress as defined by section 2106 of this title, and a Delegate to Congress, after he gives notice in writing to the official by whom he is paid of his desire to come within the purview of this subchapter;

## (3) "basic pay" includes—

(A) the amount a Member received from April 1, 1954, to February 28, 1955, as expense allowance under section 601(b) of the Legislative Reorganization Act of 1946 (60 Stat. 850), as amended; and that amount from January 3, 1953, to March 31, 1954, if deposit is made therefor as provided by section 8334 of this title; and

## (B) additional pay provided by—

(i) subsection (a) of section 60e-7 of title 2 and the provisions of law referred to by that subsection; and

(ii) sections 60e-8, 60e-9, 60e-10, and 60e-11 of title 2;

but does not include bonuses, allowances, overtime pay, military pay, pay given in addition to the base pay of the position as fixed by law or regulation except as provided by subparagraph (B) of this paragraph, retroactive pay under section 5344 of this title in the case of a retired or deceased employee, uniform allowances under section 5901 of this title, or lump-sum leave payments under subchapter VI of chapter 55 of this title. For an employee paid on a fee basis, the maximum amount of basic pay which may be used is \$10,000;

(4) "average pay" means the largest annual rate resulting from averaging an employee's or Member's rates of basic pay in effect—

(A) over any 5 consecutive years of creditable service; or

(B) at a Member's option over all periods of Member service after August 2, 1946, used in the computation of an annuity under this subchapter;

with each rate weighted by the time it was in effect;

(5) "Fund" means the Civil Service Retirement and Disability Fund;

(6) "disabled" and "disability" mean totally disabled or total disability, respectively, for useful and efficient service in the grade or class of position last occupied by the employee or Member because of disease or injury not due to vicious habits, intemperance, or willful misconduct on his part within 5 years before becoming so disabled;

(7) "Government" means the Government of the United States, the government of the District of Columbia, and Gallaudet College;

(8) "lump-sum credit" means the unrefunded amount consisting of—

(A) retirement deductions made from the basic pay of an employee or Member;

(B) amounts deposited by an employee or Member covering earlier service; and

(C) interest on the deductions and deposits at 4 percent a year to December 31, 1947, and 3 percent a year thereafter compounded annually to December 31, 1956, or, in the case of an employee or Member separated or transferred to a position not within the purview of this subchapter before he has completed 5 years of civilian service, to the date of the separation or transfer;

but does not include interest—

(i) if the service covered thereby aggregates 1 year or less; or

(ii) for the fractional part of a month in the total service;

(9) "annuitant" means a former employee or Member who, on the basis of his service, meets all requirements of this subchapter for title to annuity and files claim therefor;

(10) "survivor" means an individual entitled to annuity under this subchapter based on the service of a deceased employee, Member, or annuitant;

(11) "survivor annuitant" means a survivor who files claim for annuity;

(12) "service" means employment creditable under section 8332 of this title;

(13) "military service" means honorable active service—

(A) in the armed forces;

(B) in the Regular or Reserve Corps of the Public Health Service after June 30, 1960; or

(C) as a commissioned officer of the Coast and Geodetic Survey after June 30, 1961;

but does not include service in the National Guard except when ordered to active duty in the service of the United States;

(14) "Member service" means service as a Member and includes the period from the date of the beginning of the term for which elected or appointed to the date on which he takes office as a Member; and

(15) "price index" means the annual average over a calendar year of the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics.

### § 8332. Creditable service

(a) The total service of an employee or Member is the full years and twelfth parts thereof, excluding from the aggregate the fractional part of a month, if any.

(b) The service of an employee shall be credited from the date of original employment to the date of separation on which title to annuity is based in the civilian service of the Government. Credit may not be allowed for a period of separation from the service in excess of 3 calendar days. The service includes—

(1) employment as a substitute in the postal field service;

(2) service in the Pan American Sanitary Bureau;

(3) subject to sections 8334(c) and 8339(h) of this title, service performed before July 10, 1960, as an employee of a county committee established under section 590h(b) of title 16 or of a committee or an association of producers described by section 610(b) of title 7;

(4) service as a student-employee as defined by section 5351 of this title only if he later becomes subject to this subchapter; and

(5) a period of satisfactory service of a volunteer or volunteer leader under chapter 34 of title 22 only if he later becomes subject to this subchapter.

The Civil Service Commission shall accept the certification of the Secretary of Agriculture or his designee concerning service for the purpose of this subchapter of the type performed by an employee named by paragraph (3) of this subsection. For the purpose of paragraph (5) of this subsection—

(A) a volunteer and a volunteer leader are deemed receiving pay during their service at the respective rates of readjustment allowances payable under sections 2504(c) and 2505(1) of title 22; and

(B) the period of an individual's service as a volunteer or volunteer leader under chapter 34 of title 22 is the period between enrollment as a volunteer or volunteer leader and the termination of that service by the President or by death or resignation.

(c) Except as provided by subsection (d) of this section, an employee or Member shall be allowed credit for periods of military service before the date of the separation on which title to annuity is based. However, if an employee or Member is awarded retired pay on account of military service, his military service may not be credited unless the retired pay is awarded—

(1) on account of a service-connected disability—

(A) incurred in combat with an enemy of the United States; or

(B) caused by an instrumentality of war and incurred in line of duty during a period of war as defined by section 301 of title 38; or

(2) under chapter 67 of title 10.

(d) For the purpose of section 8339(c) (1) of this title, a Member—

(1) shall be allowed credit only for periods of military service not exceeding 5 years, plus military service performed by the Member on leaving his office, for the purpose of performing military service, during a war or national emergency proclaimed by the President or declared by Congress and before his final separation from service as Member; and

(2) may not receive credit for military service for which credit is allowed for purpose of retired pay under other statute.

(e) This subchapter does not affect the right of an employee or Member to retired pay, pension, or compensation in addition to an annuity payable under this subchapter.

(f) Credit shall be allowed for leaves of absence without pay granted an employee while performing military service or while receiving benefits under subchapter I of chapter 81 of this title. Except for a substitute in the postal field service, credit may not be allowed for so much of other leaves of absence without pay as exceeds 6 months in the aggregate in a calendar year.

(g) An employee who during the period of a war, or of a national emergency as proclaimed by the President or declared by Congress, leaves his position to enter the military service is deemed, for the purpose of this subchapter, as not separated from his civilian position because of that military service, unless he applies for and receives a lump-sum credit under this subchapter. However, the employee is deemed as not retaining his civilian position after December 31, 1956, or after the expiration of 5 years of that military service, whichever is later.

(h) An employee who—

(1) has at least 5 years' Member service; and

(2) serves as a Member at any time after August 2, 1946;

may not be allowed credit for service which is used in the computation of an annuity under section 8339(c) of this title.

(i) An individual who qualifies as an employee under section 8331(1)(E) of this title is entitled to credit for his service as a United States Commissioner, which is not credited for the purpose of this subchapter for service performed by him in a capacity other than Commissioner, on the basis of—

(1) 1/313 of a year for each day on which he performed service as a Commissioner before July 1, 1945; and

(2) 1/260 of a year for each day on which he performed service as a Commissioner after June 30, 1945.

Credit for service performed as Commissioner may not exceed 313 days in a year before July 1, 1945, or 260 days in a year after June 30, 1945. For the purpose of this subchapter, the employment and pay of a Commissioner is deemed on a daily basis when actually employed.

(j) Notwithstanding any other provision of this section, military service, except military service covered by military leave with pay from a civilian position, performed by an individual after December 1956, and the period of an individual's service as a volunteer or volunteer leader under chapter 34 of title 22, shall be excluded in determining the aggregate period of service on which an annuity payable under this subchapter to the individual or to his widow or child is based, if the individual, widow, or child is entitled, or would on proper application be entitled, at the time of that determination, to monthly old-age or survivors benefits under section 402 of title 42 based on the individual's wages and self-employment income. If the military service or service as a volunteer or volunteer leader under chapter 34 of title 22 is not excluded by the preceding sentence, but on becoming 62 years of age, the individual or widow becomes entitled, or would on proper application be entitled, to the described benefits, the Civil Service Commission shall redetermine the aggregate period of service on which the annuity is based, effective as of the first day of the month in which he or she becomes 62 years of age, so as to exclude that service. The Secretary of Health, Education, and Welfare, on request of the Commission, shall inform the Commission whether or not the individual, widow, or child is entitled at any named time to the described benefits. For the purpose of this subsection, the period of an individual's service as a volunteer or volunteer leader under chapter 34 of title 22 is the period between enrollment as a volunteer or volunteer leader and termination of that service by the President or by death or resignation.

### § 8333. Eligibility for annuity

(a) An employee must complete at least 5 years of civilian service before he is eligible for an annuity under this subchapter.

(b) An employee or Member must complete, within the last 2 years before any separation from service, except a separation because of death or disability, at least 1 year of creditable civilian service during which he is subject to this subchapter before he or his survivors are eligible for annuity under this subchapter based on the separation. If an employee or Member, except an employee or Member separated from the service because of death or disability, fails to meet the service requirement of the preceding sentence, the amounts deducted from his pay during the service for which no eligibility for annuity is established based on the separation shall be returned to him on the separation. Failure to meet this service requirement does not deprive the individual or his survivors of annuity rights which attached on a previous separation.

(c) A Member or his survivor is eligible for an annuity under this subchapter only if the amounts named by section 8334 of this title have been deducted or deposited with respect to his last 5 years of civilian service.

### § 8334. Deductions, contributions, and deposits

(a) The employing agency shall deduct and withhold 6½ percent of the basic pay of an employee and 7½ percent of the basic pay of

a Member, and an equal amount shall be contributed from the appropriation or fund used to pay the employee or, in the case of an elected official, from an appropriation or fund available for payment of other salaries of the same office or establishment. When an employee in the legislative branch is paid by the Clerk of the House of Representatives, the Clerk may pay from the contingent fund of the House the contribution that otherwise would be contributed from the appropriation or fund used to pay the employee. The amounts so deducted and withheld, together with the amounts so contributed, shall be deposited in the Treasury of the United States to the credit of the Fund under such procedures as the Comptroller General of the United States may prescribe. Deposits made by an employee or Member under this section also shall be credited to the Fund.

(b) Each employee or Member is deemed to consent and agree to these deductions from basic pay. Notwithstanding any law or regulation affecting the pay of an employee or Member, payment less these deductions is a full and complete discharge and acquittance of all claims and demands for regular services during the period covered by the payment, except the right to the benefits to which the employee or Member is entitled under this subchapter.

(c) Each employee or Member credited with civilian service after July 31, 1920, for which retirement deductions or deposits have not been made, may deposit with interest an amount equal to the following percentages of his basic pay received for that service:

	Percentage of basic pay	Service period
Employee-----	2½-----	August 1, 1920, to June 30, 1926.
	3½-----	July 1, 1926, to June 30, 1942.
	5-----	July 1, 1942, to June 30, 1948.
	6-----	July 1, 1948, to October 31, 1956.
	6½-----	After October 31, 1956.
	2½-----	August 1, 1920, to June 30, 1926.
Member for Member service.	3½-----	July 1, 1926, to June 30, 1942.
	5-----	July 1, 1942, to August 1, 1946.
	6-----	August 2, 1946, to October 31, 1956.
	7½-----	After October 31, 1956.

(d) Each employee or Member who has received a refund of retirement deductions under this or any other retirement system established for employees of the Government covering service for which he may be allowed credit under this subchapter may deposit the amount received, with interest. Credit may not be allowed for the service covered by the refund until the deposit is made.

(e) Interest under subsection (c) or (d) of this section is computed from the mid-point of each service period included in the computation, or from the date refund was paid, to the date of deposit or commencing date of annuity, whichever is earlier. The interest is computed at the rate of 4 percent a year to December 31, 1947, and 3 percent a year thereafter compounded annually. The deposit may be made in one or more installments. Interest may not be charged for a period of separation from the service which began before October 1, 1956.

(f) Under such regulations as the Civil Service Commission may prescribe, amounts deducted under subsection (a) of this section and deposited under subsections (c) and (d) of this section shall be entered on individual retirement records.

(g) Deposit may not be required for—

- (1) service before August 1, 1920;
- (2) military service; or
- (3) service for the Panama Railroad Company before January 1, 1924.

(h) For the purpose of survivor annuity, deposits authorized by subsections (c) and (d) of this section may also be made by the survivor of an employee or Member.

### § 8335. Mandatory separation

(a) Except as otherwise provided by this section, an employee who becomes 70 years of age and completes 15 years of service shall be automatically separated from the service. The separation is effective on the last day of the month in which the employee becomes 70 years of age or completes 15 years of service if then over that age, and pay ends from that day.

(b) The employing office shall notify each employee under its direction of the date of his separation from the service at least 60 days in advance thereof, and subsection (a) of this section does not take effect without the consent of the employee until 60 days after he is so notified.

(c) The President, by Executive order, may exempt an employee from automatic separation under this section when in his judgment the public interest so requires.

(d) The automatic separation provisions of this section do not apply to—

(1) an individual named by a statute providing for the continuance of the individual in the service;

(2) a Member;

(3) a Congressional employee; or

(4) an employee in the judicial branch appointed to hold office for a definite term of years.

(e) This section applies to an employee of The Alaska Railroad in Alaska, and to an employee who is a citizen of the United States employed on the Isthmus of Panama by the Panama Canal Company or the Canal Zone Government, who becomes 62 years of age and completes 15 years of service in Alaska or on the Isthmus of Panama.

### § 8336. Immediate retirement

(a) An employee who is separated from the service after becoming 60 years of age and completing 30 years of service is entitled to an annuity.

(b) An employee who is separated from the service after becoming 55 years of age (but before becoming 60 years of age) and completing 30 years of service is entitled to a reduced annuity.

(c) An employee, the duties of whose position are primarily the investigation, apprehension, or detention of individuals suspected or convicted of offenses against the criminal laws of the United States, including an employee engaged in this activity who is transferred to a supervisory or administrative position, who is separated from the service after becoming 50 years of age and completing 20 years of service in the performance of these duties is entitled to an annuity if the head of his agency recommends his retirement and the Civil Service Commission approves that recommendation. The head of the agency and the Commission shall consider fully the degree of hazard to which the employee is subjected in the performance of his duties, instead of the general duties of the class of the position held by the employee. For the purpose of this subsection, "detention" includes the duties of—

(1) employees of the Bureau of Prisons and Federal Prison Industries, Incorporated;

(2) employees of the Public Health Service assigned to the field service of the Bureau of Prisons or of the Federal Prison Industries, Incorporated;

(3) employees in the field service at Army or Navy disciplinary barracks or at confinement and rehabilitation facilities operated by any of the armed forces; and

(4) employees of the Department of Corrections of the District of Columbia, its industries and utilities;

whose duties in connection with individuals in detention suspected or convicted of offenses against the criminal laws of the United States or of the District of Columbia or offenses against the punitive articles of the Uniform Code of Military Justice (chapter 47 of title 10) require frequent (as determined by the appropriate administrative authority with the concurrence of the Commission) direct contact with these individuals in their detention, direction, supervision, inspection, training, employment, care, transportation, or rehabilitation.

(d) An employee who is involuntarily separated from the service, except by removal for cause on charges of misconduct or delinquency, after completing 25 years of service or after becoming 50 years of age and completing 20 years of service is entitled to a reduced annuity.

(e) An employee who is separated from the service after becoming 62 years of age and completing 5 years of service is entitled to an annuity.

(f) A Member who is separated from the service after becoming 62 years of age and completing 5 years of civilian service or after becoming 60 years of age and completing 10 years of Member service is entitled to an annuity. A Member who is separated from the service after becoming 55 years of age (but before becoming 60 years of age) and completing 30 years of service is entitled to a reduced annuity. A Member who is separated from the service, except by resignation or expulsion, after completing 25 years of service or after becoming 50 years of age and (1) completing 20 years of service or (2) serving in 9 Congresses is entitled to a reduced annuity.

(g) An annuity or reduced annuity authorized by this section is computed under section 8339 of this title.

### § 8337. Disability retirement

(a) An employee who completes 5 years of civilian service and is found by the Civil Service Commission to have become disabled shall be retired on his own application or on application by his agency. A Member who completes 5 years of Member service and is found by the Commission to have become disabled shall be retired on his own application. An annuity authorized by this section is computed under section 8339 of this title.

(b) A claim may be allowed under this section only if the application is filed with the Commission before the employee or Member is separated from the service or within 1 year thereafter. This time limitation may be waived by the Commission for an employee or Member who at the date of separation from service or within 1 year thereafter is mentally incompetent, if the application is filed with the Commission within 1 year from the date of restoration of the employee or Member to competency or the appointment of a fiduciary, whichever is earlier.

(c) An annuitant receiving disability retirement annuity from the Fund shall be examined under the direction of the Commission—

(1) at the end of 1 year from the date of the disability retirement; and

(2) annually thereafter until he becomes 60 years of age; unless his disability is permanent in character. If the annuitant fails to submit to examination as required by this section, payment of

the annuity shall be suspended until continuance of the disability is satisfactorily established.

(d) If an annuitant receiving disability retirement annuity from the Fund, before becoming 60 years of age, recovers from his disability, payment of the annuity terminates on reemployment by the Government or 1 year after the date of the medical examination showing the recovery, whichever is earlier. If an annuitant receiving disability retirement annuity from the Fund, before becoming 60 years of age, is restored to an earning capacity fairly comparable to the current rate of pay of the position occupied at the time of retirement, payment of the annuity terminates on reemployment by the Government or 1 year after the end of the calendar year in which earning capacity is so restored, whichever is earlier. Earning capacity is deemed restored if in each of 2 succeeding calendar years the income of the annuitant from wages or self-employment or both equals at least 80 percent of the current rate of pay of the position occupied immediately before retirement.

(e) If an annuitant whose annuity is terminated under subsection (d) of this section is not reemployed in a position within the purview of this subchapter, he is deemed, except for service credit, to have been involuntarily separated from the service for the purpose of this subchapter as of the date of termination of the disability annuity, and after that termination is entitled to annuity under the applicable provisions of this subchapter. If an annuitant whose annuity is heretofore or hereafter terminated because of an earning capacity provision of this subchapter or an earlier statute—

(1) is not reemployed in a position within the purview of this subchapter; and

(2) has not recovered from the disability for which he was retired;

his annuity shall be restored at the same rate effective the first of the year following any calendar year in which his income from wages or self-employment or both is less than 80 percent of the current rate of pay of the position occupied immediately before retirement. If an annuitant whose annuity is heretofore or hereafter terminated because of a medical finding that he has recovered from disability is not reemployed in a position within the purview of this subchapter, his annuity shall be restored at the same rate effective from the date of medical examination showing a recurrence of the disability. The second and third sentences of this subsection do not apply to an individual who has become 62 years of age and is receiving or is eligible to receive annuity under the first sentence of this subsection.

(f) An individual is not entitled to receive an annuity under this subchapter and compensation for injury or disability to himself under subchapter I of chapter 81 of this title covering the same period of time. This provision does not bar the right of a claimant to the greater benefit conferred by either subchapter for any part of the same period of time. Neither this provision nor any provision of subchapter I of chapter 81 of this title denies to an individual an annuity accruing to him under this subchapter on account of service performed by him, or denies any concurrent benefit to him under subchapter I of chapter 81 of this title on account of the death of another individual.

(g) The right of an individual entitled to an annuity under this subchapter is not affected because he has received a lump-sum payment for compensation under section 8135 of this title. However, if the annuity is payable on account of the same disability for which compensation under section 8135 of this title has been paid, so much of

the compensation as has been paid for a period extended beyond the date the annuity becomes effective, as determined by the Department of Labor, shall be refunded to that Department to be covered into the Employees' Compensation Fund. Before the individual may receive the annuity he shall—

(1) refund to the Department of Labor the amount representing the commuted compensation payments for the extended period; or

(2) authorize the deduction of that amount from the annuity payable to him under this subchapter, which amount shall be transmitted to the Department of Labor for reimbursement to the Employees' Compensation Fund.

Deductions from the annuity may be made from accrued and accruing payments. When the Department of Labor finds that the financial circumstances of the annuitant warrant deferred refunding, deductions from the annuity may be prorated against and paid from accruing payments in such manner as that Department determines.

### § 8338. Deferred retirement

(a) An employee who is separated from the service or transferred to a position not within the purview of this subchapter after completing 5 years of civilian service is entitled to an annuity beginning at the age of 62 years.

(b) A Member who, after December 31, 1955, is separated from the service as a Member after completing 5 years of civilian service is entitled to an annuity beginning at the age of 62 years. A Member who is separated from the service after completing 10 or more years of Member service is entitled to an annuity beginning at the age of 60 years. A Member who is separated from the service after completing 20 or more years of service, including 10 or more years of Member service, is entitled to a reduced annuity beginning at the age of 50 years.

(c) An annuity or reduced annuity authorized by this section is computed under section 8339 of this title.

### § 8339. Computation of annuity

(a) Except as otherwise provided by this section, the annuity of an employee retiring under this subchapter is—

(1) 1½ percent of his average pay multiplied by so much of his total service as does not exceed 5 years; plus

(2) 1¾ percent of his average pay multiplied by so much of his total service as exceeds 5 years but does not exceed 10 years; plus

(3) 2 percent of his average pay multiplied by so much of his total service as exceeds 10 years.

However, when it results in a larger annuity, 1 percent of his average pay plus \$25 is substituted for the percentage specified by paragraph (1), (2), or (3) of this subsection, or any combination thereof.

(b) The annuity of a Congressional employee, or former Congressional employee, retiring under this subchapter is computed under subsection (a) of this section, except, if he has had—

(1) at least 5 years' service as a Congressional employee or Member or any combination thereof; and

(2) deductions withheld from his pay or has made deposit covering his last 5 years of civilian service;

his annuity is computed, with respect to so much of his service as a Congressional employee and his military service as does not exceed a

total of 15 years and any Member service, by multiplying  $2\frac{1}{2}$  percent of his average pay by the years of that service.

(c) The annuity of a Member, or former Member with title to Member annuity, retiring under this subchapter is computed under subsection (a) of this section, except, if he has had at least 5 years' service as a Member or Congressional employee or any combination thereof, his annuity is computed with respect to—

(1) his service as a Member and so much of his military service as is creditable for the purpose of this paragraph; and

(2) so much of his Congressional employee service as does not exceed 15 years;

by multiplying  $2\frac{1}{2}$  percent of his average pay by the years of that service.

(d) The annuity of an employee retiring under section 8336(c) of this title is 2 percent of his average pay multiplied by his total service.

(e) The annuity computed under subsections (a)–(d) of this section may not exceed 80 percent of—

(1) the average pay of the employee; or

(2) the final basic pay of the Member.

(f) The annuity of an employee or Member retiring under section 8337 of this title is at least the smaller of—

(1) 40 percent of his average pay; or

(2) the sum obtained under subsections (a)–(c) of this section after increasing his service of the type last performed by the period elapsing between the date of separation and the date he becomes 60 years of age.

However, this subsection does not increase the annuity of a survivor.

(g) The annuity computed under subsections (a)–(c) and (e) of this section for an employee retiring under section 8336 (b) or (d) of this title, or a Member retiring under the second or third sentence of section 8336(f) of this title or the third sentence of section 8338 (b) of this title, is reduced by  $\frac{1}{12}$  of 1 percent for each full month not in excess of 60 months, and  $\frac{1}{6}$  of 1 percent for each full month in excess of 60 months, the employee or Member is under 60 years of age at the date of separation.

(h) The annuity computed under subsections (a)–(g) of this section is reduced by 10 percent of a deposit described by section 8334 (c) of this title remaining unpaid, unless the employee or Member elects to eliminate the service involved for the purpose of annuity computation.

(i) The annuity computed under subsections (a)–(h) of this section (excluding any increase because of retirement under section 8337 of this title) for a married employee or Member retiring under this subchapter, or any portion of that annuity designated in writing for the purpose of section 8341(b) of this title by the employee or Member at the time of retirement, is reduced by  $2\frac{1}{2}$  percent of so much thereof as does not exceed \$3,600 and by 10 percent of so much thereof as exceeds \$3,600, unless the employee or Member notifies the Civil Service Commission in writing at the time of retirement that he does not desire his spouse to receive an annuity under section 8341(b) of this title.

(j) At the time of retiring under section 8336 or 8338 of this title, an unmarried employee or Member who is found to be in good health by the Commission may elect a reduced annuity instead of an annuity computed under subsections (a)–(h) of this section and name in writing an individual having an insurable interest in the employee or Member to receive an annuity under section 8341(c) of this title after

the death of the retired employee or Member. The annuity of the employee or Member making the election is reduced by 10 percent, and by 5 percent for each full 5 years the individual named is younger than the retiring employee or Member. However, the total reduction may not exceed 40 percent.

(k) The annuity computed under subsections (a)-(j) of this section for an employee who is a citizen of the United States is increased by \$36 for each year of service in the employ of—

(1) the Alaska Engineering Commission, or The Alaska Railroad, in Alaska between March 12, 1914, and July 1, 1923; or

(2) the Isthmian Canal Commission, or the Panama Railroad Company, on the Isthmus of Panama between May 4, 1904, and April 1, 1914.

#### § 8340. Cost-of-living adjustment of annuities

(a) After January 1 of each year the Civil Service Commission shall determine the percent change in the price index from the later of 1962 or the year preceding the most recent cost-of-living adjustment to the latest complete year. On the basis of this determination, and effective April 1 of any year after the price index change equals a rise of at least 3 percent, each annuity payable from the Fund which has a commencing date earlier than January 2 of the preceding year shall be increased by the percent rise in the price index adjusted to the nearest  $\frac{1}{40}$  of 1 percent.

(b) Eligibility for an annuity increase under this section is governed by the commencing date of each annuity payable from the Fund as of the effective date of an increase, except as follows:

(1) Effective from the date of the first increase under this section, an annuity payable from the Fund to an annuitant's survivor (except a child entitled under section 8341(e) of this title), which annuity commenced the day after the death of the annuitant, shall be increased as provided by subsection (a) of this section if the commencing date of annuity to the annuitant was earlier than January 2 of the year preceding the first increase.

(2) Effective from its commencing date, an annuity payable from the Fund to an annuitant's survivor (except a child entitled under section 8341(e) of this title), which annuity commences the day after the death of the annuitant and after the effective date of the first increase under this section, shall be increased by the total percent increase the annuitant was receiving under this section at death.

(3) For the purpose of computing an annuity which commences after the effective date of the first increase under this section to a child under section 8341(e) of this title, the items \$600, \$720, \$1,800, and \$2,160 appearing in section 8341(e) of this title shall be increased by the total percent increase allowed and in force under this section, and, in case of a deceased annuitant, the items 40 percent and 50 percent appearing in section 8341(e) of this title shall be increased by the total percent increase allowed and in force under this section to the annuitant at death. Effective from the date of the first increase under this section, this paragraph applies as if the first increase were in effect with respect to computation of the annuity of a child under section 8341(e) of this title which commenced between January 2 of the year preceding the first increase and the effective date of the first increase.

(c) This section does not authorize an increase in an additional annuity purchased at retirement by voluntary contributions.

(d) The monthly installment of annuity after adjustment under this section is fixed at the nearest dollar.

### § 8341. Survivor annuities

(a) For the purpose of this section—

(1) “widow” means the surviving wife of an employee or Member who—

(A) was married to him for at least 2 years immediately before his death; or

(B) is the mother of issue by that marriage;

(2) “widower” means the surviving husband of an employee or Member who—

(A) was married to her for at least 2 years immediately before her death; or

(B) is the father of issue by that marriage;

(3) “dependent widower” means a widower who—

(A) is incapable of self-support because of mental or physical disability; and

(B) received more than half his support from the employee or Member; and

(4) “child” means—

(A) an unmarried child under 18 years of age, including (i) an adopted child, and (ii) a stepchild or recognized natural child who received more than half his support from and lived with the employee or Member in a regular parent-child relationship;

(B) such unmarried child regardless of age who is incapable of self-support because of mental or physical disability incurred before age 18; or

(C) such unmarried child between 18 and 21 years of age who is a student regularly pursuing a full-time course of study or training in residence in a high school, trade school, technical or vocational institute, junior college, college, university, or comparable recognized educational institution.

For the purpose of this paragraph and subsection (e) of this section, a child whose 21st birthday occurs before July 1 or after August 31 of a calendar year, and while he is regularly pursuing such a course of study or training, is deemed to have become 21 years of age on the first day of July after that birthday. A child who is a student is deemed not to have ceased to be a student during an interim between school years if the interim is not more than 4 months and if he shows to the satisfaction of the Civil Service Commission that he has a bona fide intention of continuing to pursue a course of study or training in the same or different school during the school semester (or other period into which the school year is divided) immediately after the interim.

(b) If an employee or Member dies after having retired under this subchapter and is survived by a spouse to whom he was married at the time of retirement, the spouse is entitled to an annuity equal to 55 percent of an annuity computed under section 8339(a)-(h) of this title as may apply with respect to the annuitant, or of such portion thereof as may have been designated for this purpose under section 8339(i) of this title, unless the employee or Member has notified the Commission in writing at the time of retirement that he does not

desire his spouse to receive this annuity. The annuity of the spouse commences on the day after the retired employee or Member dies. This annuity and the right thereto terminate on the last day of the month before the spouse dies or remarries.

(c) The annuity of a survivor named under section 8339(j) of this title is 55 percent of the reduced annuity of the retired employee or Member. The annuity of the survivor commences on the day after the retired employee or Member dies. This annuity and the right thereto terminate on the last day of the month before the survivor dies.

(d) If an employee or Member dies after completing at least 5 years of civilian service, the widow or dependent widower of the employee or Member is entitled to an annuity equal to 55 percent of an annuity computed under section 8339(a)–(e) and (h) of this title as may apply with respect to the employee or Member. The annuity of the widow or dependent widower commences on the day after the employee or Member dies. This annuity and the right thereto terminate on the last day of the month before—

- (1) the widow or dependent widower dies or remarries; or
- (2) the dependent widower becomes capable of self-support.

(e) (1) If an employee or Member dies after completing at least 5 years of civilian service, or an employee or Member dies after retiring under this subchapter, and is survived by a spouse, each surviving child who received more than half of his support from the employee or Member is entitled to an annuity equal to the smallest of—

- (A) 40 percent of the average pay of the employee or Member divided by the number of children;
- (B) \$600; or
- (C) \$1,800 divided by the number of children.

If the employee or Member is not survived by a spouse, each surviving child is entitled to an annuity equal to the smallest of—

- (i) 50 percent of the average pay of the employee or Member divided by the number of children;
- (ii) \$720; or
- (iii) \$2,160 divided by the number of children.

(2) The annuity of the child commences on the day after the employee or Member dies. This annuity granted under this subchapter or under the Act of May 29, 1930, as amended from and after February 28, 1948, and the right thereto terminate on the last day of the month before the child—

- (A) becomes 18 years of age unless incapable of self-support;
- (B) becomes capable of self-support after age 18; or
- (C) dies or marries.

However, the annuity of a child who is a student as described by subsection (a) (4) of this section terminates on the last day of the month before he—

- (i) ceases to be such a student;
- (ii) becomes 21 years of age; or
- (iii) dies or marries.

On the death of the surviving spouse or termination of the annuity of a child, the annuity of any other child or children shall be recomputed and paid as though the spouse or child had not survived the employee or Member.

(f) If a Member heretofore or hereafter separated from the service with title to deferred annuity from the Fund hereafter dies before having established a valid claim for annuity and is survived by a

spouse to whom married at the date of separation, the surviving spouse—

(1) is entitled to an annuity equal to 55 percent of the deferred annuity of the Member commencing on the day after the Member dies and terminating on the last day of the month before the surviving spouse dies or remarries; or

(2) may elect to receive the lump-sum credit instead of annuity if the spouse is the individual who would be entitled to the lump-sum credit and files application therefor with the Commission before the award of the annuity.

#### **§ 8342. Lump-sum benefits; designation of beneficiary; order of precedence**

(a) An employee or Member who is separated from the service, or is transferred to a position not within the purview of this subchapter, is entitled to be paid the lump-sum credit if his separation or transfer occurs and application for payment is filed with the Civil Service Commission at least 31 days before the earliest commencing date of any annuity for which he is eligible. The receipt of payment of the lump-sum credit by the individual voids all annuity rights under this subchapter, until he is reemployed in the service subject to this subchapter. This subsection also applies to an employee or Member separated before October 1, 1956, after completing at least 20 years of civilian service.

(b) Under regulations prescribed by the Commission, a present or former employee or Member may designate a beneficiary or beneficiaries for the purpose of this subchapter.

(c) Lump-sum benefits authorized by subsections (d)–(f) of this section shall be paid to the person or persons surviving the employee or Member and alive at the date title to the payment arises in the following order of precedence, and the payment bars recovery by any other person:

First, to the beneficiary or beneficiaries designated by the employee or Member in a writing received in the Commission before his death.

Second, if there is no designated beneficiary, to the widow or widower of the employee or Member.

Third, if none of the above, to the child or children of the employee or Member and descendants of deceased children by representation.

Fourth, if none of the above, to the parents of the employee or Member or the survivor of them.

Fifth, if none of the above, to the duly appointed executor or administrator of the estate of the employee or Member.

Sixth, if none of the above, to such other next of kin of the employee or Member as the Commission determines to be entitled under the laws of the domicile of the employee or Member at the date of his death.

(d) If an employee or Member dies—

(1) without a survivor; or

(2) with a survivor or survivors and the right of all survivors terminates before a claim for survivor annuity is filed;

or if a former employee or Member not retired dies, the lump-sum credit shall be paid.

(e) If all annuity rights under this subchapter based on the service of a deceased employee or Member terminate before the total annuity paid equals the lump-sum credit, the difference shall be paid.

(f) If an annuitant dies, annuity accrued and unpaid shall be paid.

(g) Annuity accrued and unpaid on the termination, except by death, of the annuity of an annuitant or survivor annuitant shall be paid to that individual. Annuity accrued and unpaid on the death of a survivor annuitant shall be paid in the following order of precedence, and the payment bars recovery by any other person:

First, to the duly appointed executor or administrator of the estate of the survivor annuitant.

Second, if there is no executor or administrator, payment may be made, after 30 days from the date of death of the survivor annuitant, to such next of kin of the survivor annuitant as the Commission determines to be entitled under the laws of the domicile of the survivor annuitant at the date of his death.

(h) Amounts deducted and withheld from the basic pay of an employee or Member from the first day of the first month which begins after he has performed sufficient service (excluding service which the employee or Member elects to eliminate for the purpose of annuity computation under section 8339 of this title) to entitle him to the maximum annuity provided by section 8339 of this title, together with interest on the amounts at the rate of 3 percent a year compounded annually from the date of the deductions to the date of retirement or death, shall be applied toward any deposit due under section 8334 of this title, and any balance not so required is deemed a voluntary contribution for the purpose of section 8343 of this title.

(i) An employee who—

(1) is separated from the service before July 12, 1960; and

(2) continues in the service after July 12, 1960, without break in service of 1 workday or more;

is entitled to the benefits of subsection (h) of this section.

### § 8343. Additional annuities; voluntary contributions

(a) Under regulations prescribed by the Civil Service Commission, an employee or Member may voluntarily contribute additional sums in multiples of \$25, but the total may not exceed 10 percent of his basic pay for creditable service after July 31, 1920. The voluntary contribution account in each case is the sum of unrefunded contributions, plus interest at 3 percent a year compounded annually to—

(1) the date of payment under subsection (d) of this section, separation, or transfer to a position not within the purview of this subchapter, whichever is earliest; or

(2) the commencing date fixed for a deferred annuity or date of death, whichever is earlier, in the case of an individual who is separated with title to deferred annuity and does not claim the voluntary contribution account.

(b) The voluntary contribution account is used to purchase at retirement an annuity in addition to the annuity otherwise provided. For each \$100 in the voluntary contribution account, the additional annuity consists of \$7, increased by 20 cents for each full year, if any, the employee or Member is over 55 years of age at the date of retirement.

(c) A retiring employee or Member may elect a reduced additional annuity instead of the additional annuity described by subsection (b) of this section and designate in writing an individual to receive after his death an annuity of 50 percent of his reduced additional annuity. The additional annuity of the employee or Member making the election is reduced by 10 percent, and by 5 percent for each full 5 years the individual designated is younger than the retiring employee or Member. However, the total reduction may not exceed 40 percent.

(d) A present or former employee or Member is entitled to be paid the voluntary contribution account if he files application for payment with the Commission before receiving an additional annuity. An individual who has been paid the voluntary contribution account may not again deposit additional sums under this section until, after a separation from the service of more than 3 calendar days, he again becomes subject to this subchapter.

(e) If a present or former employee or Member not retired dies, the voluntary contribution account is paid under section 8342(c) of this title. If all additional annuities or any right thereto based on the voluntary contribution account of a deceased employee or Member terminate before the total additional annuity paid equals the account, the difference is paid under section 8342(c) of this title.

#### § 8344. Annuities and pay on reemployment

(a) If an annuitant receiving annuity from the Fund, except—

(1) a disability annuitant whose annuity is terminated because of his recovery or restoration of earning capacity;

(2) an annuitant whose annuity is based on an involuntary separation from the service other than an automatic separation;

or

(3) a Member receiving annuity from the Fund;

becomes employed after September 30, 1956, or on July 31, 1956 was serving, in an appointive or elective position, his service on and after the date he was or is so employed is covered by this subchapter. Deductions for the Fund may not be withheld from his pay. An amount equal to the annuity allocable to the period of actual employment shall be deducted from his pay. If the annuitant serves on a full-time basis, except as President, for at least 1 year in employment not excluding him from coverage under section 8331(1)(i) or (ii) of this title—

(A) his annuity on termination of employment is increased by an annuity computed under section 8339 (a), (b), (d), (g), and (h) of this title as may apply based on the period of employment and the basic pay, before deduction, averaged during that employment; and

(B) his lump-sum credit may not be reduced by annuity paid during that employment.

If the described employment of the annuitant continues for at least 5 years, he may elect, instead of the benefits provided by this subsection, to deposit in the Fund an amount computed under section 8334(c) of this title covering that employment and have his rights redetermined under this subchapter. A similar right to redetermination after deposit is applicable to an annuitant—

(i) whose annuity is based on an involuntary separation from the service; and

(ii) who is separated after October 3, 1961, following a period of employment on a full-time basis which began before October 1, 1956.

The employment of an annuitant under this subsection does not create an annuity for or affect the annuity of a survivor.

(b) If a Member receiving annuity from the Fund becomes employed in an appointive or elective position, annuity payments are discontinued during the employment and resumed in the same amount on termination of the employment, except that—

(1) the retired Member or Member separated with title to immediate or deferred annuity, who serves at any time after sep-

aration as a Member in an appointive position in which he is within the purview of this subchapter, is entitled, if he so elects, to have his Member annuity computed or recomputed as if the service had been performed before his separation as a Member and the annuity as so computed or recomputed is effective—

(A) the day Member annuity commences; or

(B) the day after the date of separation from the appointive position;  
whichever is later;

(2) if the retired Member becomes employed after December 31, 1958, in an appointive position on an intermittent-service basis—

(A) his annuity continues during the employment and is not increased as a result of service performed during that employment;

(B) retirement deductions may not be withheld from his pay;

(C) an amount equal to the annuity allocable to the period of actual employment shall be deducted from his pay; and

(D) the amounts so deducted shall be deposited in the Treasury of the United States to the credit of the Fund;

(3) if the retired Member becomes employed after December 31, 1958, in an appointive position without pay on a full-time or substantially full-time basis, his annuity continues during the employment and is not increased as a result of service performed during the employment; and

(4) if the retired Member takes office as Member and gives notice as provided by section 8331(2) of this title, his service as Member during that period shall be credited in determining his right to and the amount of later annuity.

This subsection does not apply to a Member appointed by the President to a position not requiring confirmation by the Senate.

#### **§ 8345. Payment of benefits; commencement, termination, and waiver of annuity**

(a) Each annuity is stated as an annual amount, one-twelfth of which, fixed at the nearest dollar, constitutes the monthly rate payable on the first business day of the month after the month or other period for which it has accrued.

(b) Except as otherwise provided, the annuity of an employee or Member commences on the day after he is separated from the service, or on the day after his pay ceases and he meets the service and the age or disability requirements for title to annuity. An annuity payable from the Fund allowed after September 5, 1960, commences on the day after the occurrence of the event on which payment thereof is based.

(c) The annuity of a retired employee or Member terminates on the day death or other terminating event provided by this subchapter occurs. The annuity of a survivor terminates on the last day of the month before death or other terminating event occurs.

(d) An individual entitled to annuity from the Fund may decline to accept all or any part of the annuity by a waiver signed and filed with the Civil Service Commission. The waiver may be revoked in writing at any time. Payment of the annuity waived may not be made for the period during which the waiver was in effect.

(e) Payment due a minor, or an individual mentally incompetent or under other legal disability, may be made to the person who is con-

stituted guardian or other fiduciary by the law of the State of residence of the claimant or is otherwise legally vested with the care of the claimant or his estate. If a guardian or other fiduciary of the individual under legal disability has not been appointed under the law of the State of residence of the claimant, payment may be made to any person who, in the judgment of the Commission, is responsible for the care of the claimant, and the payment bars recovery by any other person.

#### **§ 8346. Exemption from legal process; recovery of payments**

(a) The money mentioned by this subchapter is not assignable, either in law or equity, or subject to execution, levy, attachment, garnishment, or other legal process.

(b) Recovery of payments under this subchapter may not be made from an individual when, in the judgment of the Civil Service Commission, the individual is without fault and recovery would be against equity and good conscience. Withholding or recovery of money mentioned by this subchapter on account of a certification or payment made by a former employee of the United States in the discharge of his official duties may be made only if the head of the agency on behalf of which the certification or payment was made certifies to the Commission that the certification or payment involved fraud on the part of the former employee.

#### **§ 8347. Administration; regulations**

(a) The Civil Service Commission shall administer this subchapter. Except as otherwise specifically provided herein, the Commission shall perform, or cause to be performed, such acts and prescribe such regulations as are necessary and proper to carry out this subchapter.

(b) Applications under this subchapter shall be in such form as the Commission prescribes. Agencies shall support the applications by such certificates as the Commission considers necessary to the determination of the rights of applicants. The Commission shall adjudicate all claims under this subchapter.

(c) The Commission shall determine questions of disability and dependency arising under this subchapter. The decisions of the Commission concerning these matters are final and conclusive and are not subject to review. The Commission may direct at any time such medical or other examinations as it considers necessary to determine the facts concerning disability or dependency of an individual receiving or applying for annuity under this subchapter. The Commission may suspend or deny annuity for failure to submit to examination.

(d) An administrative action or order affecting the rights or interests of an individual or of the United States under this subchapter may be appealed to the Commission under procedures prescribed by the Commission.

(e) The Commission shall fix the fees for examinations made under this subchapter by physicians or surgeons who are not medical officers of the United States. The fees and reasonable traveling and other expenses incurred in connection with the examinations are paid from appropriations for the cost of administering this subchapter.

(f) The Commission shall select three actuaries, to be known as the Board of Actuaries of the Civil Service Retirement System. The Commission shall fix the pay of the members of the Board, except members otherwise in the employ of the United States. The Board shall report annually on the actuarial status of the System and furnish its advice and opinion on matters referred to it by the Commission. The Board may recommend to the Commission and to Congress

such changes as in the Board's judgment are necessary to protect the public interest and maintain the System on a sound financial basis. The Commission shall keep, or cause to be kept, such records as it considers necessary for making periodic actuarial valuations of the System. The Board shall make actuarial valuations every 5 years, or oftener if considered necessary by the Commission.

(g) The Commission may exclude from the operation of this subchapter an employee or group of employees in or under an Executive agency whose employment is temporary or intermittent.

(h) The Commission, on recommendation by the Commissioners of the District of Columbia, may exclude from the operation of this subchapter an individual or group of individuals employed by the government of the District of Columbia whose employment is temporary or intermittent.

(i) The Architect of the Capitol may exclude from the operation of this subchapter an employee under the Office of the Architect of the Capitol whose employment is temporary or of uncertain duration.

(j) The Librarian of Congress may exclude from the operation of this subchapter an employee under the Library of Congress whose employment is temporary or of uncertain duration.

(k) The Secretary of Agriculture shall prescribe regulations to effect the application and operation of this subchapter to an individual named by section 8331(1)(F) of this title.

#### § 8348. Civil Service Retirement and Disability Fund

(a) There is a Civil Service Retirement and Disability Fund. The Fund is appropriated for the payment of benefits as provided by this subchapter.

(b) The Secretary of the Treasury may accept and credit to the Fund money received in the form of a donation, gift, legacy, or bequest, or otherwise contributed for the benefit of civil-service employees generally.

(c) The Secretary shall immediately invest in interest-bearing securities of the United States such currently available portions of the Fund as are not immediately required for payments from the Fund. The income derived from these investments constitutes a part of the Fund.

(d) The purposes for which obligations of the United States may be issued under the Second Liberty Bond Act, as amended, are extended to authorize the issuance at par of public-debt obligations for purchase by the Fund. The obligations issued for purchase by the Fund shall have maturities fixed with due regard for the needs of the Fund and bear interest at a rate equal to the average market yield computed as of the end of the calendar month next preceding the date of the issue, borne by all marketable interest-bearing obligations of the United States then forming a part of the public debt which are not due or callable until after the expiration of 4 years from the end of that calendar month. If the average market yield is not a multiple of  $\frac{1}{8}$  of 1 percent, the rate of interest on the obligations shall be the multiple of  $\frac{1}{8}$  of 1 percent nearest the average market yield.

(e) The Secretary may purchase other interest-bearing obligations of the United States, or obligations guaranteed as to both principal and interest by the United States, on original issue or at the market price only if he determines that the purchases are in the public interest.

(f) The Civil Service Commission shall submit estimates of the appropriations necessary to finance the Fund on a normal cost plus interest basis and to carry out this subchapter.

(g) Money now or hereafter contained in the Fund may not be used to pay an increase in annuity benefits or a new annuity benefit under this subchapter or an earlier statute which is authorized by amendment thereof until and unless an appropriation is made to the Fund in an amount which the Commission estimates to be sufficient to prevent an immediate increase in the unfunded accrued liability of the Fund.

## CHAPTER 85—UNEMPLOYMENT COMPENSATION

### SUBCHAPTER I—EMPLOYEES GENERALLY

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### SUBCHAPTER I—EMPLOYEES GENERALLY

#### § 8501. Definitions

For the purpose of this subchapter—

(1) "Federal service" means service performed after 1952 in the employ of the United States or an instrumentality of the United States which is wholly or partially owned by the United States, but does not include service (except service to which subchapter II of this chapter applies) performed—

- (A) by an elective official in the executive or legislative branch;
- (B) as a member of the armed forces;
- (C) by Foreign Service personnel for whom special separation allowances are provided under chapter 14 of title 22;
- (D) outside the United States, the Commonwealth of Puerto Rico, and the Virgin Islands by an individual who is not a citizen of the United States;
- (E) by an individual excluded by regulations of the Civil Service Commission from the operation of subchapter III of chapter 83 of this title because he is paid on a contract or fee basis;
- (F) by an individual receiving nominal pay and allowances of \$12 or less a year;
- (G) in a hospital, home, or other institution of the United States by a patient or inmate thereof;
- (H) by a student-employee as defined by section 5351 of this title;
- (I) by an individual serving on a temporary basis in case of fire, storm, earthquake, flood, or other similar emergency;
- (J) by an individual employed under a Federal relief program to relieve him from unemployment;

(K) as a member of a State, county, or community committee under the Agricultural Stabilization and Conservation Service or of any other board, council, committee, or other similar body, unless the board, council, committee, or other body is composed exclusively of individuals otherwise in the full-time employ of the United States; or

(L) by an officer or a member of the crew on or in connection with an American vessel—

(i) owned by or bareboat chartered to the United States; and

(ii) whose business is conducted by a general agent of the Secretary of Commerce;

if contributions on account of the service are required to be made to an unemployment fund under a State unemployment compensation law under section 3305(g) of title 26;

(2) "Federal wages" means all pay and allowances, in cash and in kind, for Federal service;

(3) "Federal employee" means an individual who has performed Federal service;

(4) "compensation" means cash benefits payable to an individual with respect to his unemployment including any portion thereof payable with respect to dependents;

(5) "benefit year" means the benefit year as defined by the applicable State unemployment compensation law, and if not so defined the term means the period prescribed in the agreement under this subchapter with a State or, in the absence of such an agreement, the period prescribed by the Secretary of Labor;

(6) "State" means the several States, the District of Columbia, and the Commonwealth of Puerto Rico; and

(7) "United States", when used in a geographical sense, means the States.

#### § 8502. Compensation under State agreement

(a) The Secretary of Labor, on behalf of the United States, may enter into an agreement with a State, or with an agency administering the unemployment compensation law of a State, under which the State agency shall—

(1) pay, as agent of the United States, compensation under this subchapter to Federal employees; and

(2) otherwise cooperate with the Secretary and with other State agencies in paying compensation under this subchapter.

(b) Except as provided by subsection (c) of this section, the agreement shall provide that compensation will be paid by the State to a Federal employee in the same amount, on the same terms, and subject to the same conditions as the compensation which would be payable to him under the unemployment compensation law of the State if his Federal service and Federal wages assigned under section 8504 of this title to the State had been included as employment and wages under that State law.

(c) In the case of the Commonwealth of Puerto Rico, the agreement shall provide that compensation will be paid by the Commonwealth to a Federal employee whose Federal service and Federal wages are assigned under section 8504 of this title to the Commonwealth (but only in the case of weeks of unemployment beginning before January 1, 1966), in the same amount, on the same terms, and subject to the same conditions as the compensation which would be payable to him under the unemployment compensation law of the District of

Columbia if his Federal service and Federal wages had been included as employment and wages under that law. However, if the Federal employee, without regard to his Federal service and Federal wages, has employment or wages sufficient to qualify for compensation during the benefit year under that law, then payments of compensation under this subsection may be made only on the basis of his Federal service and Federal wages. In applying this subsection, employment and wages under the unemployment compensation law of the Commonwealth may not be combined with Federal service or Federal wages.

(d) A determination by a State agency with respect to entitlement to compensation under an agreement is subject to review in the same manner and to the same extent as determinations under the State unemployment compensation law, and only in that manner and to that extent.

(e) Each agreement shall provide the terms and conditions on which it may be amended or terminated.

### **§ 8503. Compensation absent State agreement**

(a) In the case of a Federal employee whose Federal service and Federal wages are assigned under section 8504 of this title to a State which does not have an agreement with the Secretary of Labor, the Secretary, under regulations prescribed by him, shall, on the filing by the Federal employee of a claim for compensation under this subsection, pay compensation to him in the same amount, on the same terms, and subject to the same conditions as would be paid to him under the unemployment compensation law of the State if his Federal service and Federal wages had been included as employment and wages under that State law. However, if the Federal employee, without regard to his Federal service and Federal wages, has employment or wages sufficient to qualify for compensation during the benefit year under that State law, then payments of compensation under this subsection may be made only on the basis of his Federal service and Federal wages. For the purpose of this subsection, "State" does not include the Commonwealth of Puerto Rico in the case of weeks of unemployment beginning before January 1, 1966.

(b) In the case of a Federal employee whose Federal service and Federal wages are assigned under section 8504 of this title to—

- (1) the Virgin Islands; or
- (2) the Commonwealth of Puerto Rico with respect to weeks of unemployment beginning before January 1, 1966;

the Secretary, under regulations prescribed by him and on the filing of a claim for compensation under this subsection by the Federal employee, shall pay the compensation to him in the same amounts, on the same terms, and subject to the same conditions as would be paid to him under the unemployment compensation law of the District of Columbia if his Federal service and Federal wages had been included as employment and wages under that law. However, if the Federal employee, without regard to his Federal service and Federal wages, has employment or wages sufficient to qualify for compensation during the benefit year under that law, then payments of compensation under this subsection may be made only on the basis of his Federal service and Federal wages. In the case of weeks of unemployment beginning before January 1, 1966, this subsection applies with respect to the Commonwealth of Puerto Rico only if the Commonwealth does not have an agreement under this subchapter with the Secretary. In applying this subsection, employment and wages under the unemploy-

ment compensation law of the Commonwealth may not be combined with Federal service or Federal wages.

(c) A Federal employee whose claim for compensation under subsection (a) or (b) of this section is denied is entitled to a fair hearing under regulations prescribed by the Secretary. A final determination by the Secretary with respect to entitlement to compensation under this section is subject to review by the courts in the same manner and to the same extent as is provided by section 405(g) of title 42.

(d) For the purpose of this section, the Secretary may—

(1) use the personnel and facilities of the agency in the Virgin Islands cooperating with the United States Employment Service under chapter 4B of title 29; and

(2) delegate to officials of that agency the authority granted to him by this section when he considers the delegation to be necessary in carrying out the purpose of this subchapter.

For the purpose of payments made to that agency under chapter 4B of title 29, the furnishing of the personnel and facilities is deemed a part of the administration of the public employment offices of that agency.

#### § 8504. Assignment of Federal service and wages

Under regulations prescribed by the Secretary of Labor, the Federal service and Federal wages of a Federal employee shall be assigned to the State in which he had his last official station in Federal service before the filing of his first claim for compensation for the benefit year. However—

(1) if, at the time of filing his first claim, he resides in another State in which he performed, after the termination of his Federal service, service covered under the unemployment compensation law of the other State, his Federal service and Federal wages shall be assigned to the other State;

(2) if his last official station in Federal service, before filing his first claim, was outside the United States, his Federal service and Federal wages shall be assigned to the State where he resides at the time he files his first claim; and

(3) if his first claim is filed—

(A) before January 1, 1966, while he is residing in the Commonwealth of Puerto Rico; or

(B) while he is residing in the Virgin Islands;

his Federal service and Federal wages shall be assigned to the one in which he resides.

In the case of a first claim filed before January 1, 1966, "United States" in paragraph (2) of this section does not include the Commonwealth of Puerto Rico.

#### § 8505. Payments to States

(a) Each State is entitled to be paid by the United States an amount equal to the additional cost to the State of payments of compensation in accordance with an agreement under this subchapter which would not have been made by the State but for the agreement.

(b) Each State shall be paid, either in advance or by way of reimbursement, as may be determined by the Secretary of Labor, the sum that the Secretary estimates the State is entitled to receive under this subchapter for each calendar month. The sum shall be reduced or increased by the amount which the Secretary finds that his estimate for an earlier calendar month was greater or less than the sum which should have been paid to the State. An estimate may be made on the basis of a statistical, sampling, or other method agreed on by the Secretary and the State agency.

(c) The Secretary, from time to time, shall certify to the Secretary of the Treasury the sum payable to each State under this section. The Secretary of the Treasury, before audit or settlement by the General Accounting Office, shall pay the State in accordance with the certification from the funds for carrying out the purposes of this subchapter.

(d) Money paid a State under this subchapter may be used solely for the purposes for which it is paid. Money so paid which is not used for these purposes shall be returned, at the time specified by the agreement, to the Treasury of the United States and credited to current applicable appropriations, funds, or accounts from which payments to States under this subchapter may be made.

(e) An agreement may—

(1) require each State officer or employee who certifies payments or disburses funds under the agreement, or who otherwise participates in its performance, to give a surety bond to the United States in the amount the Secretary considers necessary; and

(2) provide for payment of the cost of the bond from funds for carrying out the purposes of this subchapter.

(f) In the absence of gross negligence or intent to defraud the United States, an individual designated by the Secretary, or designated under an agreement, as a certifying official is not liable for the payment of compensation certified by him under this subchapter.

(g) In the absence of gross negligence or intent to defraud the United States, a disbursing official is not liable for a payment by him under this subchapter if it was based on a voucher signed by a certifying official designated as provided by subsection (f) of this section.

(h) For the purpose of payments made to a State under subchapter III of chapter 7 of title 42, administration by a State agency under an agreement is deemed a part of the administration of the State unemployment compensation law.

#### § 8506. Dissemination of information

(a) Each agency of the United States and each wholly or partially owned instrumentality of the United States shall make available to State agencies which have agreements under this subchapter, or to the Secretary of Labor, as the case may be, such information concerning the Federal service and Federal wages of a Federal employee as the Secretary considers practicable and necessary for the determination of the entitlement of the Federal employee to compensation under this subchapter. The information shall include the findings of the employing agency concerning—

(1) whether or not the Federal employee has performed Federal service;

(2) the periods of Federal service;

(3) the amount of Federal wages; and

(4) the reasons for termination of Federal service.

The employing agency shall make the findings in the form and manner prescribed by regulations of the Secretary. The regulations shall include provision for correction by the employing agency of errors and omissions. Findings made in accordance with the regulations are final and conclusive for the purpose of sections 8502(d) and 8503(c) of this title. This subsection does not apply with respect to Federal service and Federal wages covered by subchapter II of this chapter.

(b) The agency administering the unemployment compensation law of a State shall furnish the Secretary such information as he con-

siders necessary or appropriate in carrying out this subchapter. The information is deemed the report required by the Secretary for the purpose of section 503(a)(6) of title 42.

### § 8507. False statements and misrepresentations

(a) If a State agency, the Secretary of Labor, or a court of competent jurisdiction finds that an individual—

(1) knowingly has made, or caused to be made by another, a false statement or representation of a material fact, or knowingly has failed, or caused another to fail, to disclose a material fact; and

(2) as a result of that action has received an amount as compensation under this subchapter to which he was not entitled; the individual shall repay the amount to the State agency or the Secretary. Instead of requiring repayment under this subsection, the State agency or the Secretary may recover the amount by deductions from compensation payable to the individual under this subchapter during the 2-year period after the date of the finding. A finding by a State agency or the Secretary may be made only after an opportunity for a fair hearing, subject to such further review as may be appropriate under sections 8502(d) and 8503(c) of this title.

(b) An amount repaid under subsection (a) of this section shall be—

(1) deposited in the fund from which payment was made, if the repayment was to a State agency; or

(2) returned to the Treasury of the United States and credited to the current applicable appropriation, fund, or account from which payment was made, if the repayment was to the Secretary.

### § 8508. Regulations

The Secretary of Labor may prescribe rules and regulations necessary to carry out this subchapter and subchapter II of this chapter. The Secretary, insofar as practicable, shall consult with representatives of the State unemployment compensation agencies before prescribing rules or regulations which may affect the performance by the State agencies of functions under agreements under this subchapter.

## SUBCHAPTER II—EX-SERVICEMEN

### § 8521. Definitions; application

(a) For the purpose of this subchapter—

(1) "Federal service" means active service, including active duty for training purposes, in the armed forces which either began after January 31, 1955, or terminated after October 27, 1958, if—

(A) that service was continuous for 90 days or more, or was terminated earlier because of an actual service-incurred injury or disability; and

(B) with respect to that service, the individual—

(i) was discharged or released under conditions other than dishonorable; and

(ii) was not given a bad conduct discharge, or, if an officer, did not resign for the good of the service; and

(2) "Federal wages" means all pay and allowances, in cash and in kind, for Federal service, computed on the basis of the pay and allowances for the pay grade of the individual at the time of his latest discharge or release from Federal service as specified in the schedule applicable at the time he files his first claim for compen-

sation for the benefit year. The Secretary of Labor shall issue, from time to time, after consultation with the Secretary of Defense, schedules specifying the pay and allowances for each pay grade of servicemen covered by this subchapter, which reflect representative amounts for appropriate elements of the pay and allowances whether in cash or in kind.

(b) The provisions of subchapter I of this chapter, subject to the modifications made by this subchapter, apply to individuals who have had Federal service as defined by subsection (a) of this section.

#### § 8522. Assignment of Federal service and wages

Notwithstanding section 8504 of this title, Federal service and Federal wages not previously assigned shall be assigned to the State or to the Virgin Islands, as the case may be, in which the claimant first files claim for unemployment compensation after his latest discharge or release from Federal service. This assignment is deemed an assignment under section 8504 of this title for the purpose of this subchapter.

#### § 8523. Dissemination of information

(a) When designated by the Secretary of Labor, an agency of the United States shall make available to the appropriate State agency or to the Secretary, as the case may be, such information, including findings in the form and manner prescribed by regulations of the Secretary, as the Secretary considers practicable and necessary for the determination of the entitlement of an individual to compensation under this subchapter.

(b) Subject to correction of errors and omissions as prescribed by regulations of the Secretary, the following are final and conclusive for the purpose of sections 8502(d) and 8503(c) of this title:

(1) Findings by an agency of the United States made in accordance with subsection (a) of this section with respect to—

(A) whether or not an individual has met any condition specified by section 8521(a)(1) of this title;

(B) the periods of Federal service; and

(C) the pay grade of the individual at the time of his latest discharge or release from Federal service.

(2) The schedules of pay and allowances prescribed by the Secretary under section 8521(a)(2) of this title.

#### § 8524. Accrued leave

For the purpose of this subchapter, a payment for unused accrued leave under section 501(b) of title 37 at the termination of Federal service is deemed—

(1) to continue that Federal service during the period after the termination with respect to which the individual received the payment; and

(2) Federal wages, subject to regulations prescribed by the Secretary of Labor concerning allocation over the period after termination.

#### § 8525. Effect on other statutes

(a) An individual eligible to receive a mustering-out payment under chapter 43 of title 38 is not entitled to compensation under this subchapter with respect to weeks of unemployment completed—

(1) within 30 days after his discharge or release if he receives \$100 in mustering-out payments;

(2) within 60 days after his discharge or release if he receives \$200 in mustering-out payments; or

(3) within 90 days after his discharge or release if he receives \$300 in mustering-out payments.

(b) An individual is not entitled to compensation under this subchapter for any period with respect to which he receives—

- (1) a subsistence allowance under chapter 31 of title 38 or under part VIII of Veterans Regulation Numbered 1(a); or
- (2) an educational assistance allowance under chapter 35 of title 38.

### CHAPTER 87—LIFE INSURANCE

Sec.

- 8701. Definition.
- 8702. Automatic coverage.
- 8703. Benefit certificate.
- 8704. Group insurance; amounts.
- 8705. Death claims; order of precedence; escheat.
- 8706. Termination of insurance.
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- 8708. Government contributions.
- 8709. Insurance policies.
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- 8712. Annual accounting; special contingency reserve.
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- 8714. Employees' Life Insurance Fund.
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#### § 8701. Definition

- (a) For the purpose of this chapter, "employee" means—
- (1) an employee as defined by section 2105 of this title;
  - (2) a Member of Congress as defined by section 2106 of this title;
  - (3) a Congressional employee as defined by section 2107 of this title;
  - (4) the President;
  - (5) an individual employed by the government of the District of Columbia;
  - (6) an individual employed by Gallaudet College;
  - (7) a United States Commissioner to whom subchapter III of chapter 83 of this title applies by operation of section 8331(1) (E) of this title;
  - (8) an individual employed by a county committee established under section 590h(b) of title 16; and
  - (9) an individual appointed to a position on the office staff of a former President under section 1(b) of the Act of August 25, 1958 (72 Stat. 838);

3 USC 102 note.

but does not include—

- (A) an employee of a corporation supervised by the Farm Credit Administration if private interests elect or appoint a member of the board of directors;
- (B) a noncitizen employee whose permanent duty station is outside the United States; or
- (C) an employee excluded by regulation of the Civil Service Commission under section 8716(b) of this title.

(b) Notwithstanding subsection (a) of this section, the employment of a teacher in the recess period between two school years in a position other than a teaching position in which he served immediately before the recess period does not qualify the individual as an employee for the purpose of this chapter. For the purpose of this subsection, "teacher" and "teaching position" have the meanings given them by section 901 of title 20.

**§ 8702. Automatic coverage**

(a) An employee is automatically insured on the date he becomes eligible for insurance and each policy of insurance purchased by the Civil Service Commission under this chapter shall provide for that automatic coverage.

(b) An employee desiring not to be insured shall give written notice to his employing office on a form prescribed by the Commission. If the notice is received before he has become insured, he shall not be insured. If the notice is received after he has become insured, his insurance stops at the end of the pay period in which the notice is received.

**§ 8703. Benefit certificate**

The Civil Service Commission shall arrange to have each insured employee receive a certificate setting forth the benefits to which he is entitled, to whom the benefits are payable, to whom the claims shall be submitted, and summarizing the provisions of the policy principally affecting him. The certificate is issued instead of the certificate which the insurance company would otherwise be required to issue.

**§ 8704. Group insurance; amounts**

(a) An employee eligible for insurance is entitled to be insured for an amount of group life insurance approximating his annual pay not exceeding \$20,000 plus an equal amount of group accidental death and dismemberment insurance, in accordance with the following schedule:

If annual pay is—		The amount of group life insurance is—	The amount of group accidental death and dismemberment insurance is—
Greater than—	But not greater than—		
0.....	\$1,000.....	\$1,000	\$1,000
\$1,000.....	2,000.....	2,000	2,000
\$2,000.....	3,000.....	3,000	3,000
\$3,000.....	4,000.....	4,000	4,000
\$4,000.....	5,000.....	5,000	5,000
\$5,000.....	6,000.....	6,000	6,000
\$6,000.....	7,000.....	7,000	7,000
\$7,000.....	8,000.....	8,000	8,000
\$8,000.....	9,000.....	9,000	9,000
\$9,000.....	10,000.....	10,000	10,000
\$10,000.....	11,000.....	11,000	11,000
\$11,000.....	12,000.....	12,000	12,000
\$12,000.....	13,000.....	13,000	13,000
\$13,000.....	14,000.....	14,000	14,000
\$14,000.....	15,000.....	15,000	15,000
\$15,000.....	16,000.....	16,000	16,000
\$16,000.....	17,000.....	17,000	17,000
\$17,000.....	18,000.....	18,000	18,000
\$18,000.....	19,000.....	19,000	19,000
\$19,000.....	.....	20,000	20,000

(b) Subject to the conditions and limitations approved by the Civil Service Commission which are contained in the policy purchased by the Commission, the group accidental death and dismemberment insurance provides payment as follows:

Loss	Amount payable
For loss of life.....	Full amount shown in the schedule in subsection (a) of this section.
Loss of one hand or of one foot or loss of sight of one eye.	One-half the amount shown in the schedule in subsection (a) of this section.
Loss of two or more such members.....	Full amount shown in the schedule in subsection (a) of this section.

For any one accident the aggregate amount of group accidental death and dismemberment insurance that may be paid may not exceed the amount shown in the schedule in subsection (a) of this section.

(c) The Commission shall prescribe regulations providing for the conversion of other than annual rates of pay to annual rates of pay and shall specify the types of pay included in annual pay.

(d) In determining the amount of insurance to which an employee is entitled—

(1) a change in rate of pay under section 5337 of this title is deemed effective as of the first day of the pay period after the pay period in which the payroll change is approved; and

(2) a change in rate of pay under section 5343 of this title is deemed effective as of the date of issuance of the order granting the increase or the effective date of the increase, whichever is later.

### § 8705. Death claims; order of precedence; escheat

(a) The amount of group life insurance and group accidental death insurance in force on an employee at the date of his death shall be paid, on the establishment of a valid claim, to the person or persons surviving at the date of his death, in the following order of precedence:

First, to the beneficiary or beneficiaries designated by the employee in a writing received in the employing office before death.

Second, if there is no designated beneficiary, to the widow or widower of the employee.

Third, if none of the above, to the child or children of the employee and descendants of deceased children by representation.

Fourth, if none of the above, to the parents of the employee or the survivor of them.

Fifth, if none of the above, to the duly appointed executor or administrator of the estate of the employee.

Sixth, if none of the above, to other next of kin of the employee entitled under the laws of the domicile of the employee at the date of his death.

(b) If, within 1 year after the death of the employee, no claim for payment has been filed by a person entitled under the order of precedence named by subsection (a) of this section, or if payment to the person within that period is prohibited by Federal statute or regulation, payment may be made in the order of precedence as if the person had predeceased the employee, and the payment bars recovery by any other person.

(c) If, within 2 years after the death of the employee, no claim for payment has been filed by a person entitled under the order of precedence named by subsection (a) of this section, and neither the Civil Service Commission nor the administrative office established by the company concerned pursuant to section 8709(b) of this title has received notice that such a claim will be made, payment may be made to the claimant who in the judgment of the Commission is equitably entitled thereto, and the payment bars recovery by any other person.

(d) If, within 4 years after the death of the employee, payment has not been made under this section and no claim for payment by a person entitled under this section is pending, the amount payable escheats to the credit of the Employees' Life Insurance Fund.

**§ 8706. Termination of insurance**

(a) A policy purchased under this chapter shall contain a provision, approved by the Civil Service Commission, to the effect that insurance on an employee stops on his separation from the service or 12 months after discontinuance of his pay, whichever is earlier, subject to a provision for temporary extension of life insurance coverage and for conversion to an individual policy of life insurance under conditions approved by the Commission.

(b) If on the date the insurance would otherwise stop the employee retires on an immediate annuity and—

(1) his retirement is for disability; or

(2) he has completed 12 years of creditable service as determined by the Commission;

his life insurance only may be continued, without cost to him, under conditions determined by the Commission. Periods of honorable, active service in the armed forces shall be credited toward the required 12 years if the employee has completed at least 5 years of civilian service. The amount of life insurance continued under this subsection shall be reduced by 2 percent at the end of each full calendar month after the date the employee becomes 65 years of age or retires, whichever is later. The Commission may prescribe minimum amounts, not less than 25 percent of the amount of life insurance in force before the first reduction, to which the insurance may be reduced.

(c) If on the date the insurance would otherwise stop the employee is receiving benefits under subchapter I of chapter 81 of this title because of disease or injury to himself, his life insurance only may be continued, without cost to him, under conditions determined by the Commission while he is receiving the benefits and is held by the Department of Labor to be unable to return to duty.

(d) The insurance granted to an employee stops, except for a 31-day extension of life insurance coverage, on the day immediately before his entry on active duty or active duty for training unless the period of duty is covered by military leave with pay. The insurance does not stop during a period of inactive duty training. For the purpose of this subsection, the terms "active duty", "active duty for training", and "inactive duty training" have the meanings given them by section 101 of title 38.

**§ 8707. Employee deductions; withholding**

During each period in which an employee is insured under a policy of insurance purchased by the Civil Service Commission under section 8709 of this title, an amount determined by the Commission shall be withheld from the pay of the employee as his share of the cost of his group life and accidental death and dismemberment insurance. The amount may not exceed the rate of 25 cents biweekly for each \$1,000 of his group life insurance. The amount withheld from an employee paid on other than a biweekly basis is determined at a proportional rate adjusted to the nearest cent.

**§ 8708. Government contributions**

(a) For each period in which an employee is insured under a policy of insurance purchased by the Civil Service Commission under section 8709 of this title, a sum computed at a rate determined by the Commission shall be contributed from the appropriation or fund which is used to pay him. The sum may not exceed one-half the amount which is withheld from the pay of the employee under section 8707 of this title.

(b) When an employee is paid by the Clerk of the House of Representatives, the Clerk may contribute the sum required by subsection (a) of this section from the contingent fund of the House.

(c) When the employee is an elected official, the sum required by subsection (a) of this section is contributed from an appropriation or fund available for payment of other salaries of the same office or establishment.

#### **§ 8709. Insurance policies**

(a) The Civil Service Commission, without regard to section 5 of title 41, may purchase from one or more life insurance companies a policy or policies of group life and accidental death and dismemberment insurance to provide the benefits specified by this chapter. A company must meet the following requirements:

(1) It must be licensed to transact life and accidental death and dismemberment insurance under the laws of 48 of the States and the District of Columbia.

(2) It must have in effect, on the most recent December 31 for which information is available to the Commission, an amount of employee group life insurance equal to at least 1 percent of the total amount of employee group life insurance in the United States in all life insurance companies.

(b) A company issuing a policy under subsection (a) of this section shall establish an administrative office under a name approved by the Commission.

(c) The Commission at any time may discontinue a policy purchased from a company under subsection (a) of this section.

#### **§ 8710. Reinsurance**

(a) The Civil Service Commission shall arrange with a company issuing a policy under this chapter for the reinsurance, under conditions approved by the Commission, of portions of the total amount of insurance under the policy, determined under this section, with other life insurance companies which elect to participate in the reinsurance.

(b) The Commission shall determine for and in advance of a policy year which companies are eligible to participate as reinsurers and the amount of insurance under a policy which is to be allocated to the issuing company and to reinsurers. The Commission shall make this determination at least every 3 years and when a participating company withdraws.

(c) The Commission shall establish a formula under which the amount of insurance retained by an issuing company after ceding reinsurance, and the amount of reinsurance ceded to each reinsurer, is in proportion to the total amount of each company's group life insurance, excluding insurance purchased under this chapter, in force in the United States on the determination date, which is the most recent December 31 for which information is available to the Commission. In determining the proportions, the portion of a company's group life insurance in force on the determination date in excess of \$100,000,000 shall be reduced by—

- (1) 25 percent of the first \$100,000,000 of the excess;
- (2) 50 percent of the second \$100,000,000 of the excess;
- (3) 75 percent of the third \$100,000,000 of the excess; and
- (4) 95 percent of the remaining excess.

However, the amount retained by or ceded to a company may not exceed 25 percent of the amount of the company's total life insurance in force in the United States on the determination date.

(d) A fraternal benefit association which is—

(1) licensed to transact life insurance under the laws of a State or the District of Columbia; and

(2) engaged in issuing insurance certificates on the lives of employees of the United States exclusively;

is eligible to act as a reinsuring company and may be allocated an amount of reinsurance equal to 25 percent of its total life insurance in force on employees of the United States on the determination date named by subsection (c) of this section.

(e) An issuing company or reinsurer is entitled, as a minimum, to be allocated an amount of insurance under the policy equal to any reduction from December 31, 1953, to the determination date, in the amount of the company's group life insurance under policies issued to associations of employees of the United States. However, any increase under this subsection in the amount allocated is reduced by the amount in force on the determination date of any policy covering life insurance agreements assumed by the Commission.

(f) The Commission may modify the computations under this section as necessary to carry out the intent of this section.

### § 8711. Basic tables of premium rates

(a) A policy purchased under this chapter shall include, for the first policy year, basic tables of premium rates as follows:

(1) For group life insurance, a schedule of basic premium rates by age which the Civil Service Commission determines to be consistent with the lowest schedule of basic premium rates generally charged for new group life insurance policies issued to large employers.

(2) For group accidental death and dismemberment insurance, a basic premium rate which the Commission determines is consistent with the lowest rate generally charged for new group accidental death and dismemberment policies issued to large employers.

The schedule for group life insurance, except as otherwise provided by this section, shall be applied to the distribution by age of the amounts of group life insurance under the policy at its date of issuance to determine an average basic premium rate per \$1,000 of life insurance.

(b) The policy shall provide that the basic premium rates determined for the first policy year continue for later policy years except as readjusted for a later year based on experience under the policy. The company issuing the policy may make the readjustment on a basis that the Commission determines in advance of the policy year is consistent with the general practice of life insurance companies under policies of group life and group accidental death and dismemberment insurance issued to large employers.

(c) The policy shall provide that if the Commission determines that ascertaining the actual age distribution of the amounts of group life insurance in force at the date of issue of the policy or at the end of the first or any later year of insurance thereunder would not be possible except at a disproportionately high expense, the Commission may approve the determination of a tentative average group life premium rate, for the first or any later policy year, instead of using the actual age distribution. The Commission, on request by the company issuing the policy, shall redetermine the tentative average premium rate during any policy year, if experience indicates that the assumptions made in determining that rate were incorrect for that year.

(d) The policy shall stipulate the maximum expense and risk charges for the first policy year. The Commission shall determine these charges on a basis consistent with the general level of charges made by life insurance companies under policies of group life and accidental death and dismemberment insurance issued to large employers. The maximum charges continue from year to year, except that the Commission may redetermine them for any year either by agreement with the company issuing the policy or on written notice given to the company at least 1 year before the beginning of the year for which the redetermined maximum charges will be effective.

**§ 8712. Annual accounting; special contingency reserve**

A policy purchased under this chapter shall provide for an accounting to the Civil Service Commission not later than 90 days after the end of each policy year. The accounting shall set forth, in a form approved by the Commission—

- (1) the amounts of premiums actually accrued under the policy from its date of issue to the end of the policy year;
- (2) the total of all mortality and other claim charges incurred for that period; and
- (3) the amounts of the insurers' expense and risk charges for that period.

An excess of the total of paragraph (1) of this section over the sum of paragraphs (2) and (3) of this section shall be held by the company issuing the policy as a special contingency reserve to be used by the company only for charges under the policy. The reserve shall bear interest at a rate determined in advance of each policy year by the company and approved by the Commission as being consistent with the rates generally used by the company for similar funds held under other group life insurance policies. When the Commission determines that the special contingency reserve has attained an amount estimated by it to make satisfactory provision for adverse fluctuations in future charges under the policy, any further excess shall be deposited in the Treasury of the United States to the credit of the Employees' Life Insurance Fund. When a policy is discontinued, any balance remaining in the special contingency reserve after all charges have been made shall be deposited in the Treasury to the credit of the Fund. The company may make the deposit in equal monthly installments over a period of not more than 2 years.

**§ 8713. Advisors**

(a) There is an Advisory Council on Group Insurance consisting of the Secretary of the Treasury as Chairman, the Secretary of Labor, and the Director of the Bureau of the Budget. The Council members serve without additional pay. The Council shall—

- (1) meet once a year, or oftener as called by the Civil Service Commission;
- (2) review the operations under this chapter; and
- (3) advise the Commission on matters of policy relating to its activities thereunder.

(b) The Chairman of the Commission shall appoint a committee composed of five employees insured under this chapter, who serve without additional pay, to advise the Commission regarding matters of concern to employees under this chapter.

**§ 8714. Employees' Life Insurance Fund**

(a) The amounts withheld from employees under section 8707 of this title and the sums contributed from appropriations and funds

under section 8708 of this title shall be deposited in the Treasury of the United States to the credit of the Employees' Life Insurance Fund. The Fund is available without fiscal year limitation for—

(1) premium payments under an insurance policy purchased under this chapter; and

(2) expenses incurred by the Civil Service Commission in the administration of this chapter within the limitations that may be specified annually by appropriation acts.

(b) The Secretary of the Treasury may invest and reinvest any of the money in the Fund in interest-bearing obligations of the United States, and may sell these obligations for the purposes of the Fund. The interest on and the proceeds from the sale of these obligations, and the income derived from dividend or premium rate adjustments from insurers, become a part of the Fund.

#### § 8715. Jurisdiction of courts

The district courts of the United States have original jurisdiction, concurrent with the Court of Claims, of a civil action or claim against the United States founded on this chapter.

#### § 8716. Regulations

(a) The Civil Service Commission may prescribe regulations necessary to carry out the purposes of this chapter.

(b) The regulations of the Commission may prescribe the time at which and the conditions under which an employee is eligible for coverage under this chapter. The Commission, after consulting the head of the agency or other employing authority concerned, may exclude an employee on the basis of the nature and type of his employment or conditions pertaining to it, such as short-term appointment, seasonal, intermittent or part-time employment, and employment of like nature. The Commission may not exclude—

(1) an employee or group of employees solely on the basis of the hazardous nature of employment; or

(2) a teacher in the employ of the Board of Education of the District of Columbia, whose pay is fixed by section 1501 of title 31, District of Columbia Code, on the basis of the fact that the teacher is serving under a temporary appointment if the teacher has been so employed by the Board for a period or periods totaling not less than two school years.

(c) The Secretary of Agriculture shall prescribe regulations to effect the application and operation of this chapter to an individual named by section 8701 (a) (8) of this title.

### CHAPTER 89—HEALTH INSURANCE

Sec.

8901. Definitions.

8902. Contracting authority.

8903. Health benefits plans.

8904. Types of benefits.

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8907. Information to employees.

8908. Coverage of restored employee.

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8910. Studies, reports, and audits.

8911. Advisory committee.

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8913. Regulations.

### § 8901. Definitions.

For the purpose of this chapter—

- (1) "employee" means—
  - (A) an employee as defined by section 2105 of this title;
  - (B) a Member of Congress as defined by section 2106 of this title;
  - (C) a Congressional employee as defined by section 2107 of this title;
  - (D) the President;
  - (E) an individual employed by the government of the District of Columbia;
  - (F) an individual employed by Gallaudet College;
  - (G) a United States Commissioner to whom subchapter III of chapter 83 of this title applies by operation of section 8331(1)(E) of this title; and
  - (H) an individual employed by a county committee established under section 590h(b) of title 16;

but does not include—

- (i) an employee of a corporation supervised by the Farm Credit Administration if private interests elect or appoint a member of the board of directors;
  - (ii) a noncitizen employee whose permanent duty station is outside the United States;
  - (iii) an employee of the Tennessee Valley Authority; or
  - (iv) an employee excluded by regulation of the Civil Service Commission under section 8913(b) of this title;
- (2) "Government" means the Government of the United States and the government of the District of Columbia;
  - (3) "annuitant" means—
    - (A) an employee who retires on an immediate annuity under subchapter III of chapter 83 of this title or another retirement system for employees of the Government, after 12 or more years of service or for disability;
    - (B) a member of a family who receives an immediate annuity as the survivor of a retired employee described by subparagraph (A) of this paragraph or of an employee who dies after completing 5 or more years of service;
    - (C) an employee who receives monthly compensation under subchapter I of chapter 81 of this title and who is determined by the Secretary of Labor to be unable to return to duty; and
    - (D) a member of a family who receives monthly compensation under subchapter I of chapter 81 of this title as the surviving beneficiary of—
      - (i) an employee who, having completed 5 or more years of service, dies as a result of injury or illness compensable under that subchapter; or
      - (ii) a former employee who is separated after having completed 5 or more years of service and who dies while receiving monthly compensation under that subchapter and who has been held by the Secretary to have been unable to return to duty;
  - (4) "service", as used by paragraph (3) of this section, means service which is creditable under subchapter III of chapter 83 of this title;

(5) "member of family" means the spouse of an employee or annuitant and an unmarried child under 21 years of age, including—

- (A) an adopted child; and
  - (B) a stepchild, foster child, or recognized natural child who lives with the employee or annuitant in a regular parent-child relationship;
- or such an unmarried child regardless of age who is incapable of self-support because of mental or physical disability which existed before age 21;

(6) "health benefits plan" means a group insurance policy or contract, medical or hospital service agreement, membership or subscription contract, or similar group arrangement provided by a carrier for the purpose of providing, paying for, or reimbursing expenses for health services;

(7) "carrier" means a voluntary association, corporation, partnership, or other nongovernmental organization which is lawfully engaged in providing, paying for, or reimbursing the cost of, health services under group insurance policies or contracts, medical or hospital service agreements, membership or subscription contracts, or similar group arrangements, in consideration of premiums or other periodic charges payable to the carrier, including a health benefits plan duly sponsored or underwritten by an employee organization; and

(8) "employee organization" means an association or other organization of employees which is national in scope, or in which membership is open to all employees of a Government agency who are eligible to enroll in a health benefits plan under this chapter, and which, before January 1, 1964, applied to the Commission for approval of a plan provided under section 8903(3) of this title.

### § 8902. Contracting authority

(a) The Civil Service Commission may contract with qualified carriers offering plans described by section 8903 of this title, without regard to section 5 of title 41 or other statute requiring competitive bidding. Each contract shall be for a uniform term of at least 1 year, but may be made automatically renewable from term to term in the absence of notice of termination by either party.

(b) To be eligible as a carrier for the plan described by section 8903(2) of this title, a company must be licensed to issue group health insurance in all the States and the District of Columbia.

(c) A contract for a plan described by section 8903(1) or (2) of this title shall require the carrier—

(1) to reinsure with other companies which elect to participate, under an equitable formula based on the total amount of their group health insurance benefit payments in the United States during the latest year for which the information is available, to be determined by the carrier and approved by the Commission; or

(2) to allocate its rights and obligations under the contract among its affiliates which elect to participate, under an equitable formula to be determined by the carrier and the affiliates and approved by the Commission.

(d) Each contract under this chapter shall contain a detailed statement of benefits offered and shall include such maximums, limitations, exclusions, and other definitions of benefits as the Commission considers necessary or desirable.

(e) The Commission may prescribe reasonable minimum standards for health benefits plans described by section 8903 of this title and for carriers offering the plans. Approval of a plan may be withdrawn only after notice and opportunity for hearing to the carrier concerned without regard to subchapter II of chapter 5 and chapter 7 of this title. The Commission may terminate the contract of a carrier effective at the end of the contract term, if the Commission finds that at no time during the preceding two contract terms did the carrier have 300 or more employees and annuitants, exclusive of family members, enrolled in the plan.

(f) A contract may not be made or a plan approved which excludes an individual because of race, sex, health status, or, at the time of the first opportunity to enroll, because of age.

(g) A contract may not be made or a plan approved which does not offer to each employee or annuitant whose enrollment in the plan is ended, except by a cancellation of enrollment, a temporary extension of coverage during which he may exercise the option to convert, without evidence of good health, to a nongroup contract providing health benefits. An employee or annuitant who exercises this option shall pay the full periodic charges of the nongroup contract.

(h) The benefits and coverage made available under subsection (g) of this section are noncancelable by the carrier except for fraud, over-insurance, or nonpayment of periodic charges.

(i) Rates charged under health benefits plans described by section 8903 of this title shall reasonably and equitably reflect the cost of the benefits provided. Rates under health benefits plans described by section 8903 (1) and (2) of this title shall be determined on a basis which, in the judgment of the Commission, is consistent with the lowest schedule of basic rates generally charged for new group health benefit plans issued to large employers. The rates determined for the first contract term shall be continued for later contract terms, except that they may be readjusted for any later term, based on past experience and benefit adjustments under the later contract. Any readjustment in rates shall be made in advance of the contract term in which they will apply and on a basis which, in the judgment of the Commission, is consistent with the general practice of carriers which issue group health benefit plans to large employers.

### § 8903. Health benefits plans

The Civil Service Commission may contract for or approve the following health benefits plans:

(1) **SERVICE BENEFIT PLAN.**—One Government-wide plan, offering two levels of benefits, under which payment is made by a carrier under contracts with physicians, hospitals, or other providers of health services for benefits of the types described by section 8904(1) of this title given to employees or annuitants, or members of their families, or, under certain conditions, payment is made by a carrier to the employee or annuitant or member of his family.

(2) **INDEMNITY BENEFIT PLAN.**—One Government-wide plan, offering two levels of benefits, under which a carrier agrees to pay certain sums of money, not in excess of the actual expenses incurred, for benefits of the types described by section 8904(2) of this title.

(3) **EMPLOYEE ORGANIZATION PLANS.**—Employee organization plans which offer benefits of the types referred to by section 8904 (3) of this title, which are sponsored or underwritten, and are administered, in whole or substantial part, by employee organiza-

tions, which are available only to individuals, and members of their families, who at the time of enrollment are members of the organization.

(4) **COMPREHENSIVE MEDICAL PLANS.**—

(A) **GROUP-PRACTICE PREPAYMENT PLANS.**—Group-practice prepayment plans which offer health benefits of the types referred to by section 8904(4) of this title, in whole or in substantial part on a prepaid basis, with professional services thereunder provided by physicians practicing as a group in a common center or centers. The group shall include physicians representing at least three major medical specialties who receive all or a substantial part of their professional income from the prepaid funds.

(B) **INDIVIDUAL-PRACTICE PREPAYMENT PLANS.**—Individual-practice prepayment plans which offer health services in whole or substantial part on a prepaid basis, with professional services thereunder provided by individual physicians who agree, under certain conditions approved by the Commission, to accept the payments provided by the plans as full payment for covered services given by them including, in addition to in-hospital services, general care given in their offices and the patients' homes, out-of-hospital diagnostic procedures, and preventive care, and which plans are offered by organizations which have successfully operated similar plans before approval by the Commission of the plan in which employees may enroll.

**§ 8904. Types of benefits**

The benefits to be provided under plans described by section 8903 of this title may be of the following types:

(1) **SERVICE BENEFIT PLAN.**—

- (A) Hospital benefits.
- (B) Surgical benefits.
- (C) In-hospital medical benefits.
- (D) Ambulatory patient benefits.
- (E) Supplemental benefits.
- (F) Obstetrical benefits.

(2) **INDEMNITY BENEFIT PLAN.**—

- (A) Hospital care.
- (B) Surgical care and treatment.
- (C) Medical care and treatment.
- (D) Obstetrical benefits.
- (E) Prescribed drugs, medicines, and prosthetic devices.
- (F) Other medical supplies and services.

(3) **EMPLOYEE ORGANIZATION PLANS.**—Benefits of the types named under paragraph (1) or (2) of this section or both.

(4) **COMPREHENSIVE MEDICAL PLANS.**—Benefits of the types named under paragraph (1) or (2) of this section or both.

All plans contracted for under paragraphs (1) and (2) of this section shall include benefits both for costs associated with care in a general hospital and for other health services of a catastrophic nature.

**§ 8905. Election of coverage**

(a) An employee may enroll in an approved health benefits plan described by section 8903 of this title either as an individual or for self and family.

(b) An annuitant who at the time he becomes an annuitant was enrolled in a health benefits plan under this chapter—

(1) as an employee for a period of not less than—

(A) the 5 years of service immediately before retirement;

(B) the full period or periods of service between the last day of the first period, as prescribed by regulations of the Civil Service Commission, in which he is eligible to enroll in the plan and the date on which he becomes an annuitant; or

(C) the full period or periods of service beginning with the enrollment which became effective before January 1, 1965, and ending with the date on which he becomes an annuitant;

whichever is shortest; or

(2) as a member of the family of an employee or annuitant; may continue his enrollment under the conditions of eligibility prescribed by regulations of the Commission.

(c) If an employee has a spouse who is an employee, either spouse, but not both, may enroll for self and family, or each spouse may enroll as an individual. However, an individual may not be enrolled both as an employee or annuitant and as a member of the family.

(d) An employee or annuitant enrolled in a health benefits plan under this chapter may change his coverage or that of himself and members of his family by an application filed within 60 days after a change in family status or at other times and under conditions prescribed by regulations of the Commission.

(e) An employee or annuitant may transfer his enrollment from a health benefits plan described by section 8903 of this title to another plan described by that section at the times and under the conditions prescribed by regulations of the Commission.

### § 8906. Contributions

(a) Except as provided by subsection (b) of this section, the Government contribution for health benefits for employees or annuitants enrolled in health benefits plans under this chapter, in addition to the contributions required by subsection (c) of this section, is 50 percent of the lowest rates charged by a carrier for a level of benefits offered by a plan under section 8903 (1) or (2) of this title, but—

(1) not less than \$1.25 or more than \$1.75 biweekly for an employee or annuitant who is enrolled for self alone; and

(2) not less than \$3 or more than \$4.25 biweekly for an employee or annuitant who is enrolled for self and family.

(b) The Government contribution for an employee or annuitant enrolled in a plan described by section 8903 (3) or (4) of this title for which the biweekly subscription charge is less than twice the Government contribution established under subsection (a) of this section, is 50 percent of the subscription charge.

(c) There shall be withheld from the pay of each enrolled employee and the annuity of each enrolled annuitant and there shall be contributed by the Government, amounts, in the same ratio as the contributions of the employee or annuitant and the Government under subsections (a) and (b) of this section, which are necessary for the administrative costs and the reserves provided for by section 8909 (b) of this title.

(d) The amount necessary to pay the total charge for enrollment, after the Government contribution is deducted, shall be withheld from the pay of each enrolled employee and from the annuity of each enrolled annuitant. The withholding for an annuitant shall be the same as that for an employee enrolled in the same health benefits plan and level of benefits.

(e) An employee enrolled in a health benefits plan under this chapter who is placed in a leave without pay status may have his coverage and the coverage of members of his family continued under the plan for not to exceed 1 year under regulations prescribed by the Commission. The regulations may provide for the waiving of contributions by the employee and the Government.

(f) The Government contributions for health benefits for an employee shall be paid—

(1) in the case of employees generally, from the appropriation or fund which is used to pay the employee;

(2) in the case of an elected official, from an appropriation or fund available for payment of other salaries of the same office or establishment;

(3) in the case of an employee of the legislative branch who is paid by the Clerk of the House of Representatives, from the contingent fund of the House; and

(4) in the case of an employee in a leave without pay status, from the appropriation or fund which would be used to pay the employee if he were in a pay status.

(g) The Government contributions authorized by subsection (a) of this section for health benefits for an annuitant shall be paid from annual appropriations which are authorized to be made for that purpose.

(h) The Commission shall provide for conversion of biweekly rates of contribution specified by this section to rates for employees and annuitants paid on other than a biweekly basis, and for this purpose may provide for the adjustment of the converted rate to the nearest cent.

#### § 8907. Information to employees

(a) The Civil Service Commission shall make available to each employee eligible to enroll in a health benefits plan under this chapter such information, in a form acceptable to the Commission after consultation with the carrier, as may be necessary to enable the employee to exercise an informed choice among the types of plans described by section 8903 of this title.

(b) Each employee enrolled in a health benefits plan shall be issued an appropriate document setting forth or summarizing the—

(1) services or benefits, including maximums, limitations, and exclusions, to which the employee or the employee and members of his family are entitled thereunder;

(2) procedure for obtaining benefits; and

(3) principal provisions of the plan affecting the employee or members of his family.

#### § 8908. Coverage of restored employee

An employee enrolled in a health benefits plan under this chapter who is removed or suspended without pay and later reinstated or restored to duty on the ground that the removal or suspension was unjustified or unwarranted may, at his option, enroll as a new employee or have his coverage restored, with appropriate adjustments made in contributions and claims, to the same extent and effect as though the removal or suspension had not taken place.

#### § 8909. Employees Health Benefits Fund

(a) There is in the Treasury of the United States an Employees Health Benefits Fund which is administered by the Civil Service Commission. The contributions of employees, annuitants, and the Govern-

ment described by section 8906 of this title shall be paid into the Fund. The Fund is available—

(1) without fiscal year limitation for all payments to approved health benefits plans; and

(2) to pay expenses for administering this chapter within the limitations that may be specified annually by Congress.

(b) Portions of the contributions made by employees, annuitants, and the Government shall be regularly set aside in the Fund as follows:

(1) A percentage, not to exceed 1 percent of all contributions, determined by the Commission to be reasonably adequate to pay the administrative expenses made available by subsection (a) of this section.

(2) For each health benefits plan, a percentage, not to exceed 3 percent of the contributions toward the plan, determined by the Commission to be reasonably adequate to provide a contingency reserve.

The Commission, from time to time and in amounts it considers appropriate, may transfer unused funds for administrative expenses to the contingency reserves of the plans then under contract with the Commission. When funds are so transferred, each contingency reserve shall be credited in proportion to the total amount of the subscription charges paid and accrued to the plan for the contract term immediately before the contract term in which the transfer is made. The income derived from dividends, rate adjustments, or other refunds made by a plan shall be credited to its contingency reserve. The contingency reserves may be used to defray increases in future rates, or may be applied to reduce the contributions of employees and the Government to, or to increase the benefits provided by, the plan from which the reserves are derived, as the Commission from time to time shall determine.

(c) The Secretary of the Treasury may invest and reinvest any of the money in the Fund in interest-bearing obligations of the United States, and may sell these obligations for the purposes of the Fund. The interest on and the proceeds from the sale of these obligations become a part of the Fund.

(d) When the assets, liabilities, and membership of employee organizations sponsoring or underwriting plans approved under section 8903(3) of this title are merged, the assets (including contingency reserves) and liabilities of the plans sponsored or underwritten by the merged organizations shall be transferred at the beginning of the contract term next following the date of the merger to the plan sponsored or underwritten by the successor organization. Each employee or annuitant affected by a merger shall be transferred to the plan sponsored or underwritten by the successor organization unless he enrolls in another plan under this chapter.

(e) Except as provided by subsection (d) of this section, when a plan described by section 8903(3) or (4) of this title is discontinued under this chapter, the contingency reserve of that plan shall be credited to the contingency reserves of the plans continuing under this chapter for the contract term following that in which termination occurs, each reserve to be credited in proportion to the amount of the subscription charges paid and accrued to the plan for the year of termination.

#### § 8910. Studies, reports, and audits

(a) The Civil Service Commission shall make a continuing study of the operation and administration of this chapter, including surveys and reports on health benefits plans available to employees and on the experience of the plans.

(b) Each contract entered into under section 8902 of this title shall contain provisions requiring carriers to—

(1) furnish such reasonable reports as the Commission determines to be necessary to enable it to carry out its functions under this chapter; and

(2) permit the Commission and representatives of the General Accounting Office to examine records of the carriers as may be necessary to carry out the purposes of this chapter.

(c) Each Government agency shall keep such records, make such certifications, and furnish the Commission with such information and reports as may be necessary to enable the Commission to carry out its functions under this chapter.

#### § 8911. Advisory committee

The Chairman of the Civil Service Commission shall appoint a committee composed of five members, who serve without pay, to advise the Commission regarding matters of concern to employees under this chapter. Each member of the committee shall be an employee enrolled under this chapter or an elected official of an employee organization.

#### § 8912. Jurisdiction of courts

The district courts of the United States have original jurisdiction, concurrent with the Court of Claims, of a civil action or claim against the United States founded on this chapter.

#### § 8913. Regulations

(a) The Civil Service Commission may prescribe regulations necessary to carry out this chapter.

(b) The regulations of the Commission may prescribe the time at which and the manner and conditions under which an employee is eligible to enroll in an approved health benefits plan described by section 8903 of this title. The regulations may exclude an employee on the basis of the nature and type of his employment or conditions pertaining to it, such as short-term appointment, seasonal or intermittent employment, and employment of like nature. The Commission may not exclude—

(1) an employee or group of employees solely on the basis of the hazardous nature of employment; or

(2) a teacher in the employ of the Board of Education of the District of Columbia, whose pay is fixed by section 1501 of title 31, District of Columbia Code, on the basis of the fact that the teacher is serving under a temporary appointment if the teacher has been so employed by the Board for a period or periods totaling not less than two school years.

(c) The regulations of the Commission shall provide for the beginning and ending dates of coverage of employees and annuitants and members of their families under health benefits plans. The regulations may permit the coverage to continue, exclusive of the temporary extension of coverage described by section 8902(g) of this title, until the end of the pay period in which an employee is separated from the service, or until the end of the month in which an annuitant ceases to be entitled to annuity, and in case of the death of an employee or annuitant, may permit a temporary extension of the coverage of members of his family for not to exceed 90 days.

(d) The Secretary of Agriculture shall prescribe regulations to effect the application and operation of this chapter to an individual named by section 8901(1)(H) of this title.

61 Stat. 643.

SEC. 2. (a) Section 42 of title 4, United States Code, is amended to read as follows:

**“§ 42. Same; custody and use of**

“The Secretary of State shall have the custody and charge of such seal. Except as provided by section 2902(a) of title 5, the seal shall not be affixed to any instrument without the special warrant of the President therefor.”

(b) The analysis of chapter 4 of title 4, United States Code, is amended by redesignating item 111 as “112”, and by inserting after item 110:

“111. Same; taxation affecting Federal employees; income tax.”

(c) Chapter 4 of title 4, United States Code, is further amended by redesignating section 111 as “112”, and by inserting after section 110:

**“§ 111. Same; taxation affecting Federal employees; income tax**

“The United States consents to the taxation of pay or compensation for personal service as an officer or employee of the United States, a territory or possession or political subdivision thereof, the government of the District of Columbia, or an agency or instrumentality of one or more of the foregoing, by a duly constituted taxing authority having jurisdiction, if the taxation does not discriminate against the officer or employee because of the source of the pay or compensation.”

SEC. 3. (a) The analysis of chapter 15 of title 18, United States Code, is amended by adding the following:

“292. Solicitation of employment and receipt of unapproved fees concerning Federal employees' compensation.”

62 Stat. 697.

(b) Chapter 15 of title 18, United States Code, is amended by adding the following new section:

**“§ 292. Solicitation of employment and receipt of unapproved fees concerning Federal employees' compensation**

“Whoever solicits employment for himself or another in respect to a case, claim, or award for compensation under, or to be brought under, subchapter I of chapter 81 of title 5; or

“Whoever receives a fee, other consideration, or gratuity on account of legal or other services furnished in respect to a case, claim, or award for compensation under subchapter I of chapter 81 of title 5, unless the fee, consideration, or gratuity is approved by the Secretary of Labor—

“Shall, for each offense, be fined not more than \$1,000 or imprisoned not more than one year, or both.”

62 Stat. 790.

(c) The analysis of chapter 93 of title 18, United States Code, is amended by adding the following:

“1916. Unauthorized employment and disposition of lapsed appropriations.

“1917. Interference with civil service examinations.

“1918. Disloyalty and asserting the right to strike against the Government.

“1919. False statement to obtain unemployment compensation for Federal service.

“1920. False statement to obtain Federal employees' compensation.

“1921. Receiving Federal employees' compensation after marriage.

“1922. False or withheld report concerning Federal employees' compensation.

“1923. Fraudulent receipt of payments of missing persons.”

(d) Chapter 93 of title 18, United States Code, is amended by adding the following new sections:

**“§ 1916. Unauthorized employment and disposition of lapsed appropriations**

“Whoever—

“(1) violates the provision of section 3103 of title 5 that an individual may be employed in the civil service in an Executive

department at the seat of Government only for services actually rendered in connection with and for the purposes of the appropriation from which he is paid; or

“(2) violates the provision of section 5501 of title 5 that money accruing from lapsed salaries or from unused appropriations for salaries shall be covered into the Treasury of the United States; shall be fined not more than \$1,000 or imprisoned not more than one year.

**“§ 1917. Interference with civil service examinations**

“Whoever, being a member or employee of the United States Civil Service Commission or an individual in the public service, willfully and corruptly—

“(1) defeats, deceives, or obstructs an individual in respect of his right of examination according to the rules prescribed by the President under title 5 for the administration of the competitive service and the regulations prescribed by the Commission under section 1302(a) of title 5;

“(2) falsely marks, grades, estimates, or reports on the examination or proper standing of an individual examined;

“(3) makes a false representation concerning the mark, grade, estimate, or report on the examination or proper standing of an individual examined, or concerning the individual examined; or

“(4) furnishes to an individual any special or secret information for the purpose of improving or injuring the prospects or chances of an individual examined, or to be examined, being appointed, employed, or promoted;

shall, for each offense, be fined not less than \$100 nor more than \$1,000 or imprisoned not less than ten days nor more than one year, or both.

**“§ 1918. Disloyalty and asserting the right to strike against the Government**

“Whoever violates the provision of section 7311 of title 5 that an individual may not accept or hold a position in the Government of the United States or the government of the District of Columbia if he—

“(1) advocates the overthrow of our constitutional form of government;

“(2) is a member of an organization that he knows advocates the overthrow of our constitutional form of government;

“(3) participates in a strike, or asserts the right to strike, against the Government of the United States or the government of the District of Columbia; or

“(4) is a member of an organization of employees of the Government of the United States or of individuals employed by the government of the District of Columbia that he knows asserts the right to strike against the Government of the United States or the government of the District of Columbia;

shall be fined not more than \$1,000 or imprisoned not more than one year and a day, or both.

**“§ 1919. False statement to obtain unemployment compensation for Federal service**

“Whoever makes a false statement or representation of a material fact knowing it to be false, or knowingly fails to disclose a material fact, to obtain or increase for himself or for any other individual any payment authorized to be paid under chapter 85 of title 5 or under an agreement thereunder, shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

**“§ 1920. False statement to obtain Federal employees’ compensation**

“Whoever makes, in an affidavit or report required by section 8106 of title 5 or in a claim for compensation under subchapter I of chapter 81 of title 5, a statement, knowing it to be false, is guilty of perjury and shall be fined not more than \$2,000 or imprisoned not more than one year, or both.

**“§ 1921. Receiving Federal employees’ compensation after marriage**

“Whoever, being entitled to compensation under sections 8107–8113 and 8133 of title 5 and whose compensation by the terms of those sections stops or is reduced on his marriage or on the marriage of his dependent, accepts after such marriage any compensation or payment to which he is not entitled shall be fined not more than \$2,000 or imprisoned not more than one year, or both.

**“§ 1922. False or withheld report concerning Federal employees’ compensation**

“Whoever, being an officer or employee of the United States charged with the responsibility for making the reports of the immediate superior specified by section 8120 of title 5, willfully fails, neglects, or refuses to make any of the reports, or knowingly files a false report, or induces, compels, or directs an injured employee to forego filing of any claim for compensation or other benefits provided under subchapter I of chapter 81 of title 5 or any extension or application thereof, or willfully retains any notice, report, claim, or paper which is required to be filed under that subchapter or any extension or application thereof, or regulations prescribed thereunder, shall be fined not more than \$500 or imprisoned not more than one year, or both.

**“§ 1923. Fraudulent receipt of payments of missing persons**

“Whoever obtains or receives any money, check, or allotment under—

“(1) subchapter VII of chapter 55 of title 5; or

“(2) chapter 10 of title 37;

without being entitled thereto, with intent to defraud, shall be fined not more than \$2,000 or imprisoned not more than one year, or both.”

(e) The analysis of chapter 301 of title 18, United States Code, is amended by adding the following:

“4010. Acquisition of additional land.

“4011. Disposition of cash collections for meals, laundry, etc.”

(f) Chapter 301 of title 18, United States Code, is amended by adding the following new sections:

**“§ 4010. Acquisition of additional land**

“The Attorney General may, when authorized by law, acquire land adjacent to or in the vicinity of a Federal penal or correctional institution if he considers the additional land essential to the protection of the health or safety of the inmates of the institution.

**“§ 4011. Disposition of cash collections for meals, laundry, etc.**

“Collections in cash for meals, laundry, barber service, uniform equipment, and other items for which payment is made originally from appropriations for the maintenance and operation of Federal penal and correctional institutions, may be deposited in the Treasury to the credit of the appropriation currently available for those items when the collection is made.”

SEC. 4. (a) The analysis of title 28, United States Code, is amended by striking out:

62 Stat. 909.

"II. UNITED STATES ATTORNEYS AND MARSHALS..... 501"  
and inserting in place thereof:

"II. DEPARTMENT OF JUSTICE..... 501"

(b) Part II of the subanalysis of title 28, United States Code, is amended to read as follows:

"PART II—DEPARTMENT OF JUSTICE

"31. THE ATTORNEY GENERAL.....	501
"33. FEDERAL BUREAU OF INVESTIGATION.....	531
"35. UNITED STATES ATTORNEYS.....	541
"37. UNITED STATES MARSHALS.....	561"

(c) Part II of title 28, United States Code, is amended to read as follows:

"PART II—DEPARTMENT OF JUSTICE

"CHAPTER	Sec.
"31. THE ATTORNEY GENERAL.....	501
"33. FEDERAL BUREAU OF INVESTIGATION.....	531
"35. UNITED STATES ATTORNEYS.....	541
"37. UNITED STATES MARSHALS.....	561

"CHAPTER 31—THE ATTORNEY GENERAL

"Sec.

- "501. Executive department.
- "502. Seal.
- "503. Attorney General.
- "504. Deputy Attorney General.
- "505. Solicitor General.
- "506. Assistant Attorneys General.
- "507. Assistant Attorney General for Administration.
- "508. Vacancies.
- "509. Functions of the Attorney General.
- "510. Delegation of authority.
- "511. Attorney General to advise the President.
- "512. Attorney General to advise heads of executive departments.
- "513. Attorney General to advise Secretaries of military departments.
- "514. Legal services on pending claims in departments and agencies.
- "515. Authority for legal proceedings; commission, oath, and salary for special attorneys.
- "516. Conduct of litigation reserved to Department of Justice.
- "517. Interests of United States in pending suits.
- "518. Conduct and argument of cases.
- "519. Supervision of litigation.
- "520. Transmission of petitions in Court of Claims; statement furnished by departments.
- "521. Publication and distribution of opinions.
- "522. Report of business and statistics.
- "523. Requisitions.
- "524. Appropriations for administrative expenses; notarial fees; meals and lodging of bailiffs.
- "525. Procurement of law books, reference books, and periodicals; sale and exchange.
- "526. Authority of the Attorney General to investigate United States attorneys and marshals, clerks of court, and others.

"§ 501. Executive department

"The Department of Justice is an executive department of the United States at the seat of Government.

"§ 502. Seal

"The Attorney General shall have a seal for the Department of Justice. The design of the seal is subject to the approval of the President.

**“§ 503. Attorney General**

“The President shall appoint, by and with the advice and consent of the Senate, an Attorney General of the United States. The Attorney General is the head of the Department of Justice.

**“§ 504. Deputy Attorney General**

“The President may appoint, by and with the advice and consent of the Senate, a Deputy Attorney General.

**“§ 505. Solicitor General**

“The President shall appoint in the Department of Justice, by and with the advice and consent of the Senate, a Solicitor General, learned in the law, to assist the Attorney General in the performance of his duties.

**“§ 506. Assistant Attorneys General**

“The President shall appoint, by and with the advice and consent of the Senate, nine Assistant Attorneys General, who shall assist the Attorney General in the performance of his duties.

**“§ 507. Assistant Attorney General for Administration**

“(a) The Attorney General shall appoint, with the approval of the President, an Assistant Attorney General for Administration, who shall perform such duties as the Attorney General may prescribe.

“(b) The position of Assistant Attorney General for Administration is in the competitive service.

**“§ 508. Vacancies**

“(a) In case of a vacancy in the office of Attorney General, or of his absence or disability, the Deputy Attorney General may exercise all the duties of that office, and for the purpose of section 3345 of title 5 the Deputy Attorney General is the first assistant to the Attorney General.

“(b) When, by reason of absence, disability, or vacancy in office, neither the Attorney General nor the Deputy Attorney General is available to exercise the duties of the office of Attorney General, the Assistant Attorneys General and the Solicitor General, in such order of succession as the Attorney General may from time to time prescribe, shall act as Attorney General.

**“§ 509. Functions of the Attorney General**

“All functions of other officers of the Department of Justice and all functions of agencies and employees of the Department of Justice are vested in the Attorney General except the functions—

“(1) vested by subchapter II of chapter 5 of title 5 in hearing examiners employed by the Department of Justice;

“(2) of the Federal Prison Industries, Inc.;

“(3) of the Board of Directors and officers of the Federal Prison Industries, Inc.; and

“(4) of the Board of Parole.

**“§ 510. Delegation of authority**

“The Attorney General may from time to time make such provisions as he considers appropriate authorizing the performance by any other officer, employee, or agency of the Department of Justice of any function of the Attorney General.

**“§ 511. Attorney General to advise the President**

“The Attorney General shall give his advice and opinion on questions of law when required by the President.

**“§ 512. Attorney General to advise heads of executive departments**

“The head of an executive department may require the opinion of the Attorney General on questions of law arising in the administration of his department.

**“§ 513. Attorney General to advise Secretaries of military departments**

“When a question of law arises in the administration of the Department of the Army, the Department of the Navy, or the Department of the Air Force, the cognizance of which is not given by statute to some other officer from whom the Secretary of the military department concerned may require advice, the Secretary of the military department shall send it to the Attorney General for disposition.

**“§ 514. Legal services on pending claims in departments and agencies**

“When the head of an executive department or agency is of the opinion that the interests of the United States require the service of counsel on the examination of any witness concerning any claim, or on the legal investigation of any claim, pending in the department or agency, he shall notify the Attorney General, giving all facts necessary to enable him to furnish proper professional service in attending the examination or making the investigation, and the Attorney General shall provide for the service.

**“§ 515. Authority for legal proceedings; commission, oath, and salary for special attorneys**

“(a) The Attorney General or any other officer of the Department of Justice, or any attorney specially appointed by the Attorney General under law, may, when specifically directed by the Attorney General, conduct any kind of legal proceeding, civil or criminal, including grand jury proceedings and proceedings before committing magistrates, which United States attorneys are authorized by law to conduct, whether or not he is a resident of the district in which the proceeding is brought.

“(b) Each attorney specially retained under authority of the Department of Justice shall be commissioned as special assistant to the Attorney General or special attorney, and shall take the oath required by law. Foreign counsel employed in special cases are not required to take the oath. The Attorney General shall fix the annual salary of a special assistant or special attorney at not more than \$12,000.

**“§ 516. Conduct of litigation reserved to Department of Justice**

“Except as otherwise authorized by law, the conduct of litigation in which the United States, an agency, or officer thereof is a party, or is interested, and securing evidence therefor, is reserved to officers of the Department of Justice, under the direction of the Attorney General.

**“§ 517. Interests of United States in pending suits**

“The Solicitor General, or any officer of the Department of Justice, may be sent by the Attorney General to any State or district in the United States to attend to the interests of the United States in a suit pending in a court of the United States, or in a court of a State, or to attend to any other interest of the United States.

**“§ 518. Conduct and argument of cases**

“(a) Except when the Attorney General in a particular case directs otherwise, the Attorney General and the Solicitor General shall con-

duct and argue suits and appeals in the Supreme Court and suits in the Court of Claims in which the United States is interested.

“(b) When the Attorney General considers it in the interests of the United States, he may personally conduct and argue any case in a court of the United States in which the United States is interested, or he may direct the Solicitor General or any officer of the Department of Justice to do so.

**“§ 519. Supervision of litigation**

“Except as otherwise authorized by law, the Attorney General shall supervise all litigation to which the United States, an agency, or officer thereof is a party, and shall direct all United States attorneys, assistant United States attorneys, and special attorneys appointed under section 543 of this title in the discharge of their respective duties.

**“§520. Transmission of petitions in Court of Claims; statement furnished by departments**

“(a) In suits against the United States in the Court of Claims founded on a contract, agreement, or transaction with an executive department or military department, or a bureau, officer, or agent thereof, or when the matter or thing on which the claim is based has been passed on and decided by an executive department, military department, bureau, or officer authorized to adjust it, the Attorney General shall send to the department, bureau, or officer a printed copy of the petition filed by the claimant, with a request that the department, bureau, or officer furnish to the Attorney General all facts, circumstances, and evidence concerning the claim in the possession or knowledge of the department, bureau, or officer.

“(b) Within a reasonable time after receipt of the request from the Attorney General, the executive department, military department, bureau, or officer shall furnish the Attorney General with a written statement of all facts, information, and proofs. The statement shall contain a reference to or description of all official documents and papers, if any, as may furnish proof of facts referred to in it, or may be necessary and proper for the defense of the United States against the claim, mentioning the department, office, or place where the same is kept or may be secured. If the claim has been passed on and decided by the department, bureau, or officer, the statement shall briefly state the reasons and principles on which the decision was based. When the decision was founded on an Act of Congress it shall be cited specifically, and if any previous interpretation or construction has been given to the Act, section, or clause by the department, bureau, or officer, it shall be set forth briefly in the statement and a copy of the opinion filed, if any, attached to it. When a decision in the case has been based on a regulation of a department or when a regulation has, in the opinion of the department, bureau, or officer sending the statement, any bearing on the claim, it shall be distinctly quoted at length in the statement. When more than one case or class of cases is pending, the defense of which rests on the same facts, circumstances, and proofs, the department, bureau, or officer may certify and send one statement and it shall be held to apply to all cases as if made out, certified, and sent in each case respectively.

**“§ 521. Publication and distribution of opinions**

“The Attorney General, from time to time—

“(1) shall cause to be edited, and printed in the Government Printing Office, such of his opinions as he considers valuable for preservation in volumes; and

“(2) may prescribe the manner for the distribution of the volumes.

Each volume shall contain headnotes, an index, and such footnotes as the Attorney General may approve.

**“§ 522. Report of business and statistics**

“The Attorney General, at the beginning of each regular session of Congress, shall report to Congress on the business of the Department of Justice for the last preceding fiscal year, and on any other matters pertaining to the Department that he considers proper, including—

“(1) a statement of the several appropriations which are placed under the control of the Department and the amount appropriated;

“(2) the statistics of crime under the laws of the United States; and

“(3) a statement of the number of causes involving the United States, civil and criminal, pending during the preceding year in each of the several courts of the United States.

**“§ 523. Requisitions**

“The Attorney General shall sign all requisitions for the advance or payment of moneys appropriated for the Department of Justice, out of the Treasury, subject to the same control as is exercised on like estimates or accounts by the General Accounting Office.

**“§ 524. Appropriations for administrative expenses; notarial fees; meals and lodging of bailiffs**

“Appropriations for the Department of Justice are available for payment of—

“(1) notarial fees, including such additional stenographic services as are required in connection therewith in the taking of depositions, and compensation and expenses of witnesses and informants, all at the rates authorized or approved by the Attorney General or the Assistant Attorney General for Administration; and

“(2) when ordered by the court, actual expenses of meals and lodging for marshals, deputy marshals, or criers when acting as bailiffs in attendance on juries.

**“§ 525. Procurement of law books, reference books, and periodicals; sale and exchange**

“In the procurement of law books, reference books, and periodicals, the Attorney General may exchange or sell similar items and apply the exchange allowances or proceeds of such sales in whole or in part payment therefor.

**“§ 526. Authority of Attorney General to investigate United States attorneys and marshals, clerks of court, and others**

“(a) The Attorney General may investigate the official acts, records, and accounts of—

“(1) the United States attorneys and marshals; and

“(2) at the request and on behalf of the Director of the Administrative Office of the United States Courts, the clerks of the United States courts and of the district courts of the Canal Zone and the Virgin Islands, probation officers, referees, trustees and receivers in bankruptcy, United States commissioners, and court reporters;

for which purpose all the official papers, records, dockets, and accounts of these officers, without exception, may be examined by agents of the Attorney General at any time.

“(b) Appropriations for the examination of judicial officers are available for carrying out this section.

### “CHAPTER 33—FEDERAL BUREAU OF INVESTIGATION

“Sec.

“531. Federal Bureau of Investigation.

“532. Director of Federal Bureau of Investigation.

“533. Investigative and other officials; appointment.

“534. Acquisition, preservation, and exchange of identification records; appointment of officials.

“535. Investigation of crimes involving Government officers and employees; limitations.

“536. Positions in excepted service.

“537. Expenses of unforeseen emergencies of a confidential nature.

#### “§ 531. Federal Bureau of Investigation

“The Federal Bureau of Investigation is in the Department of Justice.

#### “§ 532. Director of the Federal Bureau of Investigation

“The Attorney General may appoint a Director of the Federal Bureau of Investigation. The Director of the Federal Bureau of Investigation is the head of the Federal Bureau of Investigation.

#### “§ 533. Investigative and other officials; appointment

“The Attorney General may appoint officials—

“(1) to detect and prosecute crimes against the United States;

“(2) to assist in the protection of the person of the President;

and

“(3) to conduct such other investigations regarding official matters under the control of the Department of Justice and the Department of State as may be directed by the Attorney General.

This section does not limit the authority of departments and agencies to investigate crimes against the United States when investigative jurisdiction has been assigned by law to such departments and agencies.

#### “§ 534. Acquisition, preservation, and exchange of identification records; appointment of officials

“(a) The Attorney General shall—

“(1) acquire, collect, classify, and preserve identification, criminal identification, crime, and other records; and

“(2) exchange these records with, and for the official use of, authorized officials of the Federal Government, the States, cities, and penal and other institutions.

“(b) The exchange of records authorized by subsection (a) (2) of this section is subject to cancellation if dissemination is made outside the receiving departments or related agencies.

“(c) The Attorney General may appoint officials to perform the functions authorized by this section.

#### “§ 535. Investigation of crimes involving Government officers and employees; limitations

“(a) The Attorney General and the Federal Bureau of Investigation may investigate any violation of title 18 involving Government officers and employees—

“(1) notwithstanding any other provision of law; and

“(2) without limiting the authority to investigate any matter

which is conferred on them or on a department or agency of the Government.

“(b) Any information, allegation, or complaint received in a department or agency of the executive branch of the Government relating to violations of title 18 involving Government officers and employees shall be expeditiously reported to the Attorney General by the head of the department or agency, unless—

“(1) the responsibility to perform an investigation with respect thereto is specifically assigned otherwise by another provision of law; or

“(2) as to any department or agency of the Government, the Attorney General directs otherwise with respect to a specified class of information, allegation, or complaint.

“(c) This section does not limit—

“(1) the authority of the military departments to investigate persons or offenses over which the armed forces have jurisdiction under the Uniform Code of Military Justice (chapter 47 of title 10); or

“(2) the primary authority of the Postmaster General to investigate postal offenses.

#### “§ 536. Positions in excepted service

“All positions in the Federal Bureau of Investigation are excepted from the competitive service, and the incumbents of such positions occupy positions in the excepted service.

#### “§ 537. Expenses of unforeseen emergencies of a confidential character

“Appropriations for the Federal Bureau of Investigation are available for expenses of unforeseen emergencies of a confidential character, when so specified in the appropriation concerned, to be spent under the direction of the Attorney General. The Attorney General shall certify the amount spent that he considers advisable not to specify, and his certification is a sufficient voucher for the amount therein expressed to have been spent.

### “CHAPTER 35—UNITED STATES ATTORNEYS

“Sec.

“541. United States attorneys.

“542. Assistant United States attorneys.

“543. Special attorneys.

“544. Oath of office.

“545. Residence.

“546. Vacancies.

“547. Duties.

“548. Salaries.

“549. Expenses.

“550. Clerical assistants and messengers.

#### “§ 541. United States attorneys

“(a) The President shall appoint, by and with the advice and consent of the Senate, a United States attorney for each judicial district.

“(b) Each United States attorney shall be appointed for a term of four years. On the expiration of his term, a United States attorney shall continue to perform the duties of his office until his successor is appointed and qualifies.

“(c) Each United States attorney is subject to removal by the President.

**“§ 542. Assistant United States attorneys**

“(a) The Attorney General may appoint one or more assistant United States attorneys in any district when the public interest so requires.

“(b) Each assistant United States attorney is subject to removal by the Attorney General.

**“§ 543. Special attorneys**

“(a) The Attorney General may appoint attorneys to assist United States attorneys when the public interest so requires.

“(b) Each attorney appointed under this section is subject to removal by the Attorney General.

**“§ 544. Oath of office**

“Each United States attorney, assistant United States attorney, and attorney appointed under section 543 of this title, before taking office, shall take an oath to execute faithfully his duties.

**“§ 545. Residence**

“(a) Each United States attorney and assistant United States attorney shall reside in the district for which he is appointed, except that these officers of the District of Columbia and the Southern District of New York may reside within 20 miles thereof.

“(b) The Attorney General may determine the official stations of United States attorneys and assistant United States attorneys within the districts for which they are appointed.

**“§ 546. Vacancies**

“The district court for a district in which the office of United States attorney is vacant may appoint a United States attorney to serve until the vacancy is filled. The order of appointment by the court shall be filed with the clerk of the court.

**“§ 547. Duties**

“Except as otherwise provided by law, each United States attorney, within his district, shall—

“(1) prosecute for all offenses against the United States;

“(2) prosecute or defend, for the Government, all civil actions, suits or proceedings in which the United States is concerned;

“(3) appear in behalf of the defendants in all civil actions, suits or proceedings pending in his district against collectors, or other officers of the revenue or customs for any act done by them or for the recovery of any money exacted by or paid to these officers, and by them paid into the Treasury;

“(4) institute and prosecute proceedings for the collection of fines, penalties, and forfeitures incurred for violation of any revenue law, unless satisfied on investigation that justice does not require the proceedings; and

“(5) make such reports as the Attorney General may direct.

**“§ 548. Salaries**

“Subject to sections 5315–5317 of title 5, the Attorney General shall fix the annual salaries of United States attorneys, assistant United States attorneys, and attorneys appointed under section 543 of this title at rates of compensation not in excess of the highest rate of GS-18 of the General Schedule set forth in section 5332 of title 5.

**“§ 549. Expenses**

“Necessary office expenses of United States attorneys shall be allowed when authorized by the Attorney General.

**“§ 550. Clerical assistants and messengers**

“The United States attorneys may employ clerical assistants and messengers on approval of the Attorney General.

**“CHAPTER 37—UNITED STATES MARSHALS**

“Sec.

“561. United States marshals.

“562. Deputy marshals and clerical assistants.

“563. Oath of office.

“564. Bond.

“565. Vacancies.

“566. Death of a marshal.

“567. Expenses of marshals.

“568. Availability of appropriations; transfer of prisoners to narcotic farms.

“569. Powers and duties generally; supervision by Attorney General.

“570. Power as sheriff.

“571. Disbursement of salaries and moneys.

“572. Collection of fees; accounting.

“573. Delivery of prisoners to successor.

“574. Delivery of unserved process to successor.

“575. Practice of law prohibited.

**“§ 561. United States marshals**

“(a) The President shall appoint, by and with the advice and consent of the Senate, a United States marshal for each judicial district.

“(b) Each marshal shall be appointed for a term of four years. On expiration of his term, a marshal shall continue to perform the duties of his office until his successor is appointed and qualifies, unless sooner removed by the President.

“(c) The Attorney General shall designate places within the district for the official station and offices of each marshal. Each marshal shall reside within the district for which he was appointed, except that the marshal for the District of Columbia and the Southern District of New York may reside within 20 miles thereof.

**“§ 562. Deputy marshals and clerical assistants**

“The Attorney General may authorize a United States marshal to appoint deputies and clerical assistants. Each deputy marshal is subject to removal by the marshal pursuant to civil-service regulations.

**“§ 563. Oath of office**

“Each United States marshal and deputy marshal before assuming the duties of his office shall take the following oath or affirmation:

“‘I, \_\_\_\_\_, do solemnly swear (or affirm) that I will faithfully execute all lawful precepts directed to the \_\_\_\_\_ under the authority of the United States, make true returns, take only lawful fees, and in all things well and truly, and without malice or partiality, perform the duties of the office of \_\_\_\_\_ during my continuance in office. So help me God’.

**“§ 564. Bond**

“(a) Each United States marshal, including a marshal appointed to serve during a vacancy, shall be bonded in the sum of \$20,000 for the faithful performance of duty by himself and his deputies during his continuance in office and by his deputies after his death until his successor is appointed and qualifies.

“(b) The Attorney General may require the United States marshal for the Southern District of New York to be bonded in a sum not exceeding \$75,000 and any other United States marshal to be bonded in a sum not exceeding \$40,000.

“(c) A person injured by a breach of a United States marshal’s bond may sue thereon, in his own name, to recover his damages. Such an action shall be commenced within six years after the right accrues, but a person under legal disability may sue within three years after the removal of his disability. After judgment, the marshal’s bond shall remain as security until the whole penalty has been recovered.

**“§ 565. Vacancies**

“The district court for a district in which the office of United States marshal is vacant may appoint a United States marshal to serve until the vacancy is filled. The order of appointment by the court shall be filed with the clerk of the court.

**“§ 566. Death of a marshal**

“(a) On the death of a United States marshal, his deputy or deputies shall perform the duties of the deceased marshal in his name until his successor is appointed and qualifies.

“(b) The default or misfeasance of a deputy is a breach of the deceased marshal’s bond, and his executor or administrator has like remedies against the deputy for the default or misfeasance as the marshal would have had if he had continued in office.

**“§ 567. Expenses of marshals**

“Under regulations prescribed by the Attorney General, each United States marshal shall be allowed—

“(1) his actual and necessary office expenses;

“(2) the expense of transporting prisoners, including the cost of necessary guards and the travel and subsistence expense of prisoners and guards; and

“(3) other necessary expenditures in line of duty, approved by the Attorney General.

**“§ 568. Availability of appropriations; transfer of prisoners to narcotic farms**

“Appropriations for salaries and expenses of United States marshals are available for actual and necessary expenses incident to the transfer of prisoners in the custody of the marshals to narcotic farms.

**“§ 569. Powers and duties generally; supervision by Attorney General**

“(a) The United States marshal of each district is the marshal of the district court and of the court of appeals when sitting in his district, and of the Customs Court holding sessions in his district elsewhere than in the Southern and Eastern Districts of New York, and may, in the discretion of the respective courts, be required to attend any session of court.

“(b) United States marshals shall execute all lawful writs, process and orders issued under authority of the United States, including those of the courts and Government of the Canal Zone, and command all necessary assistance to execute their duties.

“(c) The Attorney General shall supervise and direct United States marshals in the performance of public duties and accounting for public moneys. Each marshal shall report his official proceedings, receipts and disbursements and the condition of his office as the Attorney General directs.

**“§ 570. Power as sheriff**

“A United States marshal and his deputies, in executing the laws of the United States within a State, may exercise the same powers which a sheriff of the State may exercise in executing the laws thereof.

**“§ 571. Disbursement of salaries and moneys**

“(a) The United States marshals, under regulations prescribed by the Attorney General, shall pay the salaries, office expenses and travel and per diem allowances of United States attorneys, their assistants, clerks and messengers, and of the marshals, their deputies and clerical assistants.

“(b) The United States marshals, under regulations prescribed by the Director of the Administrative Office of the United States Courts, shall pay the salaries, office expenses, and travel and per diem allowances of circuit and district judges, clerks of court and their deputies, court reporters, and other personnel of courts within their districts.

“(c) On all disbursements made by United States marshals for official salaries or expenses, the certificate of the payee is sufficient without verification on oath.

**“§ 572. Collection of fees; accounting**

“(a) Each United States marshal shall collect, as far as possible, his lawful fees and account for the same as public moneys.

“(b) The marshal’s accounts of fees and costs paid to a witness or juror on certificate of attendance issued as provided by sections 1825 and 1871 of this title may not be reexamined to charge him for an erroneous payment of the fees or costs.

**“§ 573. Delivery of prisoners to successor**

“Each United States marshal shall deliver to his successor all prisoners in his custody.

**“§ 574. Delivery of unserved process to successor**

“All unserved process remaining in the hands of a United States marshal or his deputies shall be delivered to his successor. When a deputy marshal resigns or is removed, he shall deliver to the marshal all process in his hands.

**“§ 575. Practice of law prohibited**

“A United States marshal or deputy marshal may not practice law in any court of the United States.”

(d) The analysis of part VI of title 28, United States Code, is amended by inserting after item 157:

62 Stat. 964.

“158. Orders of Federal Agencies; Review..... 2341”.

(e) Part VI of title 28, United States Code, is amended by inserting after chapter 157:

**“CHAPTER 158—ORDERS OF FEDERAL AGENCIES;  
REVIEW**

“Sec.

“2341. Definitions.

“2342. Jurisdiction of court of appeals.

“2343. Venue.

“2344. Review of orders; time; notice; contents of petitions; service.

“2345. Prehearing conference.

“2346. Certification of record on review.

“2347. Petitions to review; proceedings.

“2348. Representation in proceeding; intervention.

“2349. Jurisdiction of the proceeding.

“2350. Review in Supreme Court on certiorari or certification.

“2351. Enforcement of orders by district courts.

“2352. Rules.

**“§ 2341. Definitions**

“As used in this chapter—

“(1) ‘clerk’ means the clerk of the court in which the petition for the review of an order, reviewable under this chapter, is filed;

“(2) ‘petitioner’ means the party or parties by whom a petition to review an order, reviewable under this chapter, is filed; and

“(3) ‘agency’ means—

“(A) the Commission, when the order sought to be reviewed was entered by the Federal Communications Commission, the Federal Maritime Commission, or the Atomic Energy Commission, as the case may be;

“(B) the Secretary, when the order was entered by the Secretary of Agriculture; and

“(C) the Administration, when the order was entered by the Maritime Administration.

**“§ 2342. Jurisdiction of court of appeals**

“The court of appeals has exclusive jurisdiction to enjoin, set aside, suspend (in whole or in part), or to determine the validity of—

“(1) all final orders of the Federal Communications Commission made reviewable by section 402(a) of title 47;

“(2) all final orders of the Secretary of Agriculture made under chapters 9 and 20A of title 7, except orders issued under sections 210(e), 217a, and 499g(a) of title 7;

“(3) such final orders of the Federal Maritime Commission or the Maritime Administration entered under chapters 23 and 23A of title 46 as are subject to judicial review under section 830 of title 46; and

“(4) all final orders of the Atomic Energy Commission made reviewable by section 2239 of title 42.

Jurisdiction is invoked by filing a petition as provided by section 2344 of this title.

**“§ 2343. Venue**

“The venue of a proceeding under this chapter is in the judicial circuit in which the petitioner resides or has its principal office, or in the United States Court of Appeals for the District of Columbia Circuit.

**“§ 2344. Review of orders; time; notice; contents of petition; service**

“On the entry of a final order reviewable under this chapter, the agency shall promptly give notice thereof by service or publication in accordance with its rules. Any party aggrieved by the final order may, within 60 days after its entry, file a petition to review the order in the court of appeals wherein venue lies. The action shall be against the United States. The petition shall contain a concise statement of—

“(1) the nature of the proceedings as to which review is sought;

“(2) the facts on which venue is based;

“(3) the grounds on which relief is sought; and

“(4) the relief prayed.

The petitioner shall attach to the petition, as exhibits, copies of the order, report, or decision of the agency. The clerk shall serve a true copy of the petition on the agency and on the Attorney General by registered mail, with request for a return receipt.

**“§ 2345. Prehearing conference**

“The court of appeals may hold a prehearing conference or direct a judge of the court to hold a prehearing conference.

**“§ 2346. Certification of record on review**

“Unless the proceeding has been terminated on a motion to dismiss the petition, the agency shall file in the office of the clerk the record on review as provided by section 2112 of this title.

**“§ 2347. Petitions to review; proceedings**

“(a) Unless determined on a motion to dismiss, petitions to review orders reviewable under this chapter are heard in the court of appeals on the record of the pleadings, evidence adduced, and proceedings before the agency, when the agency has held a hearing whether or not required to do so by law.

“(b) When the agency has not held a hearing before taking the action of which review is sought by the petition, the court of appeals shall determine whether a hearing is required by law. After that determination, the court shall—

“(1) remand the proceedings to the agency to hold a hearing, when a hearing is required by law;

“(2) pass on the issues presented, when a hearing is not required by law and it appears from the pleadings and affidavits filed by the parties that no genuine issue of material fact is presented; or

“(3) transfer the proceedings to a district court for the district in which the petitioner resides or has its principal office for a hearing and determination as if the proceedings were originally initiated in the district court, when a hearing is not required by law and a genuine issue of material fact is presented. The procedure in these cases in the district court is governed by the Federal Rules of Civil Procedure.

“(c) If a party to a proceeding to review applies to the court of appeals in which the proceeding is pending for leave to adduce additional evidence and shows to the satisfaction of the court that—

“(1) the additional evidence is material; and

“(2) there were reasonable grounds for failure to adduce the evidence before the agency;

the court may order the additional evidence and any counterevidence the opposite party desires to offer to be taken by the agency. The agency may modify its findings of fact, or make new findings, by reason of the additional evidence so taken, and may modify or set aside its order, and shall file in the court the additional evidence, the modified findings or new findings, and the modified order or the order setting aside the original order.

**“§ 2348. Representation in proceeding; intervention**

“The Attorney General is responsible for and has control of the interests of the Government in all court proceedings under this chapter. The agency, and any party in interest in the proceeding before the agency whose interests will be affected if an order of the agency is or is not enjoined, set aside, or suspended, may appear as parties thereto of their own motion and as of right, and be represented by counsel in any proceeding to review the order. Communities, associations, corporations, firms, and individuals, whose interests are affected by the order of the agency, may intervene in any proceeding to review the order. The Attorney General may not dispose of or discontinue the proceeding to review over the objection of any party or intervenor, but any intervenor may prosecute, defend, or continue the proceeding unaffected by the action or inaction of the Attorney General.

**“§ 2349. Jurisdiction of the proceeding**

“(a) The court of appeals has jurisdiction of the proceeding on the filing and service of a petition to review. The court of appeals in which the record on review is filed, on the filing, has jurisdiction to vacate stay orders or interlocutory injunctions previously granted by any court, and has exclusive jurisdiction to make and enter, on the petition, evidence, and proceedings set forth in the record on review, a judgment determining the validity of, and enjoining, setting aside, or suspending, in whole or in part, the order of the agency.

“(b) The filing of the petition to review does not of itself stay or suspend the operation of the order of the agency, but the court of appeals in its discretion may restrain or suspend, in whole or in part, the operation of the order pending the final hearing and determination of the petition. When the petitioner makes application for an interlocutory injunction restraining or suspending the enforcement, operation, or execution of, or setting aside, in whole or in part, any order reviewable under this chapter, at least 5 days' notice of the hearing thereon shall be given to the agency and to the Attorney General. In a case in which irreparable damage would otherwise result to the petitioner, the court of appeals may, on hearing, after reasonable notice to the agency and to the Attorney General, order a temporary stay or suspension, in whole or in part, of the operation of the order of the agency for not more than 60 days from the date of the order pending the hearing on the application for the interlocutory injunction, in which case the order of the court of appeals shall contain a specific finding, based on evidence submitted to the court of appeals, and identified by reference thereto, that irreparable damage would result to the petitioner and specifying the nature of the damage. The court of appeals, at the time of hearing the application for an interlocutory injunction, on a like finding, may continue the temporary stay or suspension, in whole or in part, until decision on the application. The hearing on an application for an interlocutory injunction shall be given preference and expedited and shall be heard at the earliest practicable date after the expiration of the notice of hearing on the application. On the final hearing of any proceeding to review any order under this chapter, the same requirements as to precedence and expedition apply.

**“§ 2350. Review in Supreme Court on certiorari or certification**

“(a) An order granting or denying an interlocutory injunction under section 2349(b) of this title and a final judgment of the court of appeals in a proceeding to review under this chapter are subject to review by the Supreme Court on a writ of certiorari as provided by section 1254(1) of this title. Application for the writ shall be made within 45 days after entry of the order and within 90 days after entry of the judgment, as the case may be. The United States, the agency, or an aggrieved party may file a petition for a writ of certiorari.

“(b) The provisions of section 1254(3) of this title, regarding certification, and of section 2101(f) of this title, regarding stays, also apply to proceedings under this chapter.

**“§ 2351. Enforcement of orders by district courts**

“The several district courts have jurisdiction specifically to enforce, and to enjoin and restrain any person from violating any order issued under section 193 of title 7.

**“§ 2352. Rules**

“The several courts of appeals shall adopt and promulgate rules, subject to the approval of the Judicial Conference of the United

States, governing the practice and procedure, including prehearing conference procedure, in proceedings to review orders under this chapter.”

SEC. 5. (a) The chapter analysis of title 37, United States Code, is amended by inserting after item 9:

76 Stat. 480.

“10. PAYMENTS TO MISSING PERSONS----- 551”.

(b) Title 37, United States Code, is amended by inserting after chapter 9:

### “CHAPTER 10—PAYMENTS TO MISSING PERSONS

“Sec.

“551. Definitions.

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#### “§ 551. Definitions

“In this chapter—

“(1) ‘dependent’, with respect to a member of a uniformed service, means—

“(A) his wife;

“(B) his unmarried child (including an unmarried dependent stepchild or adopted child) under 21 years of age;

“(C) his dependent mother or father;

“(D) a dependent designated in official records; and

“(E) a person determined to be dependent by the Secretary concerned, or his designee;

“(2) ‘missing status’ means the status of a member of a uniformed service who is officially carried or determined to be absent in a status of—

“(A) missing;

“(B) missing in action;

“(C) interned in a foreign country;

“(D) captured, beleaguered, or besieged by a hostile force;

or

“(E) detained in a foreign country against his will; and

“(3) ‘pay and allowances’ means—

“(A) basic pay;

“(B) special pay;

“(C) incentive pay;

“(D) basic allowance for quarters;

“(E) basic allowance for subsistence; and

“(F) station per diem allowances for not more than 90

days.

#### “§ 552. Pay and allowances; continuance while in a missing status; limitations

“(a) A member of a uniformed service who is on active duty or performing inactive-duty training, and who is in a missing status, is, for the period he is in that status, entitled to receive or have credited to his account the same pay and allowances, as defined in this chapter, to which he was entitled at the beginning of that period or may there-

after become entitled. However, a member who is performing full-time training duty or other full-time duty without pay, or inactive-duty training with or without pay, is entitled to the pay and allowances to which he would have been entitled if he had been on active duty with pay.

“(b) The expiration of a member’s term of service while he is in a missing status does not end his entitlement to pay and allowances under subsection (a) of this section. Notwithstanding the death of a member while in a missing status, entitlement to pay and allowances under subsection (a) of this section ends on the date—

“(1) the Secretary concerned receives evidence that the member is dead; or

“(2) that his death is prescribed or determined under section 555 of this title.

“(c) A member is not entitled to pay and allowances under subsection (a) of this section for a period during which he is officially determined to be absent from his post of duty without authority, and he is indebted to the United States for payments from amounts credited to his account for that period.

“(d) A member who is performing full-time training duty or inactive-duty training is entitled to the benefits of this section only when he is officially determined to be in a missing status that results from the performance of duties prescribed by competent authority.

“(e) A member in a missing status who is continued in that status under section 555 of this title is entitled to be credited with pay and allowances under subsection (a) of this section.

**“§ 553. Allotments; continuance, suspension, initiation, resumption, or increase while in a missing status; limitations**

“(a) Notwithstanding the end of the period for which it was made, an allotment, including one for the purchase of United States savings bonds, made by a member of a uniformed service before he was in a missing status may be continued for the period he is entitled to pay and allowances under section 552 of this title.

“(b) When there is no allotment in effect, or when it is insufficient for a purpose authorized by the Secretary concerned, he, or his designee, may authorize new allotments or increases in allotments that are warranted by the circumstances and payable for the period the member is entitled to pay and allowances under section 552 of this title.

“(c) The total of all allotments from the pay and allowances of a member in a missing status may not be more than the amount of pay and allowances he is permitted to allot under regulations prescribed by the Secretary concerned.

“(d) A premium paid by the United States on insurance issued on the life of a member which is unearned because it covers a period after his death reverts to the appropriation of the department concerned.

“(e) Subject to subsections (f) and (g) of this section, the Secretary concerned, or his designee, may, when he considers it in the interest of the member, his dependents, or the United States, direct the initiation, continuance, discontinuance, increase, decrease, suspension, or resumption of payments of allotments from the pay and allowances of a member entitled to pay and allowances under section 552 of this title.

“(f) When the Secretary concerned officially reports that a member in a missing status is alive, the payments of allotments authorized by subsections (a)–(d) of this section may, subject to section 552 of this title, be made until the date the Secretary concerned receives evi-

dence that the member is dead or has returned to the controllable jurisdiction of the department concerned.

“(g) A member in a missing status who is continued in that status under section 555 of this title is entitled to have the payments of allotments authorized by subsections (a)–(d) of this section continued, increased, or initiated.

“(h) When the Secretary concerned considers it essential for the well-being and protection of the dependents of a member on active duty (other than a member entitled to pay and allowances under section 552 of this title), he may, with or without the consent, and subject to termination at the request, of the member—

“(1) direct the payment of a new allotment from the pay of the member;

“(2) increase or decrease the amount of an allotment made by the member; and

“(3) continue payment of an allotment of the member which has expired.

“§ 554. **Travel and transportation; dependents; household and personal effects; motor vehicles; sale of bulky items; claims for proceeds; appropriation chargeable**

“(a) In this section, ‘household and personal effects’ and ‘household effects’ may include, in addition to other authorized weight allowances, one privately owned motor vehicle which may be shipped at United States expense when it is located outside the United States, or in Alaska or Hawaii.

“(b) Transportation (including packing, crating, drayage, temporary storage, and unpacking of household and personal effects) may be provided for the dependents and household and personal effects of a member of a uniformed service on active duty (without regard to pay grade) who is officially reported as dead, injured, or absent for a period of more than 29 days in a missing status—

“(1) to the member’s official residence of record;

“(2) to the residence of his dependent, next of kin, or other person entitled to custody of the effects, under regulations prescribed by the Secretary concerned; or

“(3) on request of the member (if injured), or his dependent, next of kin, or other person described in clause (2), to another location determined in advance or later approved by the Secretary concerned, or his designee.

“(c) When a member described in subsection (b) of this section is in an injured status, transportation of dependents and household and personal effects authorized by this section may be provided only when prolonged hospitalization or treatment is anticipated.

“(d) Transportation requested by a dependent may be authorized under this section only if there is a reasonable relationship between the circumstances of the dependent and the requested destination.

“(e) In place of the transportation for dependents authorized by this section, and after the travel is completed, the Secretary concerned may authorize—

“(1) reimbursement for the commercial cost of the transportation; or

“(2) a monetary allowance at the prescribed rate for all, or that part, of the travel for which transportation in kind is not furnished.

“(f) The Secretary concerned may store the household and personal effects of a member described in subsection (b) of this section until proper disposition can be made. The cost of the storage and transportation (including packing, crating, drayage, temporary storage, and unpacking) of household and personal effects shall be charged against appropriations currently available.

“(g) The Secretary concerned may, when he determines that there is an emergency and a sale would be in the best interests of the United States, provide for the public or private sale of motor vehicles and other bulky items of household and personal effects of a member described in subsection (b) of this section. Before a sale, and if practicable, a reasonable effort shall be made to determine the desires of the interested persons. The net proceeds received from the sale shall, under regulations prescribed by the Secretary concerned, be sent to the owner or other persons. If there are no such persons, or if they or their addresses are not known within one year from the date of sale, the net proceeds may be covered into the Treasury as miscellaneous receipts.

“(h) Claims for net proceeds that are covered into the Treasury under subsection (g) of this section may be filed with the General Accounting Office by the rightful owners, their heirs or next of kin, or their legal representatives at any time before the end of a 5-year period from the date the proceeds are covered into the Treasury. When a claim is filed, the General Accounting Office shall allow or disallow it. A claim that is allowed shall be paid from the appropriation for refunding money erroneously received and covered. If a claim is not filed before the end of the 5-year period from the date the proceeds are covered into the Treasury, it is barred from being acted on by the courts or the General Accounting Office.

“(i) This section does not amend or repeal—

“(1) section 2575, 2733, 4712, 4713, 6522, 9712, or 9713 of title 10;

“(2) section 507 of title 14; or

“(3) chapter 171 of title 28.

#### “§ 555. Secretarial review

“(a) When a member of a uniformed service entitled to pay and allowances under section 552 of this title has been in a missing status, and the official report of his death or of the circumstances of his absence has not been received by the Secretary concerned, he shall, before the end of a 12-month period in that status, have the case fully reviewed. After that review and the end of the 12-month period in a missing status, or after a later review which shall be made when warranted by information received or other circumstances, the Secretary concerned, or his designee, may—

“(1) if the member can reasonably be presumed to be living, direct a continuance of his missing status; or

“(2) make a finding of death.

“(b) When a finding of death is made under subsection (a) of this section, it shall include the date death is presumed to have occurred for the purpose of—

“(1) ending the crediting of pay and allowances;

“(2) settlement of accounts; and

“(3) payment of death gratuities.

That date is—

“(A) the day after the day on which the 12-month period in a missing status ends; or

“(B) if the missing status has been continued under subsection (a) of this section, the day determined by the Secretary concerned, or his designee.

“(c) For the sole purpose of determining status under this section, a dependent of a member on active duty is treated as if he were a member. Any determination made by the Secretary concerned, or his designee, under this section is conclusive on all other departments and agencies of the United States. This subsection does not entitle a dependent to pay, allowances, or other compensation to which he is not otherwise entitled.

#### “§ 556. Secretarial determinations

“(a) The Secretary concerned, or his designee, may make any determination necessary to administer this chapter and, when so made, it is conclusive as to—

“(1) death or finding of death;

“(2) the fact of dependency under this chapter;

“(3) the fact of dependency for the purpose of paying six months' death gratuities authorized by law;

“(4) the fact of dependency under any other law authorizing the payment of pay, allowances, or other emoluments to enlisted members of the armed forces, when the payments are contingent on dependency;

“(5) any other status covered by this chapter;

“(6) an essential date, including one on which evidence or information is received by the Secretary concerned; and

“(7) whether information received concerning a member of a uniformed service is to be construed and acted on as an official report of death.

“(b) When the Secretary concerned receives information that he considers establishes conclusively the death of a member of a uniformed service, he shall, notwithstanding any earlier action relating to death or other status of the member, act on it as an official report of death. After the end of the 12-month period in a missing status prescribed by section 555 of this title, the Secretary concerned, or his designee, shall, when he considers that the information received, or a lapse of time without information, establishes a reasonable presumption that a member in a missing status is dead, make a finding of death.

“(c) The Secretary concerned, or his designee, may determine the entitlement of a member to pay and allowances under this chapter, including credits and charges in his account, and that determination is conclusive. An account may not be charged or debited with an amount that a member captured, beleaguered, or besieged by a hostile force may receive or be entitled to receive from, or have placed to his credit by, the hostile force as pay, allowances, or other compensation.

“(d) The Secretary concerned, or his designee, may, when warranted by the circumstances, reconsider a determination made under this chapter, and change or modify it.

“(e) When the account of a member has been charged or debited under an allotment paid under this chapter, the amount so charged or debited shall be recredited to the account of the member if the Secretary concerned, or his designee, determines that the payment was induced by fraud or misrepresentation to which the member was not a party.

“(f) Except an allotment for an unearned insurance premium, an allotment paid from pay and allowances of a member for the period he is entitled to pay and allowances under section 552 of this title may not be collected from the allottee as an overpayment when it was caused by delay in receiving evidence of death. An allotment payment for a period after the end of entitlement to pay and allowances under this chapter, or otherwise, which was caused by delay in receiving evidence of death, may not be collected from the allottee or charged against the pay of the deceased member.

“(g) The Secretary concerned, or his designee, may waive the recovery of an erroneous payment or overpayment of an allotment to a dependent if he considers recovery is against equity and good conscience.

“(h) For the sole purpose of determining status under this section, a dependent of a member of a uniformed service on active duty is treated as if he were a member. Any determination made by the Secretary concerned, or his designee, under this section is conclusive on all other departments and agencies of the United States. This subsection does not entitle a dependent to pay, allowances, or other compensation to which he is not otherwise entitled.

#### “§ 557. Settlement of accounts

“(a) The Secretary concerned, or his designee, may settle the account of—

“(1) a member of a uniformed service for whose account payments have been made under sections 552, 553, and 555 of this title; and

“(2) a survivor of a casualty to a ship, station, or military installation which results in the loss or destruction of disbursing records.

That settlement is conclusive on the accounting officers of the United States in settling the accounts of disbursing officers.

“(b) Payment or settlement of an account made pursuant to a report, determination, or finding of death may not be recovered or reopened because of a later report or determination which fixes a date of death. However, an account shall be reopened and settled on the basis of a date of death so fixed which is later than that used as a basis for earlier settlements.

“(c) In the settlement of his accounts, a disbursing officer is entitled, if there is no fraud or criminality by him, to credit for an erroneous payment or overpayment he made in carrying out this chapter, except section 558. Unless there is fraud or criminality by him, recovery may not be made from a civilian officer or employee or a member of a uniformed service who authorizes a payment under this chapter, except section 558.

**“§ 558. Income tax deferment**

“Notwithstanding any other provision of law, a Federal income tax return of, or the payment of a Federal income tax by, a member of a uniformed service who, at the time the return or payment would otherwise become due, is in a missing status, does not become due until the earlier of the following dates—

“(1) the fifteenth day of the third month in which he ceased (except by reason of death or incompetency) being in a missing status, unless before the end of that fifteenth day he is again in a missing status; or

“(2) the fifteenth day of the third month after the month in which an executor, administrator, or conservator of the estate of the taxpayer is appointed.

That due date is prescribed subject to the power of the Secretary of the Treasury or his delegate to extend the time for filing the return or paying the tax, as in other cases, and to assess and collect the tax as provided by sections 6851, 6861, and 6871 of title 26 in cases in which the assessment or collection is jeopardized and in cases of bankruptcy or receivership.”

SEC. 6. (a) The analysis of chapter 95 of title 39, United States Code, is amended by adding the following:

74 Stat. 689.

“6216. Railroad operations, receipts and expenditures.”

(b) Chapter 95 of title 39, United States Code, is amended by adding the following new section:

**“§ 6216. Railroad operations, receipts and expenditures**

“The Postmaster General shall request all railroad companies transporting the mails to furnish, under seal, such data relating to the operating, receipts and expenditures of such roads as may, in his judgment, be deemed necessary to enable him to ascertain the cost of mail transportation and the proper compensation to be paid for the same. He shall, in his annual report to Congress, make such recommendations, founded on the information obtained under this section, as shall, in his opinion, be just and equitable.”

SEC. 7. (a) The legislative purpose in enacting sections 1-6 of this Act is to restate, without substantive change, the laws replaced by those sections on the effective date of this Act. Laws effective after June 30, 1965, that are inconsistent with this Act are considered as superseding it to the extent of the inconsistency.

Savings provisions.

(b) A reference to a law replaced by sections 1-6 of this Act, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding provision enacted by this Act.

(c) An order, rule, or regulation in effect under a law replaced by sections 1-6 of this Act continues in effect under the corresponding provision enacted by this Act until repealed, amended, or superseded.

(d) An action taken or an offense committed under a law replaced by sections 1-6 of this Act is deemed to have been taken or committed under the corresponding provision enacted by this Act.

(e) An inference of a legislative construction is not to be drawn by reason of the location in the United States Code of a provision enacted by this Act or by reason of the caption or catchline thereof.

(f) The enactment of this Act does not increase or decrease the pay, allowances, compensation, or annuity of any person.

(g) If a provision enacted by this Act is held invalid, all valid

provisions that are severable from the invalid provision remain in effect. If a provision of this Act is held invalid in one or more of its applications, the provision remains in effect in all valid applications that are severable from the invalid application or applications.

(h) Sections 1-6 of this Act shall be construed to apply to commissioned officers of the Public Health Service and commissioned officers of the Coast and Geodetic Survey to the same extent that the laws replaced by those sections applied to these officers immediately before the date of enactment of this Act.

SEC. 8. (a) The laws specified in the following schedule are repealed except with respect to rights and duties that matured, penalties that were incurred, and proceedings that were begun, before the effective date of this Act and except as provided by section 7 of this Act.

(b) The right to a deferred annuity on satisfaction of the conditions attached thereto is continued notwithstanding the repeal of the law conferring the right.

(c) The repeal of a law by this Act may not be construed as a legislative inference that the provision was or was not in effect before its repeal.

Schedule of Laws Repealed

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1891				
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Do.	555	2	26	1090
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1892				
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July 6	154		27	87
July 13	161	(2d sentence in par. which begins "For fees and expenses")	27	119
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July 26	250	1-3	27	268, 269
Aug. 5	380	1 (last par.)	27	388
1893				
Mar. 1	187	(2d sentence in par. which begins "For fees and expenses")	27	524
Mar. 2	199	1 (proviso on p. 546)	27	546
Mar. 3	204	2, 3	27	564
Do.	208	(5th par. under "Public Buildings")	27	591
Do.	208	(3d par. from end)	27	612
Do.	209	1 (1st 2 pars. on p. 614)	27	614
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1894				
May 11	73.....	(penultimate par.).....	28	76
June 19	108.....	(penultimate par.).....	28	93
June 28	118.....		28	96
July 31	174.....	1 (2d par. under "Civil Service Commission").....	28	169
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Aug. 18	301.....	1 (2d par. on p. 391).....	28	391
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1895				
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Mar. 2	172.....	2.....	28	741
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Do....	177.....	1 (5th full par. on p. 777).....	28	777
Do....	177.....	1 (words between 1st and 2d semicolons under "General Land Office").	28	794
Do....	177.....	1 (2d proviso and sentence following 2d proviso on p. 796).	28	796
Do....	189.....	1 (3d par. on p. 919).....	28	919
1896				
Feb. 26	34.....	(par. under "Inspection of Consulates").....	29	36
Mar. 16	58.....		29	60
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May 28	252.....	1 (words between 1st and 2d semicolons under "General Land Office").	29	168
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June 3	313.....		29	198
June 9	387.....	("Sec. 4").....	29	317
June 10	398.....	1 (2d proviso and sentence following 2d proviso on p. 323).	29	323
June 11	419.....	1 (proviso on p. 402).....	29	402
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1897				
Feb. 15	231.....		29	530
Feb. 19	265.....	1 (words between 1st and 2d semicolons under "General Land Office").	29	567
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June 6	389		30	432
July 1	546	1 (3d proviso on p. 644)	30	644
July 7	571	1 (1st par. on p. 653)	30	653
1899				
Feb. 4	89	(2d sentence in par. which begins "For fees and expenses".)	30	820
Feb. 21	176	4	30	842
Feb. 24	187	1 (14th par. on p. 864)	30	864
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Mar. 3	427	1 (2d par. under "Treasury Department")	30	1215
1900				
Apr. 4	158	(2d sentence in par. which begins "For fees and expenses".)	31	60
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Apr. 17	192	1 (2d sentence of 2d par. under "War Department")	31	113
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Do.	192	3	31	133
May 25	555	(last 39 words in 2d par. on p. 202)	31	202
Do.	555	(last sentence on p. 203)	31	203
May 26	589		31	218
May 31	598	1 (proviso on p. 239)	31	239
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June 2	614		31	262
June 6	789	1 (1st 3 pars. under "Public Schools")	31	564, 565
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Do.	789	1 (proviso on p. 577)	31	577
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1901				
Feb. 1	190		31	746
Feb. 12	363	(2d sentence in par. which begins "For fees and expenses".)	31	788
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Feb. 28	622	3	31	819
Mar. 2	805	(1st par. on p. 924)	31	924
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Mar. 3	830	1 (words between 1st and 2d semicolons under "General Land Office").	31	996
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Do.	832	1 (1st proviso on p. 1075)	31	1075
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Do.	853	1 (2d par. under "Antietam Battlefield")	31	1172
Do.	853	1 (2d proviso on p. 1179)	31	1179
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1902				
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Apr. 28	594	1 (2d par. under "Collecting Internal Revenue")	32	142
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June 3	985	(2d par. under "General Expenses, Weather Bureau")	32	287
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June 17	1093	5 (last sentence)	32	389
June 28	1301	1 (2d par. under "Antietam Battlefield")	32	464
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1903				
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Feb. 25	755	1 (words between 1st and 2d semicolons under "General Land Office")	32	892
Mar. 3	944	1 (1st proviso on p. 997)	32	997
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1904				
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Mar. 18	716	1 (words between 1st and 2d semicolons under "General Land Office")	33	124
Apr. 21	1402	1 (provisos on p. 190)	33	190
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Apr. 23	1485	(3d proviso on p. 270)	33	270
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Apr. 28	1762	1 (9th par. on p. 478)	33	478
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1905				
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Do.	297	1 (proviso on p. 652)	33	652
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Mar. 3	1405	(par. under "Salaries, Weather Bureau")	33	863
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June 22	3514	1 (1st proviso on p. 401)	34	401
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June 27	3553	1 (provisos on p. 500)	34	500
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June 30	3912	4	34	669
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Do.	3913	(3d par. on p. 678)	34	678
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Do.	3913	(3d proviso on p. 695)	34	695
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1907				
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Feb. 22	1184	(par. under "Clerks at Embassies and Legations")	34	918
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Feb. 26	1635	1 (1st proviso on p. 947)	34	947
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Mar. 4	2907	(56th through 132d words in 3d par. on p. 1258)	34	1258
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1908				
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Apr. 30	153	(1st proviso on p. 72)	35	72
May 11	162	("Sec. 5")	35	103
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May 21	183	(par. under "Clerks at Embassies and Legations")	35	173
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May 23	192	(4th par. on p. 267)	35	267
May 26	198	6	35	311
May 27	200	1 (2d par. under "Antietam Battlefield")	35	362
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May 29	220	13 (last sentence)	35	468
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1909				
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Feb. 18	148		35	637
Feb. 24	179		35	645
Feb. 27	223		35	657
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Mar. 3	250	1 (proviso on p. 691)	35	691
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1910				
Feb. 25	62	1 (2d par. under "Judicial")	36	214
May 6	199	(par. under "Clerks at Embassies and Legations")	36	338
May 18	248	1 (proviso on p. 377)	36	377
May 26	256	(1st proviso)	36	416
June 17	297	1 (2d par. under "Civil Service Commission")	36	483
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June 25	384	1 (2d par. under "Antietam Battlefield")	36	723
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Do.	384	1 (proviso on p. 765)	36	765
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1911				
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Feb. 13	43		36	898
Feb. 24	149		36	928
Mar. 2	192	1 (last full par. on p. 967)	36	967
Mar. 3	208	(par. under "Clerks at Embassies and Legations")	36	1029
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Mar. 4	237	1 (1st proviso on p. 1185)	36	1185
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Do.	238	(penultimate par.)	36	1265
Do.	285	1 (2d proviso on p. 1394)	36	1394
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1912				
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Mar. 11	57		37	74
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July 25	253	1 (2d par. on p. 218)	37	218
Aug. 10	284	(6th and 7th pars. on p. 300)	37	300
Aug. 17	301	1 (3d par. on p. 312)	37	312
Aug. 23	350	1 (last par. under "Civil Service Commission")	37	372
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Aug. 24	355	1 (2d par. under "Antietam Battlefield")	37	440
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				517
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Do.	388	1 (2d proviso on p. 521)	37	521
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1913				
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Mar. 4	141	1 (75th through 91st words)	37	736
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Do.	142	1 (2d sentence in 4th full par. on p. 750)	37	750
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1914				
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Do.	52	5	38	335
May 16	91		38	378
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June 30	131	(4th and 6th full pars. on p. 441)	38	441
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July 16	141	1 (5th par. under "Civil Service Commission")	38	465
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Do.	141	1 (par. beginning "Commercial attaches")	38	500
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July 21	191	1 (proviso on p. 519)	38	519
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Aug. 1	222	1 (2d proviso on p. 583)	38	583
Do.	223	1 (2d par. on p. 631)	38	631
Do.	223	1 (last par. on p. 658)	38	658
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1916				
Feb. 28	37	1 (par. under "Bureau of Efficiency")	39	15
Apr. 27	89		39	54
May 10	117	1 (2d par. on p. 104)	39	104
Do.	117	1 (par. beginning "Commercial attaches")	39	111
May 18	125	1 (3d proviso on p. 124)	39	124
June 15	147	3	39	227
July 1	208	(par. under "Clerks at Embassies and Legations")	39	253
Do.	209	1 (2d par. under "Antietam Battlefield")	39	287
July 17	245	28 (3d par.)	39	381
July 28	261	1 (6th par. on p. 413)	39	413
Aug. 29	416	20	39	552
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1917				
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Mar. 3	160	1 (2d par. on p. 1012)	39	1012
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May 31	156	1 (last proviso on p. 214)	55	214
June 3	168		55	241
June 9	189		55	247
June 28	258	(1st full par. and words between 4th and 8th commas of 3d full par. on p. 277.)	55	277
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July 1	267	1 (3d proviso)	55	408
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Apr. 28	246	6	56	228
May 2	277		56	266
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July 22	516	1 (2d proviso on p. 665)	56	665
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July 1	182.....	(par. beginning on p. 282 and ending on p. 283).....	57	282
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Apr. 30	243	101	60	128
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Mar. 25	16		69	14
Mar. 28	17		69	14
May 13	40		69	49
May 23	44		69	64
June 16	144		69	137
June 28	189	1, 2, 4(f), 9-11, 12 (less (c)), 13	69	172, 178, 179, 183
June 30	244	101 (1st and 2d provisos under "Civil Service Commission")	69	199
Do	244	101 (words between 5th and 6th semicolons in 2d full par. on p. 206)	69	206
Do	254		69	238
July 7	279	101 (3d proviso on p. 265)	69	265
Do	279	105, 107	69	270
Do	279	201 (last proviso on p. 270)	69	270
Do	279	201 (2d proviso on p. 272)	69	272
Do	279	201 (2d and 3d provisos on p. 273)	69	273
July 13	358	633	69	320
July 28	424	1, 2, 4	69	393, 394
Aug. 4	550		69	492
Aug. 5	568	101 (4th par. under "Administrative Provisions")	69	513
Do	570	5	69	531
Do	576	3	69	537
Aug. 9	690		69	624
Aug. 11	783	113	69	642
Do	794	1 (less (a) ("(c) (as applicable to § 10)"))	69	676
Do	794	2	69	677
Do	794	3	69	677
Do	807		69	692
Aug. 12	866		69	709
1956				
Mar. 31	154	11 ("(k)")	70	77
May 28	327	209	70	201
Do	328		70	213
June 4	357		70	242
Do	363		70	246
June 15	390		70	283
June 18	402		70	291
June 20	414	105, 107	70	304
June 25	446		70	338
June 27	452	302	70	355
June 29	479	3	70	453
July 11	554		70	519
July 20	658		70	595
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July 28	770	16	70	707

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Do....	804.....	401, 403-407.....	70	749-761
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Aug. 1	830.....	4.....	70	805
Do....	837.....	409.....	70	877
Do....	837.....	501 (c)(1), (e).....	70	882, 883
Aug. 2	901.....	.....	70	955
Aug. 3	926.....	1.....	70	980
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June 17	85-56.....	2201(2), (17), (19), (20), (21).....	71	157, 158, 159
June 29	85-65.....	.....	71	209
July 1	85-75.....	101 (proviso on p. 248).....	71	248
July 11	85-101.....	.....	71	293
Aug. 7	85-121.....	.....	71	341
Aug. 14	85-136.....	.....	71	352
Aug. 26	85-167.....	205 (words after 2d semicolon).....	71	423
Aug. 28	85-170.....	314.....	71	430
Do....	85-184.....	.....	71	466
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1958				
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Mar. 17	85-349.....	.....	72	48
Apr. 11	85-377.....	1 (less applicability to § 10).....	72	87
May 27	85-426.....	214(b) (words before comma).....	72	143
May 29	85-432.....	4, 5.....	72	151
June 20	85-462.....	1.....	72	203
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Do....	85-462.....	12 (a)-(d).....	72	213A
Do....	85-462.....	13.....	72	214
Do....	85-462.....	14.....	72	214
Do....	85-462.....	15.....	72	214
Do....	85-462.....	17.....	72	215
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July 25	85-550	16 (a), (b) (1)	72	411
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Do	85-844	101 (par. under "Civil Service Retirement and Disability Fund").	72	1064
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Sept. 2	85-856		72	1104
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Mar. 18	86-3	11	73	9
May 26	86-33		73	62
May 29	86-36	1, 7	73	63, 64
July 17	86-91	3, 9, 10(a), (c), 11, 12	73	213, 216, 217
July 31	86-122	1, 2(a), 3(a)	73	268
Aug. 4	86-134		73	279
Aug. 14	86-158	201 (proviso on p. 354)	73	354
Aug. 18	86-168	202 (c)-(e)	73	389
Aug. 29	86-211	8 (b)	73	436
Sept. 9	86-243	2	73	474
Sept. 16	86-286		73	567
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June 8	86-500	403	74	183
June 11	86-507	1 (1)	74	200
June 29	86-533	(1)	74	245
June 30	86-559	7	74	282
July 1	86-568	111	74	298
Do	86-568	112	74	298
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July 5	86-587		74	327
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Sept. 8	86-723	10(d)	74	832
Sept. 13	86-767	-----	74	906
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Apr. 7	87-18	-----	75	41
Aug. 14	87-139	1-5, 8	75	339, 340
Aug. 30	87-172	2	75	409
Sept. 13	87-224	1	75	496
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Sept. 14	87-233	2	75	507
Sept. 21	87-270	101-103	75	567-569
Sept. 22	87-293	5 (d), (f) (as applicable to the Civil Service Retirement Act, as amended).	75	613, 614
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Aug. 13	87-581	201	76	360
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Sept. 7	87-651	305 (2d sentence)	76	526
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Oct. 11	87-793	115	76	836
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July 2	88-351.....	.....	78	240
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Aug. 19	88-448.....	101 (as applicable to §§ 201(a)-(e), 202-204, 301(a)-(d), (f)).	78	484
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Aug. 20	88-452.....	106(c).....	78	510
Do....	88-452.....	603(d) (words after 6th comma, as applicable to § 106(e)).	78	531
Do....	88-459.....	.....	78	557
Aug. 21	88-471.....	1-5, 6(a)-(d), 8.....	78	582-584
Aug. 30	88-499.....	1, 2 (e), 3-7.....	78	615-618
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Aug. 31	88-531.....	.....	78	737
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Oct. 13	88-647.....	302.....	78	1073
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Approved September 6, 1966.

Public Law 89-555

AN ACT

September 6, 1966  
[H. R. 14921]

Making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1967, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1967, and for other purposes, namely:

Independent Offices Appropriation Act, 1967.

TITLE I

EXECUTIVE OFFICE OF THE PRESIDENT  
NATIONAL AERONAUTICS AND SPACE COUNCIL

SALARIES AND EXPENSES

For expenses necessary for the National Aeronautics and Space Council, established by section 201 of the National Aeronautics and Space Act of 1958, as amended (42 U.S.C. 2471), including hire of passenger motor vehicles, reimbursement of the General Services Administration for security guard services, and services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), but at rates for individuals not to exceed \$100 per diem, \$525,000.

72 Stat. 427;  
75 Stat. 46.

60 Stat. 810.

## OFFICE OF EMERGENCY PLANNING

## SALARIES AND EXPENSES

For expenses necessary for the Office of Emergency Planning, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); reimbursement of the General Services Administration for security guard services; expenses of attendance of cooperating officials and individuals at meetings concerned with the work of emergency planning; \$4,700,000.

## SALARIES AND EXPENSES, TELECOMMUNICATIONS

For expenses necessary for the conduct of telecommunications functions assigned to the Director of Telecommunications Management, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), but at rates for individuals not to exceed \$100 per diem, \$1,600,000: *Provided*, That not to exceed \$425,000 of the foregoing amount shall remain available for telecommunications studies and research until expended.

## CIVIL DEFENSE AND DEFENSE MOBILIZATION FUNCTIONS OF FEDERAL AGENCIES

For expenses necessary to assist other Federal agencies to perform civil defense and defense mobilization functions, including payments by the Department of Labor to State employment security agencies for the full cost of administration of defense manpower mobilization activities, \$4,000,000.

## OFFICE OF SCIENCE AND TECHNOLOGY

## SALARIES AND EXPENSES

For expenses necessary for the Office of Science and Technology, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), \$1,200,000.

60 Stat. 810.

## FUNDS APPROPRIATED TO THE PRESIDENT

## DISASTER RELIEF

For expenses necessary to carry out the purposes of the Act of September 30, 1950, as amended (42 U.S.C. 1855-1855g), authorizing assistance to States and local governments in major disasters, \$15,000,000, to remain available until expended: *Provided*, That not to exceed 3 per centum of the foregoing amount shall be available for administrative expenses.

64 Stat. 1109.

INDEPENDENT OFFICES  
APPALACHIAN REGIONAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Cochairman and his alternate on the Appalachian Regional Commission and for payment of the administrative expenses of the Commission, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), and hire of passenger motor vehicles, \$1,100,000.

CIVIL AERONAUTICS BOARD

SALARIES AND EXPENSES

For necessary expenses of the Civil Aeronautics Board, including employment of temporary guards on a contract or fee basis; purchase of one aircraft (for replacement only); hire, operation, maintenance, and repair of aircraft; hire of passenger motor vehicles; services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), at rates for individuals not to exceed \$100 per diem; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 2131); and not to exceed \$1,000 for official reception and representation expenses, \$12,000,000.

68 Stat. 1114;  
79 Stat. 1122.

PAYMENTS TO AIR CARRIERS (LIQUIDATION OF CONTRACT  
AUTHORIZATION)

For payments to air carriers of so much of the compensation fixed and determined by the Civil Aeronautics Board under section 406 of the Federal Aviation Act of 1958 (49 U.S.C. 1376), as is payable by the Board, \$63,500,000, to remain available until expended.

72 Stat. 763.

CIVIL SERVICE COMMISSION

SALARIES AND EXPENSES

For necessary expenses, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); not to exceed \$10,000 for medical examinations performed for veterans by private physicians on a fee basis; payment in advance for library membership in societies whose publications are available to members only or to members at a price lower than to the general public; not to exceed \$98,000 for performing the duties imposed upon the Commission by the Act of July 19, 1940 (54 Stat. 767); and not to exceed \$5,000 for actuarial services by contract, without regard to section 3709, Revised Statutes, as amended; \$22,400,000, together with not to exceed \$6,100,000, for necessary expenses incurred during the current fiscal year in the administration of the retirement and insurance programs, to be transferred

5 USC 118i,  
118k-118n,  
41 USC 5.

from the trust funds "Civil Service retirement and disability fund", "Employees life insurance fund", "Employees health benefits fund", and "Retired employees health benefits fund", in such amounts as may be determined by the Civil Service Commission, without regard to the provisions of any other Act, but this provision shall not affect the authority of section 17(a) of the Civil Service Retirement Act, as amended, providing for additional administrative expenses to effect annuity adjustments under section 18 of that Act.

No part of the appropriations herein made to the Civil Service Commission shall be available for the salaries and expenses of the Legal Examining Unit in the Examining and Personnel Utilization Division of the Commission, established pursuant to Executive Order 9358 of July 1, 1943.

#### INVESTIGATION OF UNITED STATES CITIZENS FOR EMPLOYMENT BY INTERNATIONAL ORGANIZATIONS

For expenses necessary to carry out the provisions of Executive Order No. 10422 of January 9, 1953, as amended, prescribing procedures for making available to the Secretary General of the United Nations, and the executive heads of other international organizations, certain information concerning United States citizens employed, or being considered for employment by such organizations, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), \$600,000: *Provided*, That this appropriation shall be available for advances or reimbursements to the applicable appropriations or funds of the Civil Service Commission and the Federal Bureau of Investigation for expenses incurred by such agencies under said Executive Order: *Provided further*, That members of the International Organizations Employees Loyalty Board may be paid actual transportation expenses, and per diem in lieu of subsistence authorized by the Travel Expense Act of 1949, as amended, while traveling on official business away from their homes or regular places of business, including periods while en route to and from and at the place where their services are to be performed.

#### ANNUITIES UNDER SPECIAL ACTS

For payment of annuities authorized by the Act of May 29, 1944, as amended (48 U.S.C. 1373a), and the Act of August 19, 1950, as amended (33 U.S.C. 771-775), \$1,430,000.

#### GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES HEALTH BENEFITS

For payment of Government contributions with respect to retired employees, as authorized by the Federal Employees Health Benefits Act of 1959, as amended (5 U.S.C. 3001-3014), and the Retired Federal Employees Health Benefits Act, as amended (5 U.S.C. 3051-3060), \$31,730,000, to remain available until expended.

70 Stat. 759.  
5 USC 2267.  
79 Stat. 840,  
1162.  
5 USC 2268.

3 CFR 1943-  
1948 Comp., p.  
256.

3 CFR 1949-  
1953 Comp., p.  
921.  
22 USC 287  
note.

60 Stat. 810.

63 Stat. 166;  
75 Stat. 339, 340.  
5 USC 835  
note.

58 Stat. 257;  
70 Stat. 607.  
64 Stat. 465;  
72 Stat. 49.

73 Stat. 708;  
78 Stat. 164.

74 Stat. 849.

### PAYMENT TO CIVIL SERVICE RETIREMENT AND DISABILITY FUND

For financing the estimated cost of new and increased annuity benefits, during the current fiscal year, as provided by part III of Public Law 87-793 (76 Stat. 868), \$73,000,000, to be credited to the civil service retirement and disability fund.

5 USC 2251,  
2259 and notes,  
2260, 2268.

### FEDERAL AVIATION AGENCY

#### OPERATIONS

For necessary expenses of the Federal Aviation Agency, not otherwise provided for, including administrative expenses for research and development and for establishment of air navigation facilities, and carrying out the provisions of the Federal Airport Act; not to exceed \$10,000 for representation allowances and for official entertainment; and purchase and repair of skis and snowshoes; \$559,000,000: *Provided*, That total costs of aviation medicine, including equipment, for the Federal Aviation Agency, whether provided in the foregoing appropriation or elsewhere in this Act, shall not exceed \$6,908,000 or include in excess of 406 positions: *Provided further*, That there may be credited to this appropriation, funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the maintenance and operation of air navigation facilities.

60 Stat. 170.  
49 USC 1101  
note.

#### FACILITIES AND EQUIPMENT

For an additional amount for the acquisition, establishment, and improvement by contract or purchase and hire of air navigation and experimental facilities, including the initial acquisition of necessary sites by lease or grant; the construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Agency stationed at remote localities where such accommodations are not available, but at a total cost of construction of not to exceed \$50,000 per housing unit in Alaska; \$28,000,000, to remain available until expended: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment of air navigation facilities: *Provided further*, That no part of the foregoing appropriation shall be available for the construction of a new wind tunnel, or to purchase any land for or in connection with the National Aviation Facilities Experimental Center.

#### RESEARCH AND DEVELOPMENT

For expenses, not otherwise provided for, necessary for research, development, and service testing in accordance with the provisions of the Federal Aviation Act (49 U.S.C. 1301-1542), including construction of experimental facilities and acquisition of necessary sites by lease or grant, \$28,500,000, to remain available until expended.

72 Stat. 731.

#### OPERATION AND MAINTENANCE, WASHINGTON NATIONAL AIRPORT

For expenses incident to the care, operation, maintenance, improvement and protection of the Washington National Airport, including purchase of two passenger motor vehicles for police use, for replacement only, which may exceed by \$300 the general purchase price limitation for the current fiscal year; purchase, cleaning and repair of uniforms; and arms and ammunition; \$3,731,500.

### OPERATION AND MAINTENANCE, DULLES INTERNATIONAL AIRPORT

For expenses incident to the care, operation, maintenance, improvement and protection of the Dulles International Airport, including purchase of five passenger motor vehicles, for replacement only, for police use, which may exceed by \$300 the general purchase price limitation for the current fiscal year; purchase, cleaning and repair of uniforms; and arms and ammunition; \$4,600,000.

### CONSTRUCTION, DULLES INTERNATIONAL AIRPORT

Appropriations granted under this heading shall be available for payment of obligations incurred against the appropriation "Construction and development, additional Washington airport" and the unexpended balance of that appropriation shall be merged with appropriations granted under this heading.

### CIVIL SUPERSONIC AIRCRAFT DEVELOPMENT

For an additional amount for expenses, not otherwise provided for, necessary for the development of a civil supersonic aircraft, including advances of funds without regard to the provisions of section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), \$280,000,000, to remain available until expended.

### GENERAL PROVISIONS

During the current fiscal year applicable appropriations to the Federal Aviation Agency shall be available for the Federal Aviation Agency to conduct the activities specified in the Act of October 26, 1949, as amended (5 U.S.C. 596a), under determinations and regulations by the Administrator of the Federal Aviation Agency; maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; and uniforms, or allowances therefor, as authorized by the Act of September 1, 1954, as amended (5 U.S.C. 2131).

63 Stat. 907.

68 Stat. 1114;  
79 Stat. 1122.

Funds appropriated under this Act for expenditure by the Federal Aviation Agency may be expended for reimbursement of other Federal agencies for expenses incurred, on behalf of the Federal Aviation Agency, in the settlement of claims for damages resulting from sonic boom in connection with research conducted as part of the civil supersonic aircraft development.

### FEDERAL COMMUNICATIONS COMMISSION

#### SALARIES AND EXPENSES

For necessary expenses in performing the duties of the Commission as authorized by law, including not to exceed \$56,500 for land and structures; not to exceed \$12,500 for improvement and care of grounds and repairs to buildings; not to exceed \$500 for official reception and representation expenses; special counsel fees; and services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), but at rates for individuals not to exceed \$100 per diem, \$17,338,500.

60 Stat. 810.

### FEDERAL POWER COMMISSION

#### SALARIES AND EXPENSES

For expenses necessary for the work of the Commission, as authorized by law, including hire of passenger motor vehicles, services as

authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), at rates not to exceed \$100 per diem for individuals, and not to exceed \$500 for official reception and representation expenses, \$14,000,000.

60 Stat. 810.

## FEDERAL TRADE COMMISSION

### SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by law (5 U.S.C. 2131), and services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), at rates for individuals not to exceed \$100 per diem, \$14,000,000: *Provided*, That no part of the foregoing appropriation shall be expended upon any investigation hereafter provided by concurrent resolution of the Congress until funds are appropriated subsequently to the enactment of such resolution to finance the cost of such investigation.

68 Stat. 1114;  
79 Stat. 1122.

## GENERAL ACCOUNTING OFFICE

### SALARIES AND EXPENSES

For necessary expenses of the General Accounting Office, including not to exceed \$2,000 to be expended on the certification of the Comptroller General of the United States in connection with special studies of governmental financial practices and procedures and including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), \$48,500,000.

## GENERAL SERVICES ADMINISTRATION

### OPERATING EXPENSES, PUBLIC BUILDINGS SERVICE

For necessary expenses, not otherwise provided for, of real property management and related activities as provided by law; rental of buildings in the District of Columbia; restoration of leased premises; moving Government agencies (including space adjustments) in connection with the assignment, allocation, and transfer of building space; acquisition by purchase or otherwise of real estate and interests therein; and contractual services incident to cleaning or servicing buildings and moving; \$240,000,000: *Provided*, That this appropriation shall be available to provide such fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to Title 18, U.S.C. 3056.

76 Stat. 956;  
79 Stat. 791.

### REPAIR AND IMPROVEMENT OF PUBLIC BUILDINGS

For expenses, not otherwise provided for, necessary to alter public buildings and to acquire additions to sites pursuant to the Public Buildings Act of 1959 (73 Stat. 479) and to alter other Federally-owned buildings and to acquire additions to sites thereof, including grounds, approaches and appurtenances, wharves and piers, together with the necessary dredging adjacent thereto; and care and safeguarding of sites; preliminary planning of projects by contract or otherwise; maintenance, preservation, demolition, and equipment; \$80,000,000, to remain available until expended: *Provided*, That for the purposes of this appropriation, buildings constructed pursuant to

40 USC 601 note.

68 Stat. 518.

74 Stat. 590.

the Public Buildings Purchase Contract Act of 1954 (40 U.S.C. 356) and the Post Office Department Property Act of 1954 (39 U.S.C. 2104 et seq.), and buildings under the control of another department or agency where alteration of such buildings is required in connection with the moving of such other department or agency from buildings then, or thereafter to be, under the control of General Services Administration shall be considered to be public buildings.

#### CONSTRUCTION, PUBLIC BUILDINGS PROJECTS

For an additional amount for expenses, not otherwise provided for, necessary to construct and acquire public buildings projects and alter public buildings by extension or conversion where the estimated cost for a project is in excess of \$200,000, pursuant to the Public Buildings Act of 1959 (73 Stat. 479), including fallout shelters and equipment for such buildings, \$113,998,000, and not to exceed \$500,000 of this amount shall be available to the Administrator for construction or alteration of small public buildings outside the District of Columbia as the Administrator approves and deems necessary, all to remain available until expended: *Provided*, That the foregoing amount shall be available for public buildings projects at locations and at maximum construction improvement costs (excluding funds for sites and expenses) as follows:

Border station, Alaska Highway, Alaska, \$1,477,000;

Post office and Federal office building, Petersburg, Alaska, \$555,000;

Post office and Federal office building, Conway, Arkansas, \$648,000;

Post office and Federal office building, Star City, Arkansas, \$253,000;

Federal office building, Los Angeles County, California, \$5,470,800;

Post office and Federal office building, Fort Collins, Colorado, \$1,837,000;

Post office and Federal office building, Augusta, Georgia, \$1,792,000;

Federal office building, Indianapolis, Indiana, \$10,952,300;

Post office and Federal office building, Houma, Louisiana, \$818,000;

Post office and Federal office building, Fitchburg, Massachusetts, \$1,268,000;

Federal office building, Fort Snelling, Minnesota, \$14,259,000;

Courthouse and Federal office building, Cape Girardeau, Missouri, \$1,399,000;

Post office, Lincoln, Nebraska, \$2,902,000;

Post office and Federal office building, Keene, New Hampshire, \$753,000;

Federal office building, Gallup, New Mexico, \$2,750,000;

Federal office building, Albany, New York, \$6,755,500;

Court of Appeals and Federal office building (substructure), New York, New York, \$5,820,000;

Federal office building, Goldsboro, North Carolina, \$606,000;

Post office and Federal office building, Oxford, North Carolina, \$409,000;

Post office and courthouse, Wilkesboro, North Carolina, \$918,000;

Post office and Federal office building, Fargo, North Dakota, \$4,274,000;

Post office, Dayton, Ohio, \$5,105,100;

Post office and Federal office building, Barrington, Rhode Island, \$208,000;

Federal office building, Oak Ridge, Tennessee, \$3,707,000;

Post office and Federal office building, Big Spring, Texas, \$951,000;

Post office and Federal office building, Denton, Texas, \$916,000;

Border patrol sector headquarters, Laredo, Texas, \$543,000;

40 USC 601  
note.

Courthouse and Federal office building, San Antonio, Texas, \$6,326,300;

Federal office building, St. George, Utah, \$179,000;

Post office and Federal office building, Essex Junction, Vermont, \$295,000;

Federal Bureau of Investigation Academy, Quantico, Virginia, \$13,059,000, in addition to the sum heretofore provided;

Post office and Federal office building, Casper, Wyoming, \$3,859,000; and

Labor Department building (substructure), District of Columbia, \$12,433,000:

*Provided further*, That the foregoing limits of costs may be exceeded to the extent that savings are effected in other projects, but by not to exceed 10 per centum: *Provided further*, That the funds made available for the Labor Department building shall not be available for expenditure until the General Services Administration certifies to Congress that the relevant portion of the Inner Loop Freeway and the substructure of the Labor Department building are coordinated in design and will be constructed as a unit.

Inner Loop Freeway, Labor Department building. Coordination.

#### SITES AND EXPENSES, PUBLIC BUILDINGS PROJECTS

For an additional amount for expenses necessary in connection with the construction of public buildings projects not otherwise provided for, as specified under this head in the Independent Offices Appropriation Acts of 1959 and 1960, including preliminary planning of public buildings projects by contract or otherwise, \$14,132,000, to remain available until expended.

72 Stat. 1066;  
73 Stat. 505.

#### PAYMENTS, PUBLIC BUILDINGS PURCHASE CONTRACTS

For payments of principal, interest, taxes, and any other obligations under contracts entered into pursuant to the Public Buildings Purchase Contract Act of 1954 (40 U.S.C. 356), \$6,746,000.

68 Stat. 518.

#### ADDITIONAL COURT FACILITIES

For an additional amount for expenses, not otherwise provided for, necessary to provide, directly or indirectly, additional space, facilities and courtrooms for the judiciary, including alteration and extension of Government-owned buildings and acquisition of additions to sites of such buildings; rents; furnishings and equipment; repair and alteration of rented space; moving Government agencies in connection with the assignment and transfer of space; preliminary planning; preparation of drawings and specifications by contract or otherwise; and administrative expenses; \$6,000,000, to remain available until expended.

#### EXPENSES, UNITED STATES COURT FACILITIES

For necessary expenses, not otherwise provided for, to provide directly or indirectly, additional space for the United States Courts incident to expansion of facilities (including rental of buildings in the District of Columbia and elsewhere and moving and space adjustments), and furniture and furnishings, \$1,500,000.

#### OPERATING EXPENSES, FEDERAL SUPPLY SERVICE

For expenses, not otherwise provided, necessary for supply distribution, procurement, inspection, operation of the stores depot system

(including contractual services incident to receiving, handling, and shipping warehouse items), and other supply management and related activities, as authorized by law, \$60,000,000.

#### OPERATING EXPENSES, UTILIZATION AND DISPOSAL SERVICE

For necessary expenses, not otherwise provided for, incident to the utilization and disposal of excess and surplus property, and rehabilitation of personal property, as authorized by law, \$9,000,000, to be derived from proceeds from the transfer of excess property and the disposal of surplus property.

#### OPERATING EXPENSES, NATIONAL ARCHIVES AND RECORDS SERVICE

For necessary expenses in connection with Federal records management and related activities, as provided by law, including reimbursement for security guard services, and contractual services incident to movement or disposal of records, \$16,800,000, including \$30,000 which shall be available for continuing to carry out the purposes of Sec. 2 of Public Law 88-195 approved December 11, 1963, for the period ending June 30, 1967.

77 Stat. 348.

#### NATIONAL HISTORICAL PUBLICATIONS GRANTS

For allocation to Federal agencies, and for grants to State and local agencies and nonprofit organizations and institutions, for the collecting, describing, preserving and compiling, and publishing of documentary sources significant to the history of the United States, \$350,000, to remain available until expended.

#### OPERATING EXPENSES, TRANSPORTATION AND COMMUNICATIONS SERVICE

For necessary expenses of transportation, communications, and other public utilities management and related activities, as provided by law, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), \$5,900,000.

60 Stat. 810.

#### STRATEGIC AND CRITICAL MATERIALS

For necessary expenses in carrying out the provisions of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98-98h), during the current fiscal year, for transportation and handling, within the United States (including charges at United States ports), storage, security, and maintenance of strategic and other materials acquired for or transferred to the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1704(b)), not to exceed \$1,072,000 for carrying out the provisions of the National Industrial Reserve Act of 1948 (50 U.S.C. 451-462), relating to machine tools and industrial manufacturing equipment for which the General Services Administration is responsible, including reimbursement for security guard services, services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), and not to exceed \$3,886,000 for operating expenses, \$19,847,000, to be derived from sales of strategic and critical materials: *Provided*, That no part of funds available shall be used for construction of warehouses or tank storage facilities: *Provided further*, That during the current fiscal year the General Services Administration is authorized to acquire leasehold interests in property, for periods not in excess of

60 Stat. 596.

73 Stat. 607.

62 Stat. 1225.

twenty years, for the storage, security, and maintenance of strategic, critical, and other materials and equipment held pursuant to the aforesaid Act provided said leasehold interests are at nominal cost to the Government: *Provided further*, That during the current fiscal year, there shall be no limitation on the value of surplus strategic and critical materials which, in accordance with section 6(a) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98e(a)), may be transferred without reimbursement to stockpiles established in accordance with said Act: *Provided further*, That any receipts from sales during the current fiscal year shall be promptly deposited into the Treasury except as otherwise provided herein: *Provided further*, That during the current fiscal year materials in the inventory maintained under the Defense Production Act of 1950, as amended, and excess materials in the national stockpile and the supplemental stockpile, the disposition of which is authorized by law, shall be available, without reimbursement, for transfer at fair market value to contractors as payment for expenses (including transportation and other accessorial expenses) of refining, processing, or otherwise beneficiating materials, or of rotating materials, pursuant to sections 3(c) and 3(d) of the Strategic and Critical Materials Stock Piling Act.

60 Stat. 598.

64 Stat. 798.  
50 USC app.  
2061.60 Stat. 597.  
50 USC 98b.

#### SALARIES AND EXPENSES, OFFICE OF ADMINISTRATOR

For expenses of executive direction for activities under the control of the General Services Administration, \$1,700,000: *Provided*, That not to exceed \$500 shall be available for reception and representation expenses.

#### ALLOWANCES AND OFFICE FACILITIES FOR FORMER PRESIDENTS

For carrying out the provisions of the Act of August 25, 1958 (72 Stat. 838), \$235,000: *Provided*, That the Administrator of General Services shall transfer to the Secretary of the Treasury such sums as may be necessary to carry out the provisions of sections (a) and (e) of such Act.

78 Stat. 412.  
3 USC 102 note.

#### SALARIES AND EXPENSES, AUTOMATIC DATA PROCESSING COORDINATION

For necessary expenses of carrying out Government-wide automatic data processing activities within the jurisdiction of the General Services Administration, \$500,000.

#### ADMINISTRATIVE OPERATIONS FUND

Funds available to General Services Administration for administrative operations, in support of program activities, shall be expended and accounted for, as a whole, through a single fund: *Provided*, That costs and obligations for such administrative operations for the respective program activities shall be accounted for in accordance with systems approved by the General Accounting Office: *Provided further*, That the total amount deposited into said account for the current fiscal year from funds made available to General Services Administration in this Act shall not exceed \$16,050,000: *Provided further*, That amounts deposited into said account for administrative operations for each program shall not exceed the amounts included in the respective program appropriations for such purposes.

#### WORKING CAPITAL FUND

To increase the capital of the working capital fund established by the Act of May 3, 1945 (40 U.S.C. 293), \$100,000.

59 Stat. 115.

## GENERAL PROVISIONS

The appropriate appropriation or fund available to the General Services Administration shall be credited with (1) cost of operation, protection, maintenance, upkeep, repair, and improvement, included as part of rentals received from Government corporations pursuant to law (40 U.S.C. 129); (2) reimbursements for services performed in respect to bonds and other obligations under the jurisdiction of the General Services Administration, issued by public authorities, States, or other public bodies, and such services in respect to such bonds or obligations as the Administrator deems necessary and in the public interest may, upon the request and at the expense of the issuing agencies, be provided from the appropriate foregoing appropriation; and (3) appropriations or funds available to other agencies, and transferred to the General Services Administration, in connection with property transferred to the General Services Administration pursuant to the Act of July 2, 1948 (50 U.S.C. 451ff), and such appropriations or funds may be so transferred, with the approval of the Bureau of the Budget.

Appropriations to the General Services Administration under the heading "Construction, Public Buildings Projects" made in this Act shall be available, subject to the provisions of the Public Buildings Act of 1959 for (1) acquisition of buildings and sites thereof by purchase, condemnation, or otherwise, including prepayment of purchase contracts, (2) extension or conversion of Government-owned buildings, and (3) construction of new buildings, in addition to those set forth under that appropriation: *Provided*, That nothing herein shall authorize an expenditure of funds for acquisition, extension or conversion, or construction without the approval of the Committees on Appropriations of the Senate and House of Representatives.

Funds available to the General Services Administration shall be available for the hire of passenger motor vehicles.

No part of any money appropriated by this or any other Act for any agency of the executive branch of the Government shall be used during the current fiscal year for the purchase within the continental limits of the United States of any typewriting machines except in accordance with regulations issued pursuant to the provisions of the Federal Property and Administrative Services Act of 1949, as amended.

Not to exceed 2 per centum of any appropriation made available to the General Services Administration for the current fiscal year by this Act may be transferred to any other such appropriation, but no such appropriation shall be increased thereby more than 2 per centum: *Provided*, That such transfers shall apply only to operating expenses, and shall not exceed in the aggregate the amount of \$2,000,000.

Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for (a) reimbursement to the General Services Administration for those expenses of renovation and alteration of buildings and facilities which constitute public improvements, performed in accordance with the Public Buildings Act of 1959 (73 Stat. 479) or other applicable law, and (b) transfer or reimbursement to applicable appropriations to said Administration for rents and related expenses, not otherwise provided for, of providing subject to Executive Order 11035, dated July 9, 1962, directly or indirectly, suitable general purpose space for any such department or agency, in the District of Columbia or elsewhere.

61 Stat. 584.

62 Stat. 1225.

73 Stat. 479.  
40 USC 601  
note.63 Stat. 377.  
40 USC 471  
note.40 USC 490  
note.

No part of any appropriation contained in this Act shall be used for the payment of rental on lease agreements for the accommodation of Federal agencies in buildings and improvements which are to be erected by the lessor for such agencies at an estimated cost of construction in excess of \$200,000 or for the payment of the salary of any person who executes such a lease agreement: *Provided*, That the foregoing proviso shall not be applicable to projects for which a prospectus for the lease construction of space has been submitted to and approved by the appropriate Committees of the Congress in the same manner as for the public buildings construction projects pursuant to the Public Buildings Act of 1959.

## INTERSTATE COMMERCE COMMISSION

### SALARIES AND EXPENSES

For necessary expenses of the Interstate Commerce Commission, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), at rates for individuals not to exceed \$100 per diem; \$27,759,000: *Provided*, That Joint Board members and cooperating State commissioners may use Government transportation requests when traveling in connection with their duties as such.

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

### RESEARCH AND DEVELOPMENT

For necessary expenses, not otherwise provided for, including research, development, operations, services, minor construction, supplies, materials, equipment; maintenance, repair, and alteration of real and personal property; and purchase, hire, maintenance, and operation of other than administrative aircraft necessary for the conduct and support of aeronautical and space research and development activities of the National Aeronautics and Space Administration, \$4,245,000,000, to remain available until expended.

### CONSTRUCTION OF FACILITIES

For advance planning, design, and construction of facilities for the National Aeronautics and Space Administration and for the acquisition or condemnation of real property, as authorized by law, \$83,000,000, to remain available until expended.

### ADMINISTRATIVE OPERATIONS

For necessary expenses, not otherwise provided for, of the operation of the National Aeronautics and Space Administration, including uniforms or allowances therefor, as authorized by the Act of September 1, 1954, as amended (5 U.S.C. 2131); minor construction; supplies, materials, services, and equipment; awards; hire, maintenance and operation of administrative aircraft; purchase and hire of motor vehicles (including purchase of not to exceed thirty-one passenger motor vehicles, of which sixteen shall be for replacement only); and maintenance, repair, and alteration of real and personal property; \$640,000,000: *Provided*, That contracts may be entered into under this appropriation for maintenance and operation of facilities, and for other services, to be provided during the next fiscal year.

73 Stat. 479.  
40 USC 601  
note.

60 Stat. 810.

68 Stat. 1114;  
79 Stat. 1122.

## GENERAL PROVISIONS

Transfer of appropriations.

Not to exceed 5 per centum of any appropriation made available to the National Aeronautics and Space Administration by this Act may be transferred to any other such appropriation.

Scientific consultations, extraordinary expenses.

Not to exceed \$35,000 of the appropriation "Administrative Operations" in this Act for the National Aeronautics and Space Administration shall be available for scientific consultations or extraordinary expense, to be expended upon the approval or authority of the Administrator and his determination shall be final and conclusive.

Manned lunar landing.  
Congressional consent requirement.

No part of any appropriation made available to the National Aeronautics and Space Administration by this Act shall be used for expenses of participating in a manned lunar landing to be carried out jointly by the United States and any other country without the consent of the Congress.

Procurement funds.

Any appropriation in this Act to the National Aeronautics and Space Administration may initially be used during the current fiscal year to finance procurement for which funds have been provided in any other appropriation available to the Administration and appropriate adjustments between such appropriations shall subsequently be made in accordance with generally accepted accounting principles.

## NATIONAL CAPITAL HOUSING AUTHORITY

## OPERATION AND MAINTENANCE OF PROPERTIES

48 Stat. 930.  
D.C. Code 5-103  
to 5-111.

For the operation and maintenance of properties under title I of the District of Columbia Alley Dwelling Act, \$37,000: *Provided*, That all receipts derived from sales, leases, or other sources shall be covered into the Treasury of the United States monthly: *Provided further*, That so long as funds are available from appropriations for the foregoing purposes, the provisions of section 507 of the Housing Act of 1950 (Public Law 475, Eighty-first Congress), shall not be effective.

64 Stat. 81.

## NATIONAL SCIENCE FOUNDATION

## SALARIES AND EXPENSES

64 Stat. 149.

60 Stat. 810.

For expenses necessary to carry out the purposes of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861-1897), including award of graduate fellowships; services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); maintenance and operation of one aircraft; purchase of flight services for research support; hire of passenger motor vehicles; not to exceed \$2,500 for official reception and representation expenses; and reimbursement of the General Services Administration for security guard services; \$479,999,000, to remain available until expended: *Provided*, That of the foregoing amount not less than \$37,600,000 shall be available for tuition, grants, and allowances in connection with a program of supplementary training for secondary school science and mathematics teachers: *Provided further*, That not to exceed \$1,000,000 of the foregoing appropriation may be used to purchase foreign currencies which accrue under title I of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704), for the purposes authorized by section 104(k) of that Act: *Provided further*, That receipts for scientific support services and materials furnished by the National Research Centers may be credited to this appropriation.

68 Stat. 455.

72 Stat. 275.

## RENEGOTIATION BOARD

## SALARIES AND EXPENSES

For necessary expenses of the Renegotiation Board, including hire of passenger motor vehicles and services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), \$2,477,000.

60 Stat. 810.

## SECURITIES AND EXCHANGE COMMISSION

## SALARIES AND EXPENSES

For necessary expenses, including uniforms or allowances therefor, as authorized by law (5 U.S.C. 2131), and services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), at rates for individuals not to exceed \$100 per diem, \$17,250,000.

68 Stat. 1114;  
79 Stat. 1122.

## SELECTIVE SERVICE SYSTEM

## SALARIES AND EXPENSES

For expenses necessary for the operation and maintenance of the Selective Service System, as authorized by title I of the Universal Military Training and Service Act (62 Stat. 604), as amended, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); expenses of attendance at meetings and of training for uniformed personnel assigned to the Selective Service System, as authorized by law (5 U.S.C. 2301-2318) for civilian employees; hire of motor vehicles; purchase of nine passenger motor vehicles for replacement only; not to exceed \$64,000 for the National Selective Service Appeal Board; and \$39,000 for the National Advisory Committee on the Selection of Physicians, Dentists, and Allied Specialists; \$51,940,000: *Provided*, That during the current fiscal year, the President may exempt this appropriation from the provisions of subsection (c) of section 3679 of the Revised Statutes, as amended, whenever he deems such action to be necessary in the interest of national defense.

65 Stat. 75.  
50 USC app. 451.

72 Stat. 327.

31 USC 665.

## VETERANS ADMINISTRATION

## GENERAL OPERATING EXPENSES

For necessary operating expenses of the Veterans Administration, not otherwise provided for, including uniforms or allowances therefor, as authorized by law; not to exceed \$1,000 for official reception and representation expenses; purchase of one passenger motor vehicle (medium sedan for replacement only) at not to exceed \$3,000; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services; \$159,330,000: *Provided*, That no part of this appropriation shall be used to pay in excess of twenty-two persons engaged in public relations work.

## MEDICAL ADMINISTRATION AND MISCELLANEOUS OPERATING EXPENSES

For expenses necessary for administration of the medical, hospital, domiciliary, construction and supply, research, employee education and training activities, as authorized by law, \$14,000,000.

## MEDICAL AND PROSTHETIC RESEARCH

For expenses necessary for carrying out programs of medical and prosthetic research and development, as authorized by law, to remain available until expended, \$43,629,000.

## MEDICAL CARE

For expenses necessary for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities; for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Veterans Administration including care and treatment in facilities not under the jurisdiction of the Veterans Administration, and furnishing recreational facilities, supplies and equipment; maintenance and operation of farms and burial grounds; repairing, altering, improving or providing facilities in the several hospitals and homes under the jurisdiction of the Veterans Administration, not otherwise provided for, either by contract, or by the hire of temporary employees and purchase of materials; uniforms or allowances therefor as authorized by law (5 U.S.C. 2131); and aid to State homes as authorized by law (38 U.S.C. 641); \$1,265,437,000, plus reimbursements: *Provided*, That allotments and transfers may be made from this appropriation to the Public Health Service of the Department of Health, Education, and Welfare, and the Army, Navy, and Air Force of the Department of Defense, for disbursements by them under the various headings of their applicable appropriations, of such amounts as are necessary for the care and treatment of beneficiaries of the Veterans Administration.

68 Stat. 1114;  
79 Stat. 1122.  
78 Stat. 500.

## COMPENSATION AND PENSIONS

For the payment of compensation, pensions, gratuities, and allowances, including burial awards, burial flags, subsistence allowances for vocational rehabilitation, emergency and other officers' retirement pay, adjusted-service credits and certificates, as authorized by law; and for payment of amounts of compromises or settlements under 28 U.S.C. 2677 of tort claims potentially subject to the offset provisions of 38 U.S.C. 351, \$4,374,000,000, to remain available until expended.

62 Stat. 984.  
72 Stat. 1124;  
76 Stat. 950.

## READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 21, 31 (except section 1504), and 33-39), \$42,400,000, to remain available until expended.

72 Stat. 1167;  
Ante, p. 12.

## VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, and service-disabled veterans insurance, to remain available until expended, \$11,500,000, of which \$8,000,000 shall be derived from the Veterans Special Term Insurance Fund.

## CONSTRUCTION OF HOSPITAL AND DOMICILIARY FACILITIES

For hospital and domiciliary facilities, for planning and for major alterations, improvements, and repairs and extending any of the facilities under the jurisdiction of the Veterans Administration or for any of the purposes set forth in sections 5001, 5002, and 5004, title 38, United States Code, including necessary expenses of administration, \$52,125,000, to remain available until expended.

72 Stat. 1251.

## GRANTS FOR CONSTRUCTION OF STATE NURSING HOMES

For grants to assist the several States to construct State home facilities for furnishing nursing home care to veterans, as authorized by law (38 U.S.C. 5031-5037), \$4,000,000, to remain available until June 30, 1969.

78 Stat. 501.

## GRANTS TO THE REPUBLIC OF THE PHILIPPINES

For payment to the Republic of the Philippines of grants, as authorized by law (38 U.S.C. 631-634), \$386,000.

72 Stat. 1145.

## DIRECT LOAN REVOLVING FUND

The amount authorized by section 1823(a) of title 38, United States Code, to be advanced after June 30, 1966, by the Secretary of the Treasury to the Administrator, for the purposes of the "Direct loan revolving fund" is hereby reduced by the amount of \$100,000,000.

72 Stat. 1214;  
75 Stat. 202.

## LOAN GUARANTY REVOLVING FUND

During the current fiscal year, the Loan guaranty revolving fund shall be available for expenses, but not to exceed \$375,000,000, for property acquisitions and other loan guaranty and insurance operations under Chapter 37, title 38, United States Code, except administrative expenses, as authorized by section 1824 of such title: *Provided*, That not to exceed \$200,000,000 of the unobligated balances including retained earnings of the Direct loan revolving fund shall be available, during the current fiscal year, for transfer to the Loan guaranty revolving fund in such amounts as may be necessary to provide for the foregoing expenses and the Administrator of Veterans Affairs shall not be required to pay interest on amounts so transferred after the time of such transfer.

72 Stat. 1203;  
Ante, p. 25.  
74 Stat. 532.

## ADMINISTRATIVE PROVISIONS

Not to exceed 5 per centum of any appropriation for the current fiscal year for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" may be transferred to any other of the mentioned appropriations, but not to exceed 10 per centum of the appropriations so augmented.

Appropriations available to the Veterans Administration for the current fiscal year for salaries and expenses shall be available for services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a).

60 Stat. 810.

The appropriation available to the Veterans Administration for the current fiscal year for "Medical care" shall be available for funeral, burial, and other expenses incidental thereto (except burial awards authorized by section 902 of title 38, United States Code), for beneficiaries of the Veterans Administration receiving care under such appropriations.

72 Stat. 1169;  
Ante, p. 29.

No part of the appropriations in this Act for the Veterans Administration (except the appropriation for "Construction of hospital and domiciliary facilities") shall be available for the purchase of any site for or toward the construction of any new hospital or home.

No part of the foregoing appropriations shall be available for hos-

pitalization or examination of any persons except beneficiaries entitled under the laws bestowing such benefits to veterans, unless reimbursement of cost is made to the appropriation at such rates as may be fixed by the Administrator of Veterans Affairs.

## DEPARTMENT OF DEFENSE

### CIVIL DEFENSE

#### OPERATION AND MAINTENANCE

For expenses, not otherwise provided for, necessary for carrying out civil defense activities, including the hire of motor vehicles; and financial contributions to the States for civil defense purposes, as authorized by law, \$66,100,000, and, in addition \$1,000,000 which shall be derived by transfer from Civil Defense Procurement Fund established by the Third Supplemental Appropriation Act, 1951 (50 U.S.C. App. 2264) : *Provided*, That not to exceed \$18,500,000 of this appropriation shall be available for allocation under section 205 of the Federal Civil Defense Act of 1950, as amended.

65 Stat. 61.

72 Stat. 533;  
78 Stat. 231.  
50 USC app.  
2286.

#### RESEARCH, SHELTER SURVEY AND MARKING

For expenses, not otherwise provided for, necessary for studies and research to develop measures and plans for civil defense; and continuing shelter surveys, marking, stocking, and equipping surveyed spaces; \$35,000,000, to remain available until expended.

#### GENERAL PROVISIONS—CIVIL DEFENSE

Appropriations contained in this Act for carrying out civil defense activities shall not be available in excess of the limitations on appropriations contained in section 408 of the Federal Civil Defense Act, as amended (50 U.S.C. App. 2260).

64 Stat. 1257;  
72 Stat. 534.

No part of any appropriation in this Act shall be available for the construction of warehouses or for the lease of warehouse space in any building which is to be constructed specifically for civil defense activities.

No part of any appropriation contained in this Act, or of the funds available for expenditure by any corporation or agency included in this Act, shall be used for construction of fallout shelters except in construction of new buildings under the heading, "Construction, Public Buildings Projects", for the current fiscal year.

*Ante*, p. 670.

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### PUBLIC HEALTH SERVICE

#### EMERGENCY HEALTH ACTIVITIES

For expenses necessary for carrying out emergency planning and preparedness functions of the Public Health Service, and procurement, storage (including underground storage), distribution, and maintenance of emergency civil defense medical supplies and equipment as authorized by law (50 U.S.C., App. 2281(h)), \$10,000,000, to remain available until expended.

64 Stat. 1249;  
78 Stat. 231.

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

## URBAN PLANNING GRANTS

For an additional amount for "Urban planning grants", \$33,000,000, to remain available until expended.

## URBAN STUDIES AND HOUSING RESEARCH

For urban studies and housing research as authorized by the Housing Acts of 1948 and 1956, as amended, including administrative expenses in connection therewith, \$500,000.

62 Stat. 1268;  
70 Stat. 1091.  
12 USC 1747  
note, 1703 note.

## FELLOWSHIPS FOR CITY PLANNING AND URBAN STUDIES

For fellowships for city planning and urban studies as authorized by section 810 of the Housing Act of 1964 (20 U.S.C. 811), \$500,000: *Provided*, That not to exceed \$30,000 of this appropriation shall be available for administrative expenses: *Provided further*, That this sum shall be derived by transfer from funds previously made available for grants for urban renewal.

78 Stat. 803.

## HOUSING AND BUILDING CODES, ZONING, TAX POLICIES, AND DEVELOPMENT STANDARDS

For expenses necessary to carry out studies authorized by section 301 of the Housing and Urban Development Act of 1965 (42 U.S.C. 1456), \$1,500,000, to remain available until expended.

79 Stat. 474.

## LOW INCOME HOUSING DEMONSTRATION PROGRAMS

For low income housing demonstration programs pursuant to section 207 of the Housing Act of 1961, as amended (42 U.S.C. 1436), \$1,575,000: *Provided*, That not to exceed \$75,000 may be available for administrative expenses, but no part of this appropriation shall be available for administrative expenses in connection with contracts to make grants in excess of the amount herein appropriated therefor.

75 Stat. 165;  
79 Stat. 503.

## URBAN RENEWAL PROGRAMS

For administrative expenses for urban renewal programs not exceeding commitments heretofore made or provided for in appropriation acts, including programs authorized by title I of the Housing Act of 1949, as amended (42 U.S.C. 1450 et seq.), and sections 314 and 701 of the Housing Act of 1954, as amended (42 U.S.C. 1452a; 40 U.S.C. 461), \$15,000,000: *Provided*, That the limitation on funds for rehabilitation grants contained in the second proviso under the head "Urban renewal administration", in the Supplemental Appropriation Act, 1966, is increased by \$9,000,000 for the current fiscal year.

63 Stat. 414.  
42 USC 1450-  
1468.  
68 Stat. 629;  
73 Stat. 678.

79 Stat. 1136.

## URBAN MASS TRANSPORTATION GRANTS

For grants as authorized by the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601 et seq.), for the fiscal year 1968, \$55,000,000, to remain available until expended.

78 Stat. 302.

#### ADMINISTRATIVE EXPENSES, URBAN TRANSPORTATION ACTIVITIES

78 Stat. 302.

For necessary expenses to carry out the provisions of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601 et seq.), \$640,000.

#### GRANTS FOR NEIGHBORHOOD FACILITIES

79 Stat. 491.

For grants authorized by section 703 of the Housing and Urban Development Act of 1965 (42 U.S.C. 3103), \$17,000,000, to remain available until expended.

#### OPEN SPACE LAND AND URBAN BEAUTIFICATION

75 Stat. 183;  
79 Stat. 494.

For grants as authorized by title VII of the Housing Act of 1961, as amended (42 U.S.C. 1500-1500e), and the provision of technical assistance to State and local public bodies (including the undertaking of studies and publication of information), \$55,000,000, to remain available until expended: *Provided*, That not to exceed \$800,000 may be used for administrative expenses and technical assistance, and no part of this appropriation shall be used for administrative expenses in connection with grants requiring payments in excess of the amount herein appropriated therefor.

#### GRANTS FOR BASIC WATER AND SEWER FACILITIES

79 Stat. 490.

For grants authorized by section 702 of the Housing and Urban Development Act of 1965 (42 U.S.C. 3102), \$100,000,000, to remain available until expended.

#### REHABILITATION LOAN FUND

78 Stat. 790;  
79 Stat. 479.

For administrative expenses necessary to carry out the program authorized by section 312 of the Housing Act of 1964 (42 U.S.C. 1452b), \$1,370,000.

#### ADMINISTRATIVE EXPENSES, FEDERAL HOUSING ADMINISTRATION

79 Stat. 451.  
12 USC 1701s  
and note.

For necessary expenses of the Federal Housing Administration in carrying out functions under section 101 of the Housing and Urban Development Act of 1965, delegated by the Secretary, \$900,000.

#### RENT SUPPLEMENT PROGRAM

68 Stat. 623.

For rent supplement payments authorized by section 101 of the Housing and Urban Development Act of 1965, \$2,000,000: *Provided*, That the limitation otherwise applicable to the maximum payments that may be required in any fiscal year by all contracts entered into under such section is increased by \$20,000,000: *Provided further*, That no part of the foregoing appropriation or contract authority shall be used for incurring any obligation in connection with any dwelling unit or project which is not either part of a workable program for community improvement meeting the requirements of section 101(c) of the Housing Act of 1949, as amended (42 U.S.C. 1451(c)), or which is without local official approval for participation in this program.

## PUBLIC HOUSING PROGRAMS

## ANNUAL CONTRIBUTIONS

For the payment of annual contributions to public housing agencies in accordance with section 10 of the United States Housing Act of 1937, as amended (42 U.S.C. 1410), \$250,000,000.

50 Stat. 891.

## ADMINISTRATIVE EXPENSES

For administrative expenses of public housing programs authorized by the United States Housing Act of 1937, as amended (42 U.S.C. 1401-1433), \$18,800,000, to be expended under the authorization for such expenses contained in title II of this Act.

## HOUSING FOR THE ELDERLY OR HANDICAPPED FUND

For the revolving fund established pursuant to section 202 of the Housing Act of 1959, as amended (12 U.S.C. 1701q et seq.), \$80,000,000, to remain available until expended.

73 Stat. 667;  
79 Stat. 457.

## FEDERAL NATIONAL MORTGAGE ASSOCIATION

## PARTICIPATION SALES AUTHORIZATIONS

The Federal National Mortgage Association, as trustee, is hereby authorized to issue beneficial interests or participations in such obligations as may be placed in trust with such Association in accordance with section 302(c) of the Federal National Mortgage Association Charter Act, as amended by Public Law 89-429, for the accounts of the following departments and agencies, in not to exceed the following aggregate principal amounts:

Ante, p. 164.

The Farmers Home Administration of the Department of Agriculture, \$600,000,000;

The Office of Education of the Department of Health, Education, and Welfare, \$100,000,000;

The Department of Housing and Urban Development, \$1,420,000,000;

The Veterans Administration, \$260,000,000; and

The Small Business Administration, \$850,000,000:

*Provided*, That the foregoing authorizations shall remain available until June 30, 1968.

## PAYMENT OF PARTICIPATION SALES INSUFFICIENCIES

To enable any department or agency named in paragraph (2) of section 302(c) of the Federal National Mortgage Association Charter Act, as added by Public Law 89-429, to pay the Federal National Mortgage Association, as trustee, such insufficiencies as may be required by the trustee on account of such outstanding beneficial interests or participations as may be authorized by this Act to be issued pursuant to said section 302(c), such sums as may be necessary, to be available without fiscal year limitation.

Ante, p. 164.

## OFFICE OF THE SECRETARY

## SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, including services as authorized by section 15 of the Act of August 2, 1946 (5

60 Stat. 810.  
68 Stat. 1114;  
79 Stat. 1122.

69 Stat. 644;  
77 Stat. 437.

U.S.C. 55a) ; purchase of uniforms, or allowances therefor, as authorized by the Act of September 1, 1954, as amended (5 U.S.C. 2131) ; not to exceed \$2,500 for official reception and representation expenses; hire of passenger motor vehicles; and purchase of two passenger motor vehicles for replacement only; \$8,359,000: *Provided*, That during the current fiscal year nonadministrative expenses, as defined by law (12 U.S.C. 1749, 1749d), shall not exceed \$5,535,000.

#### OFFICE BUILDING EQUIPMENT AND FURNISHINGS

For equipment, furnishings, and fixtures, not otherwise provided for, in connection with initial occupancy of a headquarters office building for the Department in the District of Columbia, to remain available until expended, \$700,000 of which \$25,000 shall be transferred from the appropriation for "Public housing programs, Administrative expenses" and \$100,000 shall be transferred from funds available for nonadministrative expenses under the "Limitation on administrative and nonadministrative expenses, Federal Housing Administration".

#### INDEPENDENT OFFICES—GENERAL PROVISIONS

Travel expenses.

SEC. 102. Where appropriations in this title are expendable for travel expenses of employees and no specific limitation has been placed thereon, the expenditures for such travel expenses may not exceed the amounts set forth therefor in the budget estimates submitted for the appropriations: *Provided*, That this section shall not apply to travel performed by uncompensated officials of local boards and appeal boards of the Selective Service System; to travel performed in connection with the investigation of aircraft accidents by the Civil Aeronautics Board; to travel performed directly in connection with care and treatment of medical beneficiaries of the Veterans Administration; or to payments to interagency motor pools where separately set forth in the budget schedules.

Positions of employees entering Armed Forces.

SEC. 103. No part of any appropriation contained in this title shall be available to pay the salary of any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his period of active military or naval service and has within ninety days after his release from such service or from hospitalization continuing after discharge for a period of not more than one year made application for restoration to his former position and has been certified by the Civil Service Commission as still qualified to perform the duties of his former position and has not been restored thereto.

Real estate purchase or sale, restriction.

SEC. 104. No part of any appropriation made available by the provisions of this title shall be used for the purchase or sale of real estate or for the purpose of establishing new offices outside the District of Columbia: *Provided*, That this limitation shall not apply to programs which have been approved by the Congress and appropriations made therefor.

#### TITLE II—CORPORATIONS

The following corporations and agencies, respectively, are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and

in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Budget for the current fiscal year for each such corporation or agency, except as hereinafter provided:

61 Stat. 584.  
31 USC 849.

### FEDERAL HOME LOAN BANK BOARD

#### LIMITATION ON ADMINISTRATIVE AND NONADMINISTRATIVE EXPENSES, FEDERAL HOME LOAN BANK BOARD

Not to exceed a total of \$4,410,000 shall be available for administrative expenses of the Federal Home Loan Bank Board, which may procure services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), at rates not to exceed \$100 per diem for individuals, and contracts for such services with one organization may be renewed annually, and uniforms or allowances therefor in accordance with the Act of September 1, 1954, as amended (5 U.S.C. 2131-2133), and said amount shall be derived from funds available to the Federal Home Loan Bank Board, including those in the Federal Home Loan Bank Board revolving fund and receipts of the Board for the current fiscal year and prior fiscal years, and the Board may utilize and may make payment for services and facilities of the Federal home-loan banks, the Federal Reserve banks, the Federal Savings and Loan Insurance Corporation, and other agencies of the Government (including payment for office space): *Provided*, That all necessary expenses in connection with the conservatorship of institutions insured by the Federal Savings and Loan Insurance Corporation or preparation for or conduct of proceedings under section 6(i) of the Federal Home Loan Bank Act or under section 5(d) of the Home Owners' Loan Act of 1933 or section 407 or 408 of the National Housing Act and all necessary expenses (including services performed on a contract or fee basis, but not including other personal services) in connection with the handling, including the purchase, sale, and exchange, of securities on behalf of Federal home-loan banks, and the sale, issuance, and retirement of, or payment of interest on, debentures or bonds, under the Federal Home Loan Bank Act, as amended, shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That members and alternates of the Federal Savings and Loan Advisory Council shall be entitled to reimbursement from the Board as approved by the Board for transportation expenses incurred in attendance at meetings of or concerned with the work of such Council and may be paid not to exceed \$25 per diem in lieu of subsistence: *Provided further*, That expenses of any functions of supervision (except of Federal home-loan banks) vested in or exercisable by the Board shall be considered as nonadministrative expenses: *Provided further*, That not to exceed \$1,000 shall be available for official reception and representation expenses: *Provided further*, That, notwithstanding any other provisions of this Act, except for the limitation in amount hereinbefore specified, the administrative expenses and other obligations of the Board shall be incurred, allowed, and paid in accordance with the provisions of the Federal Home Loan Bank Act of July 22, 1932, as amended (12 U.S.C. 1421-1449): *Provided further*, That the nonadministrative expenses (except those included in the first

60 Stat. 810.

68 Stat. 1114;  
79 Stat. 1122.

12 USC 1426.  
12 USC 1464.  
12 USC 1730,  
1730a.

proviso hereof) for the supervision and examination of Federal and State chartered institutions (other than special examinations determined by the Board to be necessary) shall not exceed \$13,465,000.

#### LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

Not to exceed \$285,000 shall be available for administrative expenses, which shall be on an accrual basis and shall be exclusive of interest paid, depreciation, properly capitalized expenditures, expenses in connection with liquidation of insured institutions or preparation for or conduct of proceedings under section 407 or 408 of the National Housing Act, liquidation or handling of, assets of or derived from insured institutions, payment of insurance, and action for or toward the avoidance, termination, or minimizing of losses in the case of insured institutions, legal fees and expenses, and payments for expenses of the Federal Home Loan Bank Board determined by said Board to be properly allocable to said Corporation, and said Corporation may utilize and may make payment for services and facilities of the Federal home-loan banks, the Federal Reserve banks, the Federal Home Loan Bank Board, and other agencies of the Government: *Provided*, That, notwithstanding any other provisions of this Act, except for the limitation in amount hereinbefore specified, the administrative expenses and other obligations of said Corporation shall be incurred, allowed and paid in accordance with title IV of the Act of June 27, 1934, as amended (12 U.S.C. 1724-1730a).

64 Stat. 259;  
73 Stat. 691.  
12 USC 1730,  
1730a.

48 Stat. 1255.

#### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

##### LIMITATION ON ADMINISTRATIVE EXPENSES, COLLEGE HOUSING LOANS

Not to exceed \$2,035,000 shall be available for all administrative expenses of carrying out the program of housing loans to educational institutions (12 U.S.C. 1749-1749d), but this amount shall be exclusive of payment for services and facilities of the Federal Reserve banks or any member thereof, the Federal home-loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811-1831).

64 Stat. 77;  
77 Stat. 437.

64 Stat. 873.

##### LIMITATION ON ADMINISTRATIVE EXPENSES, PUBLIC FACILITY LOANS

Not to exceed \$1,175,000 of funds in the revolving fund established pursuant to title II of the Housing amendments of 1955, as amended, shall be available for administrative expenses, but this amount shall be exclusive of payment for services and facilities of the Federal Reserve banks or any member thereof, the Federal home-loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811-1831).

69 Stat. 642.  
42 USC 1491-  
1497.

##### LIMITATION ON ADMINISTRATIVE EXPENSES, REVOLVING FUND (LIQUIDATING PROGRAMS)

During the current fiscal year not to exceed \$110,000 shall be available for administrative expenses, but this amount shall be exclusive of expenses necessary in the case of defaulted obligations to protect

the interests of the Government and legal services on a contract or fee basis and of payment for services and facilities of the Federal Reserve banks or any member thereof, any servicer approved by the Federal National Mortgage Association, the Federal home-loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811-1831).

64 Stat. 873.

LIMITATION ON ADMINISTRATIVE AND NONADMINISTRATIVE EXPENSES,  
HOUSING FOR THE ELDERLY OR HANDICAPPED

Not to exceed \$1,200,000 of funds in the revolving fund established pursuant to section 202 of the Housing Act of 1959, as amended (12 U.S.C. 1701q et seq.), shall be available for administrative and non-administrative expenses, but this amount shall be exclusive of payment for services and facilities of the Federal National Mortgage Association, the Federal Reserve banks or any member thereof, the Federal home-loan banks and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811-1831).

73 Stat. 667;  
79 Stat. 457.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL NATIONAL  
MORTGAGE ASSOCIATION

Not to exceed \$9,081,000 shall be available for administrative expenses, which shall be on an accrual basis, and shall be exclusive of interest paid, expenses (including expenses for fiscal agency services performed on a contract or fee basis) in connection with the issuance and servicing of securities, depreciation, properly capitalized expenditures, fees for servicing mortgages, expenses (including services performed on a force account, contract, or fee basis, but not including other personal services) in connection with the acquisition, protection, operation, maintenance, improvement, or disposition of real or personal property belonging to said Association or in which it has an interest, cost of salaries, wages, travel, and other expenses of persons employed outside of the continental United States, expenses of services performed on a contract or fee basis in connection with the performance of legal services, and all administrative expenses reimbursable from other Government agencies, and said Association may utilize and may make payment for services and facilities of the Federal Reserve banks and other agencies of the Government: *Provided*, That the distribution of administrative expenses to the accounts of the Association shall be made in accordance with generally recognized accounting principles and practices.

LIMITATION ON ADMINISTRATIVE AND NONADMINISTRATIVE EXPENSES,  
FEDERAL HOUSING ADMINISTRATION

For administrative expenses in carrying out duties imposed by or pursuant to law, not to exceed \$10,500,000 of the various funds of the Federal Housing Administration shall be available, in accordance with the National Housing Act, as amended (12 U.S.C. 1701), includ-

48 Stat. 1246.

68 Stat. 1114;  
79 Stat. 1122.

63 Stat. 905.  
12 USC 1702.

ing uniforms or allowances therefor, as authorized by the Act of September 1, 1954, as amended (5 U.S.C. 2131): *Provided*, That funds shall be available for contract actuarial services (not to exceed \$1,500): *Provided further*, That nonadministrative expenses classified by section 2 of Public Law 387, approved October 25, 1949, shall not exceed \$85,000,000.

#### LIMITATION ON ADMINISTRATIVE AND NONADMINISTRATIVE EXPENSES, PUBLIC HOUSING PROGRAMS

50 Stat. 888.

Not to exceed the amount appropriated for such expenses by title I of this Act shall be available for the administrative expenses of carrying out the provisions of the United States Housing Act of 1937, as amended (42 U.S.C. 1401-1433), including purchase of uniforms, or allowances therefor, as authorized by the Act of September 1, 1954, as amended (5 U.S.C. 2131): *Provided*, That necessary expenses of providing representatives at the sites of non-Federal projects in connection with the construction of such projects by public housing agencies with aid under the United States Housing Act of 1937, as amended, shall be compensated by such agencies by the payment of fixed fees which in the aggregate will cover the costs of rendering such services, and expenditures for such purpose shall be considered nonadministrative expenses, and funds received from such payments may be used only for the payment of necessary expenses of providing such representatives: *Provided further*, That all expenses of carrying out public housing programs not specifically limited in this Act shall not exceed \$1,123,000.

#### TITLE III—GENERAL PROVISIONS

Publicity or  
propaganda.

SEC. 301. No part of any appropriation contained in this Act, or of the funds available for expenditure by any corporation or agency included in this Act, shall be used for publicity or propaganda purposes designed to support or defeat legislation pending before the Congress.

Personnel work.

SEC. 302. No part of any appropriation contained in this Act, or of the funds available for expenditure by any corporation or agency included in this Act, shall be used to pay the compensation of any employee engaged in personnel work in excess of the number that would be provided by a ratio of one such employee to one hundred and thirty-five, or a part thereof, full-time, part-time, and intermittent employees of the corporation or agency concerned: *Provided*, That for purposes of this section employees shall be considered as engaged in personnel work if they spend half time or more in personnel administration consisting of direction and administration of the personnel program; employment, placement, and separation; job evaluation and classification; employee relations and services; wage administration; and processing, recording, and reporting.

Research proj-  
ects.

SEC. 303. None of the funds provided herein shall be used to pay any recipient of a grant for the conduct of a research project an amount equal to as much as the entire cost of such project.

SEC. 304. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

This Act may be cited as the "Independent Offices Appropriation Act, 1967".

Approved September 6, 1966.

Short title.

Public Law 89-556

AN ACT

Making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1967, and for other purposes.

September 7, 1966  
[H. R. 14596]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1967, and for other purposes; namely:

Department of  
Agriculture and  
Related Agencies  
Appropriation Act,  
1967.

DEPARTMENT OF AGRICULTURE

TITLE I—GENERAL ACTIVITIES

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For expenses necessary to perform agricultural research relating to production, utilization, marketing, nutrition and consumer use, to control and eradicate pests and plant and animal diseases, and to perform related inspection, quarantine and regulatory work: *Provided*, That appropriations hereunder shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (5 U.S.C. 574), and not to exceed \$75,000 shall be available for employment under section 15 of the Act of August 2, 1946 (5 U.S.C. 55a): *Provided further*, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not exceed two for replacement only: *Provided further*, That appropriations hereunder shall be available pursuant to title 5, United States Code, section 565a, for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building (except headhouses connecting greenhouses) shall not exceed \$20,000, except for six buildings to be constructed or improved at a cost not to exceed \$45,000 each, and the cost of altering any one building during the fiscal year shall not exceed \$7,500 or 7.5 per centum of the cost of the building, whichever is greater: *Provided further*, That the limitations on alterations contained in this Act shall not apply to a total of \$100,000 for facilities at Beltsville, Maryland:

58 Stat. 742.

60 Stat. 810.

58 Stat. 742.

Research: For research and demonstrations on the production and utilization of agricultural products; agricultural marketing and distribution, not otherwise provided for; home economics or nutrition and consumer use of agricultural and associated products; and related research and services; and for acquisition of land by donation, exchange, or purchase at a nominal cost not to exceed \$100; \$123,402,500, and in addition not to exceed \$25,000,000 from funds available under section 32 of the Act of August 24, 1935, pursuant to Public Law 88-250 shall be transferred to and merged with this appropriation, of which \$11,169,000 shall remain available until expended for construction and improvement of facilities without regard to

49 Stat. 774.  
7 USC 612c.  
77 Stat. 820.

limitations contained herein, and \$4,580,200 shall be used to continue research activities scheduled for reduction or elimination in fiscal years 1966 and 1967: *Provided*, That the limitations contained herein shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided further*, That none of the funds appropriated in this Act shall be used to formulate a budget estimate for fiscal 1968 of more than \$15,000,000 for research to be financed by transfer from funds available under section 32 of the Act of August 24, 1935, and pursuant to Public Law 88-25;

Plant and animal disease and pest control: For operations and measures, not otherwise provided for, to control and eradicate pests and plant and animal diseases and for carrying out assigned inspection, quarantine, and regulatory activities, as authorized by law, including expenses pursuant to the Act of February 28, 1947, as amended (21 U.S.C. 114b-c), \$80,263,900 of which \$1,500,000 shall be apportioned for use pursuant to section 3679 of the Revised Statutes, as amended, for the control of outbreaks of insects and plant diseases to the extent necessary to meet emergency conditions: *Provided*, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by any State of at least 40 per centum: *Provided further*, That, in addition, in emergencies which threaten the livestock or poultry industries of the country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as he may deem necessary, to be available only in such emergencies for the arrest and eradication of foot-and-mouth disease, rinderpest, contagious pleuropneumonia, or other contagious or infectious diseases of animals, or European fowl pest and similar diseases in poultry, and for expenses in accordance with the Act of February 28, 1947, as amended, and any unexpended balances of funds transferred under this head in the next preceding fiscal year shall be merged with such transferred amounts;

Special fund: To provide for additional labor, subprofessional and junior scientific help to be employed under contracts and cooperative agreements to strengthen the work at research installations in the field, not more than \$2,000,000 of the amount appropriated under this head for the previous fiscal year may be used by the Administrator of the Agricultural Research Service in departmental research programs in the current fiscal year, the amount so used to be transferred to and merged with the appropriation otherwise available under "Salaries and expenses, Research".

#### SALARIES AND EXPENSES (SPECIAL FOREIGN CURRENCY PROGRAM)

For payments, in foreign currencies owed to or owned by the United States for market development research authorized by section 104(a) and for agricultural and forestry research and other functions related thereto authorized by section 104(k) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(a)(k)), to remain available until expended, \$4,500,000: *Provided*, That this appropriation shall be available in addition to other appropriations for these purposes, for payments in the foregoing currencies: *Provided further*, That funds appropriated herein shall be used for payments in such foreign currencies as the Department determines are needed and can be used most effectively to carry out the purposes of this paragraph: *Provided further*, That not to exceed \$25,000 of this appropriation shall be available for payments in foreign currencies for expenses of employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (5 U.S.C. 574), as amended by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a).

62 Stat. 198.

61 Stat. 7.  
31 USC 665.61 Stat. 7.  
21 USC 114b,  
114 c.68 Stat. 456;  
72 Stat. 275.58 Stat. 742.  
60 Stat. 810.

## COOPERATIVE STATE RESEARCH SERVICE

## PAYMENTS AND EXPENSES

For payments to agricultural experiment stations, for grants for cooperative forestry and other research, for facilities, and for other expenses, including \$51,113,000, to carry into effect the provisions of the Hatch Act, approved March 2, 1887, as amended by the Act approved August 11, 1955 (7 U.S.C. 361a-361i), including administration by the United States Department of Agriculture; \$3,000,000 for grants for cooperative forestry research under the Act approved October 10, 1962 (16 U.S.C. 582a-582a-7); \$2,000,000 in addition to funds otherwise available for contracts and grants for scientific research under the Act of August 4, 1965 (79 Stat. 431); \$2,000,000 for grants for facilities under the Act approved July 22, 1963 (77 Stat. 90); \$310,000 for penalty mail costs of agricultural experiment stations under section 6 of the Hatch Act of 1887, as amended; and \$317,000 for necessary expenses of the Cooperative State Research Service, including administration of payments to State agricultural experiment stations, funds for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (5 U.S.C. 574), and not to exceed \$50,000 for employment under section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); in all, \$58,740,000.

69 Stat. 671.

76 Stat. 806.

7 USC 450b.

7 USC 390-390k.

69 Stat. 673.

7 USC 361f.

58 Stat. 742.

60 Stat. 810.

## EXTENSION SERVICE

## COOPERATIVE EXTENSION WORK, PAYMENTS AND EXPENSES

Payments to States and Puerto Rico: For payments for cooperative agricultural extension work under the Smith-Lever Act, as amended by the Act of June 26, 1953, the Act of August 11, 1955, and the Act of October 5, 1962 (7 U.S.C. 341-349), to be distributed under sections 3(b) and 3(c) of the Act, \$77,347,500; and payments and contracts for such work under section 204(b)-205 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623-1624), \$1,570,000; in all, \$78,917,500: *Provided*, That funds hereby appropriated pursuant to section 3(c) of the Act of June 26, 1953, shall not be paid to any State or Puerto Rico prior to availability of an equal sum from non-Federal sources for expenditure during the current fiscal year.

67 Stat. 83;

69 Stat. 683;

76 Stat. 745.

60 Stat. 1089.

Retirement and Employees' Compensation costs for extension agents: For cost of employer's share of Federal retirement and for reimbursement for benefits paid from the Employees' Compensation Fund for cooperative extension employees, \$8,139,500.

Penalty mail: For costs of penalty mail for cooperative extension agents and State extension directors, \$3,113,000.

Federal Extension Service: For administration of the Smith-Lever Act, as amended by the Act of June 26, 1953, the Act of August 11, 1955, and the Act of October 5, 1962 (7 U.S.C. 341-349), and extension aspects of the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627), and to coordinate and provide program leadership for the extension work of the Department and the several States and insular possessions, \$2,654,000.

## FARMER COOPERATIVE SERVICE

## SALARIES AND EXPENSES

For necessary expenses to carry out the Act of July 2, 1926 (7 U.S.C. 451-457), and for conducting research relating to the economic and marketing aspects of farmer cooperatives, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627), \$1,175,000.

44 Stat. 802.

60 Stat. 1087.

## SOIL CONSERVATION SERVICE

## CONSERVATION OPERATIONS

49 Stat. 163.

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a-590f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures as may be necessary to prevent floods and the siltation of reservoirs); operation of conservation nurseries; classification and mapping of soil; dissemination of information; purchase and erection or alteration of permanent buildings; and operation and maintenance of aircraft, \$109,235,000: *Provided*, That the cost of any permanent building purchased, erected, or as improved, exclusive of the cost of constructing a water supply or sanitary system and connecting the same to any such building and with the exception of buildings acquired in conjunction with land being purchased for other purposes, shall not exceed \$2,500, except for one building to be constructed at a cost not to exceed \$25,000 and eight buildings to be constructed or improved at a cost not to exceed \$15,000 per building and except that alterations or improvements to other existing permanent buildings costing \$2,500 or more may be made in any fiscal year in an amount not to exceed \$500 per building: *Provided further*, That no part of this appropriation shall be available for the construction of any such building on land not owned by the Government: *Provided further*, That no part of this appropriation may be expended for soil and water conservation operations under the Act of April 27, 1935 (16 U.S.C. 590a-590f) in demonstration projects: *Provided further*, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (5 U.S.C. 574), and not to exceed \$5,000 shall be available for employment under section 15 of the Act of August 2, 1946 (5 U.S.C. 55a): *Provided further*, That qualified local engineers may be temporarily employed at per diem rates to perform the technical planning work of the service.

58 Stat. 742.

60 Stat. 810.

## WATERSHED PLANNING

68 Stat. 666.

58 Stat. 742.

60 Stat. 810.

For necessary expenses for small watershed investigations and planning, in accordance with the Watershed Protection and Flood Prevention Act, as amended (16 U.S.C. 1001-1008), to remain available until expended, \$6,142,000, with which shall be merged the unexpended balances of funds heretofore appropriated under this head: *Provided*, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (5 U.S.C. 574), and not to exceed \$50,000 shall be available for employment under section 15 of the Act of August 2, 1946 (5 U.S.C. 55a).

## WATERSHED PROTECTION

49 Stat. 163.

For necessary expenses to conduct river basin surveys and investigations, and research, and to carry out preventive measures, including, but not limited to, engineering operations, methods of cultivation, the growing of vegetation, and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act, approved August 4, 1954, as amended (16 U.S.C. 1001-1008), and the provisions of the Act of April 27, 1935 (16 U.S.C. 590a-f), to remain available until expended, \$70,000,000, with which shall be merged the unexpended balances of funds heretofore appropriated or transferred to

the Department for watershed protection purposes: *Provided*, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (5 U.S.C. 574), and not to exceed \$100,000 shall be available for employment under section 15 of the Act of August 2, 1946 (5 U.S.C. 55a): *Provided further*, That not to exceed \$5,000,000, together with the unobligated balance of funds previously appropriated for loans and related expense, shall be available for such purposes.

58 Stat. 742.

60 Stat. 810.

#### FLOOD PREVENTION

For necessary expenses, in accordance with the Flood Control Act, approved June 22, 1936 (33 U.S.C. 701-709, 16 U.S.C. 1006a), as amended and supplemented, and in accordance with the provisions of laws relating to the activities of the Department, to perform works of improvement, including funds for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (5 U.S.C. 574), and not to exceed \$100,000 for employment under section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), to remain available until expended; \$25,654,000, with which shall be merged the unexpended balances of funds heretofore appropriated or transferred to the Department for flood prevention purposes: *Provided*, That not to exceed \$200,000, together with the unobligated balance of funds previously appropriated for loans and related expense, shall be available for such purposes.

49 Stat. 1570;  
70 Stat. 1090.

#### GREAT PLAINS CONSERVATION PROGRAM

For necessary expenses to carry into effect a program of conservation in the Great Plains area, pursuant to section 16(b) of the Soil Conservation and Domestic Allotment Act, as added by the Act of August 7, 1956 (16 U.S.C. 590p), \$18,500,000, to remain available until expended.

70 Stat. 1115.

#### RESOURCE CONSERVATION AND DEVELOPMENT

For necessary expenses in planning and carrying out projects for resource conservation and development, and for sound land use, pursuant to the provisions of section 32(e) of title III of the Bankhead-Jones Farm Tenant Act, as amended (7 U.S.C. 1011; 76 Stat. 607), and the provisions of the Act of April 27, 1935 (16 U.S.C. 590a-f), \$4,574,000, to remain available until expended: *Provided*, That not to exceed \$500,000 of such amount shall be available for loans and related expenses under subtitle A of the Consolidated Farmers Home Administration Act of 1961, as amended: *Provided further*, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (5 U.S.C. 574), and not to exceed \$50,000 shall be available for employment under section 15 of the Act of August 2, 1946 (5 U.S.C. 55a).

49 Stat. 163.

75 Stat. 307.  
7 USC 1922-  
1929.

#### ECONOMIC RESEARCH SERVICE

##### SALARIES AND EXPENSES

For necessary expenses of the Economic Research Service in conducting economic research and service relating to agricultural production, marketing, and distribution, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627), and other laws, including economics of marketing; analyses relating to farm prices, income and population, and demand for farm products, use of resources in

60 Stat. 1087.

agriculture, adjustments, costs and returns in farming, and farm finance; and for analyses of supply and demand for farm products in foreign countries and their effect on prospects for United States exports, progress in economic development and its relation to sales of farm products, assembly and analysis of agricultural trade statistics and analysis of international financial and monetary programs and policies as they affect the competitive position of United States farm products; \$12,132,000: *Provided*, That not less than \$350,000 of the funds contained in this appropriation shall be available to continue to gather statistics and conduct a special study on the price spread between the farmer and consumer: *Provided further*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (5 U.S.C. 574), and not to exceed \$75,000 shall be available for employment under section 15 of the Act of August 2, 1946 (5 U.S.C. 55a): *Provided further*, That not less than \$145,000 of the funds contained in this appropriation shall be available for analysis of statistics and related facts on foreign production and full and complete information on methods used by other countries to move farm commodities in world trade on a competitive basis.

58 Stat. 742.

60 Stat. 810.

### STATISTICAL REPORTING SERVICE

#### SALARIES AND EXPENSES

For necessary expenses of the Statistical Reporting Service in conducting statistical reporting and service work, including crop and livestock estimates, statistical coordination and improvements, and marketing surveys, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627) and other laws, \$13,511,750: *Provided*, That no part of the funds herein appropriated shall be available for any expense incident to publishing estimates of apple production for other than the commercial crop: *Provided further*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (5 U.S.C. 574), and not to exceed \$40,000 shall be available for employment under section 15 of the Act of August 2, 1946 (5 U.S.C. 55a).

60 Stat. 1087.

### CONSUMER AND MARKETING SERVICE

#### CONSUMER PROTECTIVE, MARKETING, AND REGULATORY PROGRAMS

For expenses necessary to carry on services related to consumer protection, agricultural marketing and distribution, and regulatory programs, other than Packers and Stockyards Act, as authorized by law, and for administration and coordination of payments to States; including field employment pursuant to section 706(a) of the Organic Act of 1944 (5 U.S.C. 574), and not to exceed \$25,000 for employment under section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), in carrying out section 201(a) to 201(d), inclusive, of title II of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1291) and section 203(j) of the Agricultural Marketing Act of 1946; \$83,881,000.

52 Stat. 36.

60 Stat. 1088.

7 USC 1622.

#### PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), \$1,750,000.

60 Stat. 1089.

## SPECIAL MILK PROGRAM

For necessary expenses to carry out the Special Milk Program, as authorized by the Act of August 8, 1961 (7 U.S.C. 1446, note), \$51,000,000, and in addition \$53,000,000 shall be transferred from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), and merged with this appropriation.

75 Stat. 319.

49 Stat. 774.

## SCHOOL LUNCH PROGRAM

For necessary expenses to carry out the provisions of the National School Lunch Act, as amended (42 U.S.C. 1751-1760), \$165,855,000, including \$2,000,000 for special assistance to needy schools, as authorized by law: *Provided*, That no part of this appropriation shall be used for nonfood assistance under section 5 of said Act: *Provided further*, That \$45,000,000 shall be transferred to this appropriation from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), for purchase and distribution of agricultural commodities and other foods pursuant to section 6 of the National School Lunch Act.

60 Stat. 230;  
76 Stat. 944.

## FOOD STAMP PROGRAM

For necessary expenses of the food stamp program pursuant to the Food Stamp Act of 1964, \$110,000,000, and in addition \$30,000,000 appropriated under this head in Public Law 89-316, approved November 2, 1965, shall be transferred to and merged with this appropriation.

78 Stat. 703.  
7 USC 2011  
note.  
79 Stat. 1171.

## REMOVAL OF SURPLUS AGRICULTURAL COMMODITIES (SECTION 32)

No funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) shall be used for any purpose other than commodity program expenses as authorized therein, and other related operating expenses, except for (1) transfers to the Department of the Interior as authorized by the Fish and Wildlife Act of August 8, 1956, (2) transfers otherwise provided in this Act, and (3) not more than \$2,924,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and the Agricultural Act of 1961.

70 Stat. 1119.  
16 USC 742a  
note.50 Stat. 246.  
7 USC 674 note.  
75 Stat. 294.  
7 USC 1911 note.

## FOREIGN AGRICULTURAL SERVICE

## SALARIES AND EXPENSES

For necessary expenses for the Foreign Agricultural Service, including carrying out title VI of the Agricultural Act of 1954 (7 U.S.C. 1761-1768), market development activities abroad, and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including not to exceed \$35,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), \$21,218,500: *Provided*, That not less than \$255,000 of the funds contained in this appropriation shall be available to obtain statistics and related facts on foreign production and full and complete information on methods used by other countries to move farm commodities in world trade on a competitive basis: *Provided further*, That, in addition, not to exceed \$3,117,000 of the funds appropriated by section 32 of the Act of August 24, 1935, as amended (7 U.S.C. 612c), shall be merged with this appropriation and shall be available for all expenses of the Foreign Agricultural Service.

68 Stat. 908.

70 Stat. 1034.

## COMMODITY EXCHANGE AUTHORITY

## SALARIES AND EXPENSES

For necessary expenses to carry into effect the provisions of the Commodity Exchange Act, as amended (7 U.S.C. 1-17a), \$1,398,000.

## AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

## EXPENSES, AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

For necessary administrative expenses of the Agricultural Stabilization and Conservation Service, including expenses to formulate and carry out programs authorized by title III of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1301-1393); Sugar Act of 1948, as amended (7 U.S.C. 1101-1161); sections 7 to 15, 16(a), 16(d), 16(e), 16(f), and 17 of the Soil Conservation and Domestic Allotment Act, as amended (16 U.S.C. 590g-590q; 7 U.S.C. 1010-1011); subtitles B and C of the Soil Bank Act (7 U.S.C. 1831-1837, 1802-1814, and 1816); and laws pertaining to the Commodity Credit Corporation, \$128,558,000: *Provided*, That, in addition, not to exceed \$75,803,600 may be transferred to and merged with this appropriation from the Commodity Credit Corporation fund (including not to exceed \$30,008,000 under the limitation on Commodity Credit Corporation administrative expenses): *Provided further*, That other funds made available to the Agricultural Stabilization and Conservation Service for authorized activities may be advanced to and merged with this appropriation: *Provided further*, That no part of the funds appropriated or made available under this Act shall be used (1) to influence the vote in any referendum; (2) to influence agricultural legislation, except as permitted in 18 U.S.C. 1913; or (3) for salaries or other expenses of members of county and community committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended, for engaging in any activities other than advisory and supervisory duties and delegated program functions prescribed in administrative regulations.

## SUGAR ACT PROGRAM

For necessary expenses to carry into effect the provisions of the Sugar Act of 1948 (7 U.S.C. 1101-1161), \$80,000,000, to remain available until June 30 of the next succeeding fiscal year.

## AGRICULTURAL CONSERVATION PROGRAM

For necessary expenses to carry into effect the program authorized in sections 7 to 15, 16(a), and 17 of the Soil Conservation and Domestic Allotment Act, approved February 29, 1936, as amended (16 U.S.C. 590g-590(o), 590p(a), and 590q), including not to exceed \$6,000 for the preparation and display of exhibits, including such displays at State, interstate, and international fairs within the United States, \$220,000,000, to remain available until December 31 of the next succeeding fiscal year for compliance with the programs of soil-building and soil- and water-conserving practices authorized under this head in the Department of Agriculture and Related Agencies Appropriation Acts, 1965 and 1966, carried out during the period July 1, 1964, to December 31, 1966, inclusive: *Provided*, That none of the funds herein appropriated shall be used to pay the salaries or expenses of

42 Stat. 998;  
49 Stat. 1491.

52 Stat. 38.  
61 Stat. 922;  
79 Stat. 1271.

49 Stat. 1148;  
50 Stat. 525.

70 Stat. 191;  
73 Stat. 552.

62 Stat. 79.2.

52 Stat. 31.  
16 USC 590h.

78 Stat. 869;  
79 Stat. 1172.

any regional information employees or any State information employees, but this shall not preclude the answering of inquiries or supplying of information at the county level to individual farmers: *Provided further*, That no portion of the funds for the current year's program may be utilized to provide financial or technical assistance for drainage on wetlands now designated as Wetland Types 3 (III), 4 (IV), and 5 (V) in United States Department of the Interior, Fish and Wildlife Service Circular 39, Wetlands of the United States, 1956: *Provided further*, That necessary amounts shall be available for administrative expenses in connection with the formulation and administration of the 1967 program of soil-building and soil- and water-conserving practices, including related wildlife conserving practices, under the Act of February 29, 1936, as amended (amounting to \$220,000,000, excluding administration, except that no participant shall receive more than \$2,500, except where the participants from two or more farms or ranches join to carry out approved practices designed to conserve or improve the agricultural resources of the community): *Provided further*, That not to exceed 5 per centum of the allocation for the current year's agricultural conservation program for any county may, on the recommendation of such county committee and approval of the State committee, be withheld and allotted to the Soil Conservation Service for services of its technicians in formulating and carrying out the agricultural conservation program in the participating counties, and shall not be utilized by the Soil Conservation Service for any purpose other than technical and other assistance in such counties, and in addition, on the recommendation of such county committee and approval of the State committee, not to exceed 1 per centum may be made available to any other Federal, State, or local public agency for the same purpose and under the same conditions: *Provided further*, That for the current year's program \$2,500,000 shall be available for technical assistance in formulating and carrying out agricultural conservation practices: *Provided further*, That such amounts shall be available for the purchase of seeds, fertilizers, lime, trees, or any other farming material, or any soil-terracing services, and making grants thereof to agricultural producers to aid them in carrying out farming practices approved by the Secretary under programs provided for herein: *Provided further*, That no part of any funds available to the Department, or any bureau, office, corporation, or other agency constituting a part of such Department, shall be used in the current fiscal year for the payment of salary or travel expenses of any person who has been convicted of violating the Act entitled "An Act to prevent pernicious political activities", approved August 2, 1939, as amended, or who has been found in accordance with the provisions of title 18, United States Code, section 1913, to have violated or attempted to violate such section which prohibits the use of Federal appropriations for the payment of personal services or other expenses designed to influence in any manner a Member of Congress to favor or oppose any legislation or appropriation by Congress except upon request of any Member or through the proper official channels.

49 Stat. 1148.  
16 USC 590g-  
590q.

53 Stat. 1147;  
54 Stat. 767.  
5 USC 118k note.  
62 Stat. 792.

#### APPALACHIAN REGION CONSERVATION PROGRAM •

For necessary expenses, not otherwise provided for, to carry into effect section 203 of the Appalachian Regional Development Act of 1965, \$3,000,000, and in addition \$1,375,000 appropriated under this head in the Second Supplemental Appropriation Act, 1965, shall be transferred to and merged with this appropriation, to remain available until expended.

79 Stat. 12.  
40 USC app.  
203.  
79 Stat. 81.

## CROPLAND CONVERSION PROGRAM

76 Stat. 606.

For necessary expenses to promote the conservation and economic use of land pursuant to the provisions of section 16(e) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h, 590p), as amended, \$7,500,000, to remain available until expended.

## CROPLAND ADJUSTMENT PROGRAM

79 Stat. 1206.  
7 USC 1838.

For necessary expenses to carry into effect a Cropland Adjustment Program as authorized by the Food and Agriculture Act of 1965, including reimbursement to Commodity Credit Corporation, \$50,000,000: *Provided*, That agreements entered into during the fiscal year 1967 shall not require payments during the calendar year 1967 exceeding \$80,000,000.

## CONSERVATION RESERVE PROGRAM

70 Stat. 191;  
73 Stat. 552.

For necessary expenses to carry out a conservation reserve program as authorized by subtitles B and C of the Soil Bank Act (7 U.S.C. 1831-1837, 1802-1814, and 1816), and to carry out liquidation activities for the acreage reserve program, to remain available until expended, \$140,000,000, with which may be merged the unexpended balances of funds heretofore appropriated for soil bank programs: *Provided*, That no part of these funds shall be paid on any contract which is illegal under the law due to the division of lands for the purpose of evading limits on annual payments to participants.

## EMERGENCY CONSERVATION MEASURES

71 Stat. 176.

For emergency conservation measures, to be used for the same purposes and subject to the same conditions as funds appropriated under this head in the Third Supplemental Appropriation Act, 1957, to remain available until expended, \$5,000,000, with which shall be merged the unexpended balances of funds heretofore appropriated for emergency conservation measures.

## RURAL COMMUNITY DEVELOPMENT SERVICE

## SALARIES AND EXPENSES

60 Stat. 810.

For necessary expenses, not otherwise provided for, of the Rural Community Development Service in providing leadership, coordination, liaison, and related services in the rural areas development activities of the Department, \$637,000: *Provided*, That not to exceed \$3,000 shall be available for employment under section 15 of the Act of August 2, 1946 (5 U.S.C. 55a).

## OFFICE OF THE INSPECTOR GENERAL

## SALARIES AND EXPENSES

58 Stat. 742.

For necessary expenses of the Office of the Inspector General, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (5 U.S.C. 574) and not to exceed \$10,000 for employment under section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), \$11,254,000.

### PACKERS AND STOCKYARDS ACT

For expenses necessary for administration of the Packers and Stockyards Act, as authorized by law, including field employment pursuant to section 706(a) of the Organic Act of 1944 (5 U.S.C. 574), \$2,502,000.

42 Stat. 159.  
7 USC 181.  
58 Stat. 742.

#### OFFICE OF THE GENERAL COUNSEL

##### SALARIES AND EXPENSES

For necessary expenses, including payment of fees or dues for the use of law libraries by attorneys in the field service, \$4,325,000.

#### OFFICE OF INFORMATION

##### SALARIES AND EXPENSES

For necessary expenses of the Office of Information for the dissemination of agricultural information and the coordination of informational work and programs authorized by Congress in the Department, \$1,851,000, of which total appropriation not to exceed \$562,000 may be used for farmers' bulletins, which shall be adapted to the interests of the people of the different sections of the country, an equal proportion of four-fifths of which shall be available to be delivered to or sent out under the addressed franks furnished by the Senators, Representatives, and Delegates in Congress, as they shall direct (7 U.S.C. 417), and not less than two hundred and thirty-two thousand two hundred and fifty copies for the use of the Senate and House of Representatives of part 2 of the annual report of the Secretary (known as the Yearbook of Agriculture) as authorized by section 73 of the Act of January 12, 1895 (44 U.S.C. 241): *Provided*, That in the preparation of motion pictures or exhibits by the Department, this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (5 U.S.C. 574), and not to exceed \$10,000 shall be available for employment under section 15 of the Act of August 2, 1946 (5 U.S.C. 55a).

34 Stat. 690.

28 Stat. 612.

60 Stat. 810.

#### NATIONAL AGRICULTURAL LIBRARY

##### SALARIES AND EXPENSES

For necessary expenses of the National Agricultural Library, \$2,412,500: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (5 U.S.C. 574), and not to exceed \$35,000 shall be available for employment under section 15 of the Act of August 2, 1946 (5 U.S.C. 55a).

#### OFFICE OF MANAGEMENT SERVICES

##### SALARIES AND EXPENSES

For necessary expenses to enable the Office of Management Services to provide management support services to selected agencies and offices of the Department of Agriculture, \$2,600,000.

## GENERAL ADMINISTRATION

## SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary of Agriculture and for general administration of the Department of Agriculture, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department of Agriculture, \$3,959,000: *Provided*, That this appropriation shall be reimbursed from applicable appropriations for travel expenses incident to the holding of hearings as required by the Administrative Procedures Act (5 U.S.C. 1001): *Provided further*, That not to exceed \$2,500 of this amount shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary.

60 Stat. 237.

## TITLE II—CREDIT AGENCIES

## RURAL ELECTRIFICATION ADMINISTRATION

To carry into effect the provisions of the Rural Electrification Act of 1936, as amended (7 U.S.C. 901-924), as follows:

49 Stat. 1363;  
63 Stat. 948.

## LOAN AUTHORIZATIONS

For loans in accordance with said Act, and for carrying out the provisions of section 7 thereof, to be borrowed from the Secretary of the Treasury in accordance with the provisions of section 3(a) of said Act, and to remain available without fiscal year limitation in accordance with section 3(e) of said Act, as follows: Rural electrification program, \$375,000,000, of which \$30,000,000 shall be placed in reserve to be borrowed under the same terms and conditions to the extent that such amount is required during the current fiscal year under the then existing conditions for the expeditious and orderly development of the rural electrification program; and rural telephone program, \$117,000,000 of which \$15,000,000 shall be placed in reserve to be borrowed under the same terms and conditions to the extent that such amount is required during the current fiscal year under the then existing conditions for the expeditious and orderly development of the rural telephone program.

## SALARIES AND EXPENSES

For administrative expenses, including not to exceed \$500 for financial and credit reports, funds for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (5 U.S.C. 574), and not to exceed \$150,000 for employment under section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), \$12,202,000.

58 Stat. 742.

60 Stat. 810.

## FARMERS HOME ADMINISTRATION

## DIRECT LOAN ACCOUNT

Direct loans and advances under subtitles A and B, and advances under section 335(a) for which funds are not otherwise available, of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1921), as amended, may be made from funds available in the Farmers Home Administration direct loan account as follows: real estate loans, \$90,000,000; and operating loans, \$350,000,000 of which \$25,000,000 shall be placed in reserve to be used only to the extent required during the current fiscal year under the then existing conditions for the expeditious and orderly conduct of the loan program.

75 Stat. 307.

## RURAL WATER AND WASTE DISPOSAL GRANTS

For grants pursuant to sections 306(a)(2) and 306(a)(6) of the Consolidated Farmers Home Administration Act of 1961, as amended, \$26,000,000.

79 Stat. 931.  
7 USC 1926.

## RURAL HOUSING DIRECT LOAN ACCOUNT

For direct loans and related advances pursuant to section 518(d) of the Housing Act of 1949 (79 Stat. 500), \$15,000,000 shall be available from funds in the rural housing direct loan account.

42 USC 1488.

## RURAL HOUSING FOR DOMESTIC FARM LABOR

For financial assistance to public nonprofit organizations for housing for domestic farm labor, pursuant to section 516 of the Housing Act of 1949, as amended (42 U.S.C. 1486), \$3,000,000, to remain available until expended.

78 Stat. 797.

## RURAL RENEWAL

For necessary expenses, including administrative expenses, in carrying out rural renewal activities under section 32(e) of title III of the Bankhead-Jones Farm Tenant Act, as amended, \$1,200,000, to remain available until expended.

76 Stat. 607.  
7 USC 1011.

## SALARIES AND EXPENSES

For necessary expenses of the Farmers Home Administration, not otherwise provided for, in administering the programs authorized by the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1921-1990), as amended, title V of the Housing Act of 1949, as amended (42 U.S.C. 1471-1490), and the Rural Rehabilitation Corporation Trust Liquidation Act, approved May 3, 1950 (40 U.S.C. 440-444); \$51,057,000, together with not more than \$2,250,000 of the charges collected in connection with the insurance of loans as authorized by section 309(e) of the Consolidated Farmers Home Administration Act of 1961, as amended, and section 514(b)(3) of the Housing Act of 1949, as amended: *Provided*, That, in addition, not to exceed \$500,000 of the funds available for the various programs administered by this agency may be transferred to this appropriation for temporary field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (5 U.S.C. 574) to meet unusual or heavy workload increases: *Provided further*, That no part of any funds in this paragraph may be used to administer a program which makes rural housing grants pursuant to section 504 of the Housing Act of 1949, as amended.

75 Stat. 307.  
63 Stat. 432;  
79 Stat. 497.  
64 Stat. 98.

75 Stat. 309;  
79 Stat. 932.  
7 USC 1929.  
75 Stat. 186.  
42 USC 1484.

58 Stat. 742.

63 Stat. 434.  
42 USC 1474.

## TITLE III—CORPORATIONS

The following corporations and agencies are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided:

31 USC 849.

FEDERAL CROP INSURANCE CORPORATION

ADMINISTRATIVE AND OPERATING EXPENSES

For administrative and operating expenses, \$8,446,000.

FEDERAL CROP INSURANCE CORPORATION FUND

Not to exceed \$4,100,000 of administrative and operating expenses may be paid from premium income: *Provided*, That in the event the Federal Crop Insurance Corporation Fund is insufficient to meet indemnity payments and other charges against such Fund, not to exceed \$500,000 may be borrowed from the Commodity Credit Corporation under such terms and conditions as the Secretary may prescribe, but repayment of such amount shall include interest at a rate not less than the cost of money to the Commodity Credit Corporation for a comparable period.

COMMODITY CREDIT CORPORATION

REIMBURSEMENT FOR NET REALIZED LOSSES

To partially reimburse the Commodity Credit Corporation for net realized losses sustained but not previously reimbursed, pursuant to the Act of August 17, 1961 (15 U.S.C. 713a-11, 713a-12), \$3,555,855,000: *Provided*, That no funds appropriated by this Act shall be used to formulate or administer programs for the sale of agricultural commodities pursuant to Titles I or IV of Public Law 480, 83rd Congress, as amended, to any nation which sells or furnishes or which permits ships or aircraft under its registry to transport to North Vietnam any equipment, materials or commodities, so long as North Vietnam is governed by a Communist regime.

75 Stat. 391.

68 Stat. 455;  
73 Stat. 610.  
7 USC 1691 et  
seq.

LIMITATION ON ADMINISTRATIVE EXPENSES

Nothing in this Act shall be so construed as to prevent the Commodity Credit Corporation from carrying out any activity or any program authorized by law: *Provided*, That not to exceed \$34,300,000 shall be available for administrative expenses of the Corporation: *Provided further*, That \$945,000 of this authorization shall be available only to expand and strengthen the sales program of the Corporation pursuant to authority contained in the Corporation's charter: *Provided further*, That not less than 7 per centum of this authorization shall be placed in reserve to be apportioned pursuant to section 3679 of the Revised Statutes, as amended, for use only in such amounts and at such times as may become necessary to carry out program operations: *Provided further*, That all necessary expenses (including legal and special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, operation, maintenance, improvement, or disposition of any real or personal property belonging to the Corporation or in which it has an interest, including expenses of collections of pledged collateral, shall be considered as nonadministrative expenses for the purposes hereof.

31 USC 665.

## PUBLIC LAW 480

For expenses during fiscal year 1967, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1701-1709, 1721-1724, 1731-1736), to remain available until expended, as follows: (1) Sale of surplus agricultural commodities for foreign currencies pursuant to title I of said Act, \$1,040,000,000; (2) commodities disposed of for emergency famine relief to friendly peoples pursuant to title II of said Act, \$200,000,000; and (3) long-term supply contracts pursuant to title IV of said Act, \$377,000,000.

68 Stat. 455;  
73 Stat. 610.

## TITLE IV—RELATED AGENCIES

## FARM CREDIT ADMINISTRATION

## LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$3,032,000 (from assessments collected from farm credit agencies) shall be obligated during the current fiscal year for administrative expenses.

## NATIONAL ADVISORY COMMISSION ON FOOD AND FIBER

## EXPENSES

For necessary expenses, not otherwise provided, of the National Advisory Commission on Food and Fiber established to assist the President's Committee on Food and Fiber, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), \$475,000.

60 Stat. 810.

## TITLE V—GENERAL PROVISIONS

SEC. 501. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed four hundred and thirty-four passenger motor vehicles for replacement only, and for the hire of such vehicles.

Passenger motor  
vehicles.

SEC. 502. Provisions of law prohibiting or restricting the employment of aliens shall not apply to employment under the appropriation for the Foreign Agricultural Service.

Employment of  
aliens.

SEC. 503. Funds available to the Department of Agriculture shall be available for uniforms or allowances therefor as authorized by the Act of September 1, 1954, as amended (5 U.S.C. 2131).

Uniforms, allow-  
ances.

SEC. 504. No part of the funds appropriated by this Act shall be used for the payment of any officer or employee of the Department who, as such officer or employee, or on behalf of the Department or any division, commission, or bureau thereof, issues, or causes to be issued, any prediction, oral or written, or forecast, except as to damage threatened or caused by insects and pests, with respect to future prices of cotton or the trend of same.

68 Stat. 1114;  
79 Stat. 1122.  
Cotton prices,  
prediction.

SEC. 505. Except to provide materials required in or incident to research or experimental work where no suitable domestic product is available, no part of the funds appropriated by this Act shall be expended in the purchase of twine manufactured from commodities or materials produced outside of the United States.

Twine.

Research and science funds.

60 Stat. 1082;  
68 Stat. 574;  
72 Stat. 1793.

Short title.

SEC. 506. Not less than \$1,500,000 of the appropriations of the Department for research and service work authorized by the Acts of August 14, 1946, July 28, 1954, and September 6, 1958 (7 U.S.C. 427, 1621-1629; 42 U.S.C. 1891-1893), shall be available for contracting in accordance with said Acts.

SEC. 507. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

This Act may be cited as the "Department of Agriculture and Related Agencies Appropriation Act, 1967".

Approved September 7, 1966.

Public Law 89-557

AN ACT

September 7, 1966  
[S. 490]

To authorize the Secretary of the Interior to construct, operate, and maintain the Manson unit, Chelan division, Chief Joseph Dam project, Washington, and for other purposes.

Chief Joseph Dam project, Manson unit.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of supplying irrigation water for approximately five thousand eight hundred acres of land, undertaking the rehabilitation and betterment of works serving a major portion of these lands, conservation and development of fish and wildlife resources, and enhancement of recreation opportunities, the Secretary of the Interior is authorized to construct, operate, and maintain the Manson unit, Chelan division, Chief Joseph Dam project, Washington, in accordance with the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto). The principal works of the unit shall consist of dams and related works for enlargement of Antilon Lake storage, related canals, conduits, and distribution systems, and works incidental to the rehabilitation of the existing irrigation system.

43 USC 391.

Irrigation repayment contracts.

SEC. 2. Irrigation repayment contracts shall provide for repayment of the obligation assumed thereunder with respect to any contract unit over a period of not more than fifty years exclusive of any development period authorized by law. Construction costs allocated to irrigation beyond the ability of the irrigators to repay during the repayment period shall be returned to the reclamation fund within said repayment period from revenues derived by the Secretary from the disposition of power marketed through the Bonneville Power Administration. The term "construction costs", as used herein, shall include any irrigation operation, maintenance, and replacement costs during the development period which the Secretary finds it proper to fund because they are beyond the ability of the irrigators to pay during that period. Power and energy required for irrigation water pumping for the Manson unit shall be made available by the Secretary from the Federal Columbia River power system at charges determined by the Secretary.

"Construction costs."

Fish and wildlife resources and recreation.

SEC. 3. The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the Manson unit shall be in accordance with provisions of the Federal Water Project Recreation Act (79 Stat. 213).

16 USC l-12 note.

SEC. 4. For a period of ten years from the date of enactment of this Act, no water shall be delivered to any water user on the Manson unit,

Chelan division, for the production on newly irrigated lands of any basic agricultural commodity, as defined in the Agricultural Act of 1949, or any amendment thereof, if the total supply of such commodity for the marketing year in which the bulk of the crop would normally be marketed is in excess of the normal supply as defined in section 301(b) (10) of the Agricultural Adjustment Act of 1938, as amended, unless the Secretary of Agriculture calls for an increase in production of such commodity in the interest of national security.

63 Stat. 1051.  
7 USC 1421  
note.

62 Stat. 1251.  
7 USC 1301.

Appropriation.

SEC. 5. There are hereby authorized to be appropriated for construction of the new works involved in the Manson unit, \$13,344,000 (April 1965 prices), plus or minus such amounts, if any, as may be required by reason of changes in the cost of construction work of the types involved therein as shown by engineering cost indexes and, in addition thereto, such sums as may be required to operate and maintain said unit.

Approved September 7, 1966.

Public Law 89-558

AN ACT

September 7, 1966  
[H. R. 2653]

To provide that the United States District Court for the District of Connecticut shall also be held at New London, Connecticut.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the second sentence of section 86 of title 28, United States Code, is amended to read as follows: "Court shall be held at Bridgeport, Hartford, New Haven, New London, and Waterbury."

U.S. Courts.  
New London,  
Conn.  
75 Stat. 83.

Approved September 7, 1966.

Public Law 89-559

AN ACT

September 7, 1966  
[H. R. 9824]

To amend the Life Insurance Act of the District of Columbia, approved June 19, 1934, as amended.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 11 of chapter II of the Life Insurance Act, approved June 19, 1934, as amended (48 Stat. 1132, as amended, 77 Stat. 347; title 35, section 410, D.C. Code, 1961 edition) is hereby amended by striking therefrom the first sentence.

Life Insurance  
Act, D.C.  
Amendment.

Approved September 7, 1966.

## Public Law 89-560

## AN ACT

September 7, 1966  
[S. 902]

To provide that the Secretary of Agriculture shall conduct the soil survey program of the United States Department of Agriculture so as to make available soil surveys needed by States and other public agencies, including community development districts, for guidance in community planning and resource development, and for other purposes.

Agriculture.  
Soil survey  
program.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in recognition of the increasing need for soil surveys by the States and other public agencies in connection with community planning and resource development for protecting and improving the quality of the environment, meeting recreational needs, conserving land and water resources, providing for multiple uses of such resources, and controlling and reducing pollution from sediment and other pollutants in areas of rapidly changing uses, including farmlands being shifted to other uses, resulting from rapid expansions in the uses of land for industry, housing, transportation, recreation, and related services, it is the sense of Congress that the soil survey program of the United States Department of Agriculture should be conducted so as to make available soil surveys to meet such needs of the States and other public agencies in connection with community planning and resource development.

Cooperative as-  
sistance to States  
and subdivisions.

SEC. 2. In order to provide soil surveys to assist States, their political subdivisions, soil and water conservation districts, towns, cities, planning boards and commissions, community development districts, and other public agencies in community planning and resource development for the protection and improvement of the quality of the environment, recreational development, the conservation of land and water resources, the development of multiple uses of such resources, and the control and prevention of pollution from sediment and other pollutants in areas of rapidly changing uses, including farm and nonfarm areas, the Secretary of Agriculture shall, upon the request of a State or other public agency, provide by means of such cooperative arrangements with the State or other public agency as he may deem advisable, the following assistance with respect to such areas and purposes:

Types of as-  
sistance.

- (1) the making of studies and reports necessary for the classification and interpretation of kinds of soil;
- (2) an intensification of the use and benefits of the National Cooperative Soil Survey;
- (3) the furnishing of technical and other assistance needed for use of soil surveys; and
- (4) consultation with other Federal agencies participating or assisting in the planning and development of such areas in order to assure the coordination of the work under this Act with the related work of such other agencies.

The provision by the Secretary of such assistance shall not interfere with the furnishing of engineering services by private engineering firms or consultants for on-site sampling and testing of sites or for design and construction of specific engineering works.

SEC. 3. It is further the sense of the Congress that the Secretary shall make a reasonable effort to assure that the contributions of any State or other public agency under any cooperative agreement which may be entered into between the Secretary and such State or other public agency with respect to a soil survey shall be a substantial portion of the cost of such soil survey.

Appropriation.

SEC. 4. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, such sums to remain available until expended.

Approved September 7, 1966.

## Public Law 89-561

## AN ACT

September 7, 1966  
[S. 3034]

To authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource development proposals.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized—*

(a) to perform such additional analysis and studies as may be required on the following proposals which are pending before the Congress:

Water resource development proposals, feasibility investigations.

## Region 1

Chief Joseph Dam project, Chelan division, Manson unit, along Lake Chelan in north-central Washington;

Columbia Basin project, third powerplant, on the Columbia River at Grand Coulee Dam in Washington;

Rogue River Basin project, Merlin division, on Jumpoff Joe Creek, a tributary of the Rogue River, in southwestern Oregon;

Tualatin project, first phase, on the Tualatin River, near the city of Portland, Oregon;

Walla Walla project, Touchet division, on the Touchet River in southeastern Washington;

Yakima project, Kennewick division extension, near the mouth of the Yakima River in south-central Washington.

## Region 3

Lower Colorado River Basin project, in the Lower Colorado River Basin in Arizona, California, New Mexico, Nevada, and Utah.

## Region 5

Canton project on the Canadian River below the existing Canton Reservoir in northwestern Oklahoma;

Columbus Bend project on the Lower Colorado River Basin in Texas;

Palmetto Bend project on the Lavaca and Navidad Rivers in Texas.

## Region 7

Missouri River Basin project, Midstate division, on the north side of the Platte River in central Nebraska;

Missouri River Basin project, North Loup division, on the North Loup and Loup Rivers in east-central Nebraska; and

(b) to complete his analysis and studies and to prepare and process reports on the following proposals, which he anticipates will be completed or substantially completed on or before June 30, 1966:

## Region 1

Challis project, Challis Creek division, on Challis Creek in southern Idaho;

Rathdrum Prairie project, Prairie division, East Greenacres unit in Idaho, along the Idaho-Washington State line east of Spokane, Washington;

Rogue River Basin project, Illinois Valley division, on the Illinois River, a tributary of the Rogue River, in southwestern Oregon;

Southwest Idaho water development project, Mountain Home division, in the Snake River Basin near the cities of Boise and Mountain Home, Idaho;

Umpqua River project, Olalla division, on Olalla and Lookingglass Creeks in the south Umpqua Basin in southwestern Oregon;

Upper Snake River project, upper Star Valley division, on Salt River and Cow Creek, near the town of Afton, Wyoming;

Willamette River project, Monmouth-Dallas division, on the west side of the Willamette River in the vicinity of Monmouth and Dallas, Oregon;

Willamette River project, Red Prairie division, along the South Yamhill River near the town of Sheridan, Oregon;

Yakima project, Bumping Lake enlargement, on Bumping River in the Yakima River Basin in Washington.

#### Region 2

Central Valley project, Cosumnes River division, initial phase, in and adjacent to the Cosumnes River Basin east of Sacramento, California;

Central Valley project, Delta division, peripheral canal, in the Sacramento-San Joaquin Delta in California;

Central Valley project, Delta division, Kellogg unit, south of the city of Antioch, California;

Central Valley project, east side division, initial phase, on the east side of the San Joaquin Valley from the American River on the north to the foothills of the Tehachapi Mountains south of the Kern River;

Central Valley project, Sacramento River division, West Sacramento canal unit, on the west side of the Sacramento River Valley and in the Putah Creek Basin in California;

Central Valley project, San Felipe division, in the Santa Clara and Pajaro River Basins in the central coastal area of California;

Sespe Creek project, on the Santa Clara River and tributaries in southern California;

Walker River project on the Walker River in west-central California and east-central Nevada.

#### Region 4

Bear River project, first phase, on the Bear River and its tributaries in north-central Utah and southeastern Idaho.

#### Region 5

Chikaskia project on the Chikaskia River in south-central Kansas and north-central Oklahoma;

Cuero project on the Guadalupe River in south-central Texas;

Liberty Bottoms project on the Red River below Denison Dam in south-central Oklahoma;

San Luis Valley project, Closed Basin division, in the Rio Grande Basin in south-central Colorado.

#### Region 6

Missouri River Basin project, James division, Oahe unit (exclusive of Mitchell area), involving the diversion of water from the existing Oahe Reservoir into the James River Valley;

Missouri River Basin project, South Dakota pumping division, Tower, Greenwood, and Yankton units, on the Missouri River in southeastern South Dakota;

Missouri River Basin project, South Dakota pumping division, Wagner unit on the Missouri River in the vicinity of Fort Randall Dam in southeastern South Dakota;

Missouri River Basin project, Three-Forks division, Jefferson and Whitehall units on the Big Hole and Jefferson Rivers above Canyon Ferry Dam in southwestern Montana;

Missouri River Basin project, Three-Forks division, West Bench unit, on the Big Hole River in southwestern Montana near the town of Dillon;

Missouri River Basin project, White division, Pine Ridge unit, on the White River in southwestern South Dakota.

#### Region 7

Mirage Flats project on the upper Niobrara River near Hay Springs, Nebraska;

Missouri River Basin project, Cedar Rapids division, on the Cedar and Loup Rivers near Spalding, Nebraska;

Missouri River Basin project, lower Niobrara division, O'Neill unit, on the lower Niobrara River in north-central Nebraska;

Missouri River Basin project, Smoky Hill division, Ellis unit, on Big Creek in west-central Kansas;

Missouri River Basin project, South Platte division, Narrows Unit, on the South Platte River near Fort Morgan, Colorado.

SEC. 2. The Secretary is authorized to continue feasibility studies on the following proposals, which are presently under study and which will require further study:

#### Region 1

Burnt River project, Dark Canyon division, on the Burnt River in west-central Oregon;

Chief Joseph Dam project, Okanogan-Similkameen division, Okanogan unit, on the Okanogan River in north-central Washington;

Deschutes project, Central division, in the Deschutes and Crooked River Basins in central Oregon;

Flathead River project, encompassing the Flathead River Basin in northwestern Montana;

Grand Ronde project on the Grande Ronde River in northeastern Oregon;

Rogue River Basin project, Applegate Valley division, on Applegate Creek, a tributary of the Rogue River, near the city of Grants Pass, Oregon;

Rogue River Basin project, Medford division, on the Rogue River in the vicinity of the town of Medford, Oregon;

Southwest Idaho water development project, Garden Valley division, along the Payette River and in the general vicinity of Boise, Idaho;

Southwest Idaho water development project, Weiser River division, in the Weiser River Basin in Idaho;

Umatilla Basin project, encompassing the Umatilla River Basin, centering near the town of Pendleton, Oregon;

Upper Snake River project, American Falls Dam replacement on the Snake River near the city of American Falls, Idaho;

Upper Snake River project, Lynn Crandall division, on the Snake River below Palisades Dam in southern Idaho;

Upper Snake River project, Salmon Falls division, south of the Snake River, near the city of Twin Falls, Idaho;

Upper Snake River project, Snake Plains recharge division, encompassing the Snake River Plains area north of the Snake River in southern Idaho;

Walla Walla project, Marcus Whitman and Milton-Freewater divisions, in the Walla Walla River Basin in northeastern Oregon and southeastern Washington;

Willamette River project, Carlton division, on the Yamhill River in northwestern Oregon;

Willamette River project, Molalla division, on the Molalla and Pudding Rivers in northwestern Oregon;

Yakima project, Ahtanum unit, on Ahtanum Creek in the Yakima River Basin in Washington.

## Region 2

Central Valley project, American River division, Placerville Ridge unit, between the South Fork American River and the North Fork Cosumnes River east of Sacramento, California;

Central Valley project, American River division, Pleasant Oaks unit, between the South Fork American River and the North Fork Cosumnes River east of Sacramento, California;

Central Valley project, Cosumnes River division, Fair Play unit, on the Middle Fork Cosumnes River east of Sacramento, California;

Central Valley project, East Side division, ultimate phase, on the east side of the San Joaquin Valley from the American River on the north to the foothills of the Tehachapi Mountains south of the Kern River;

Central Valley project, Pit River division, Allen Camp unit, on the Pit River northeast of Redding, California;

Central Valley project, Stanislaus River division, Sonora-Keystone unit, on the Stanislaus River in the general vicinity of Sonora, California;

Lompoc project on the lower Santa Ynez River in southern California;

North Coast project, Eel River division, English Ridge unit, on the upper Eel River and in the Putah Creek and adjacent areas north of San Francisco Bay, California;

North Coast project, Eel River division, Knights Valley unit in the Russian River Basin and adjacent areas north of San Francisco Bay, California;

North Coast project, Eel River division, ultimate phase, in the Eel River Basin in northwestern California with facilities for the diversion of excess water into the Central Valley Basin;

North Coast project, Lower Klamath River division, in the Lower Klamath River Basin in northwestern California with facilities for the diversion of excess water into the Central Valley Basin;

North Coast project, Lower Trinity River division (exclusive of Paskenta-Newville Reservoir), encompassing that portion of the Trinity River Basin below the existing Lewiston Dam of the Central Valley project, the upper portion of the Mad and Van Duzen Rivers and the west side tributaries of the Sacramento River in California;

North Coast project, lower Trinity River division, Paskenta-Newville Dam and Reservoir on Stony and Thomes Creeks in the Sacramento River Basin in California;

Ventura River project extension in the Ventura River Basin near Ventura, California;

Washoe project, Hope Valley division, on the Carson River in California and Nevada;

Washoe project, Newlands extension division, on the lower Carson River near the city of Fallon, Nevada.

### Region 3

Black River-Springerville-Saint Johns project on the Black River and Little Colorado River near Springerville and Saint Johns, Arizona;

Boulder Canyon project, All-American Canal system water salvage, Coachella division, on the Coachella Canal in southern California;

Boulder Canyon project, All-American Canal system water salvage, Imperial division, on the All-American Canal and the Imperial Valley distribution system in southern California;

Flagstaff-Williams project, near the cities of Flagstaff and Williams, Arizona;

Kingman project, on the Colorado River and near the city of Kingman, Arizona;

Moapa Valley pumping project in the Muddy River Basin in southern Nevada;

San Pedro-Santa Cruz project in the San Pedro and Santa Cruz River Basins in southeastern Arizona;

Upper Gila River project on the Gila River and its tributaries in western New Mexico and eastern Arizona.

### Region 4

Bear River project, second phase, on the Bear River and its tributaries in north-central Utah and southeastern Idaho;

Central Utah project, ultimate phase, Uintah unit, on the Whiterock and Uinta Rivers in northeastern Utah.

### Region 5

Brantley project on the Pecos River upstream from Carlsbad, New Mexico;

Cibolo project on Cibolo Creek in the San Antonio River Basin in Texas;

Eastern New Mexico water supply project in northeastern New Mexico;

Nueces River project on Frio River in the Nueces River Basin in the vicinity of Corpus Christi, Texas;

Portales project near the town of Portales in eastern New Mexico;

Rio Grande water salvage project, New Mexico division, on the Rio Grande River between the Colorado-New Mexico State line, and the existing Caballo Reservoir;

Texas Basins project, encompassing the gulf coastal streams of Texas extending from the Sabine River on the north to the Rio Grande on the south.

### Region 6

Missouri River Basin project, Big Horn Basin division, Shoshone extension unit, Polecat Bench area, in northwestern Wyoming near the city of Powell;

Missouri River Basin project, Cannonball division, Mott unit, on the Cannonball River in southwestern North Dakota;

Missouri River Basin project, Helena-Great Falls division, Fort Benton unit, on the Missouri River in north-central Montana near the town of Fort Benton;

Missouri River Basin project, Musselshell division, Lower Musselshell unit on the lower reaches of the Musselshell River near the town of Mosby, Montana;

Missouri River Basin project, Powder division, Kaycee unit, on the Middle Fork and main stem of the Powder River in northeastern Wyoming;

Missouri River Basin project, Marias division, Marias-Milk unit, in the Marias and Milk River Basins in north-central Montana;

Missouri River Basin project, South Dakota pumping division, Pollock-Herreid unit, on the Missouri River in north-central South Dakota;

Missouri River Basin project, Sun-Teton division, Sun-Teton unit, on the Sun and Teton Rivers in the vicinity of Great Falls, Montana;

Missouri River Basin project, Yellowstone division, Billings pump unit, at the city of Billings, Montana;

Missouri River Basin project, Yellowstone division, Cracker Box and Stipek units, along the Yellowstone River near the town of Glendive, Montana.

#### Region 7

Missouri River Basin project, Blue division, Little Blue unit, along the Little Blue River in south-central Nebraska;

Missouri River Basin project, Blue division, Sunbeam unit, on the West Fork of the Big Blue River in southeastern Nebraska;

Missouri River Basin project, Laramie division, Wheatland unit, on the Laramie River in southeastern Wyoming;

Missouri River Basin project, Mount Evans division, Upper South Platte unit, on the South Platte River near the city of Denver, Colorado;

Missouri River Basin project, Oregon Trail division, La Prele unit, on La Prele Creek, near the town of Douglas, Wyoming.

#### Alaska

Lake Grace project on Grace Creek on Revillagigedo Island, Alaska;  
Takatz Creek project on Takatz Creek on Baranof Island near Sitka, Alaska.

SEC. 3. The Secretary is authorized to engage in feasibility studies on the following proposals:

#### Region 1

Umpqua River project, Azalea division on Cow Creek, a tributary of the Umpqua River in southwestern Oregon;

Chehalis River project, Adna division, in the Upper Chehalis River Basin near the cities of Centralia and Chehalis, Washington;

Upper Owyhee project, Jordan Valley division, on Jordan Creek in the Upper Owyhee River Basin in southeastern Oregon and southwestern Idaho;

Upper Snake River project, Big Wood division, in southern Idaho in the Big Wood River Basin near the towns of Ketchum and Sun Valley;

Upper Snake River project, Oakley Fan division, south of the Snake River near Burley, Idaho;

Tualatin project, second phase, in the Tualatin River Basin twenty miles west of Portland, Oregon;

Southwest Idaho Water Development project, Bruneau division in the vicinity of Bruneau in southwest Idaho;

Chief Joseph Dam project, Okanogan-Similkameen division, Oroville-Tonasket unit, Washington.

#### Region 2

North Coast project, Eureka division, encompassing the lower reaches of the Mad, Van Duzen, and Eel Rivers in northwestern California;

Lake Tahoe project in the Lake Tahoe Basin in eastern California and western Nevada and the American River Basin in California.

#### Region 3

Boulder Canyon project, All-American Canal system water salvage, East Mesa unit on the East Mesa of the Imperial Valley in southern California;

Mojave River project in the Mojave River Basin in southern California;

Morongo-Yucca-Upper Coachella Valley project in Riverside County, California;

Santa Margarita project on the Santa Margarita River in southern California.

#### Region 4

Colorado River Basin, power peaking capacity, in the Colorado River Basin in Arizona, Colorado, and Utah, and in the eastern part of Bonneville Basin along the Wasatch Mountains in Utah;

Price River project, Price River Basin in eastern Utah.

#### Region 5

Mimbres project in the Mimbres River Basin in southwestern New Mexico.

#### Region 6

Missouri River Basin project, James division, Oahe unit, Mitchell section, near the city of Mitchell, South Dakota;

Missouri River Basin project, North Dakota pumping division, Horsehead Flats and Winona units on the east side of the Missouri River in the general vicinity of Linton, North Dakota;

Missouri River Basin project, Lower Bighorn division, Hardin unit on the Bighorn River near Hardin, Montana;

Missouri River Basin project, South Dakota pumping division, Grass Rope and Fort Thompson units on the Missouri River in the vicinity of the towns of Lower Brule and Fort Thompson, South Dakota.

#### Region 7

Missouri River Basin project, Bostwick division, Scandia unit, near the town of Belleville in north-central Kansas;

Missouri River Basin project, Oregon Trail division, Glendo inundated water rights irrigation unit, near Glendo Reservoir in eastern Wyoming;

Missouri River Basin project, Smoky Hill division, Kanopolis unit on the Smoky Hill River below the existing Kanopolis Dam in central Kansas;

Missouri River Basin project, Elkhorn division, Highland unit, on the Upper Elkhorn River in northeastern Nebraska;

Missouri River Basin project, Solomon division, Glen Elder irrigation unit, on the Solomon River in the vicinity of the towns of Downs and Delphos, Kansas;

Missouri River Basin project, Kanaska division, Nelson Buck union on Beaver Creek in northwestern Kansas.

Results of studies, submission to Congress.

SEC. 4. The Secretary, pursuant to the authority contained in sections 2 and 3 of this Act, shall submit to the Committees on Interior and Insular Affairs of the Senate and House of Representatives within one year after completion of the final feasibility plan those studies of proposals determined to be feasible, with whatever alternate studies that may have been developed for the construction, operation, and maintenance of each water resource project or proposal in all instances where practical alternatives are known to the Secretary. The Secretary shall provide all the data and information developed on short-term and long-term benefits and costs necessary for the comprehensive and integrated development of each water resource project or proposal, including any and all factors directly, indirectly, ancillary, and/or incidental to the comprehensive development of each water resource project or proposal.

SEC. 5. The Secretary may accelerate feasibility studies authorized by law when and to the extent that the costs of such studies shall have been advanced by non-Federal sources.

SEC. 6. Section 2 of the Act entitled "An Act to authorize the Secretary of the Interior to construct, operate, and maintain a third powerplant at the Grand Coulee Dam, Columbia Basin project, Washington, and for other purposes", approved June 14, 1966 (80 Stat. 200) is amended—

(1) by inserting "(a)" after "SEC. 2";

(2) by striking out "That" at the beginning of the third sentence and inserting in lieu thereof "Subject to the provisions of subsection (b) of this section, that"; and

(3) by inserting at the end of such section two new subsections as follows:

Pacific Northwest reclamation projects, financing.

"(b) It is declared to be the policy of the Congress that reclamation projects hereafter authorized in the Pacific Northwest to receive financial assistance from the Federal Columbia River power system shall receive such assistance only from the net revenues of that system as provided in this subsection, and that their construction shall be so scheduled that such assistance, together with similar assistance for previously authorized reclamation projects (including projects not now receiving such assistance for which the Congress may hereafter authorize financial assistance) will not cause increases in the rates and charges of the Bonneville Power Administration. It is further declared to be the policy of the Congress that the total assistance to all irrigation projects, both existing and future, in the Pacific Northwest shall not average more than \$30,000,000 annually in any period of twenty consecutive years. Any analyses and studies authorized by the Congress for reclamation projects in the Pacific Northwest shall be prepared in accordance with the provisions of this section. As used in this section, the term "net revenues" means revenues as determined from time to time which are not required for the repayment of (1) all costs allocated to power at projects in the Pacific Northwest then existing or authorized, including the cost of acquiring power by purchase

Limitation.

"Net revenues."

or exchange, and (2) presently authorized assistance from power to irrigation at projects in the Pacific Northwest existing and authorized prior to the date of enactment of this subsection.

“(c) On December 20, 1974, and thereafter at intervals coinciding with anniversary dates of Federal Power Commission general review of the rates and charges of the Bonneville Power Administration, the Secretary of the Interior shall recommend to the Congress any changes in the dollar limitations herein placed upon financial assistance to Pacific Northwest reclamation projects that he believes justified by changes in the cost-price levels existing on July 1, 1966, or by other relevant changes of circumstances.”

Approved September 7, 1966.

Financial assistance, limitations. Recommendations for changes.

## Public Law 89-562

### AN ACT

To amend the Urban Mass Transportation Act of 1964.

September 8, 1966  
[S. 3700]

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

#### AUTHORIZATION

SECTION 1. (a) The first sentence of section 4(b) of the Urban Mass Transportation Act of 1964 is amended by striking out “\$150,000,000 for fiscal year 1967” and inserting in lieu thereof “\$150,000,000 for each of the fiscal years 1967, 1968, and 1969”.

(b) Section 6(b) of such Act (redesignated section 6(c) by section 3 of this Act) is amended by striking out “and to \$30,000,000 on July 1, 1966” and inserting in lieu thereof “to \$30,000,000 on July 1, 1966, to \$40,000,000 on July 1, 1967, and to \$50,000,000 on July 1, 1968”.

Urban Mass Transportation Act of 1964, amendment.

78 Stat. 304.  
49 USC 1603.

78 Stat. 305;  
79 Stat. 475.  
49 USC 1605.

#### ASSISTANCE FOR CERTAIN TECHNICAL STUDIES AND TRAINING PROGRAMS

SEC. 2. (a) The Urban Mass Transportation Act of 1964 is amended—

- (1) by redesignating sections 9 through 12 as sections 12 through 15, respectively; and
- (2) by inserting after section 8 the following new sections:

49 USC 1608-1611.

#### “GRANTS FOR TECHNICAL STUDIES

“SEC. 9. The Secretary is authorized to make grants to States and local public bodies and agencies thereof for the planning, engineering, and designing of urban mass transportation projects, and for other technical studies, to be included, or proposed to be included, in a program (completed or under active preparation) for a unified or officially coordinated urban transportation system as a part of the comprehensively planned development of the urban area. Activities assisted under this section may include (1) studies relating to management, operations, capital requirements, and economic feasibility; (2) preparation of engineering and architectural surveys, plans, and specifications; and (3) other similar or related activities preliminary and in preparation for the construction, acquisition, or improved operation of mass transportation systems, facilities, and equipment. A grant under this section shall be made in accordance with criteria established by the Secretary and shall not exceed two-thirds of the cost of carrying out the activities for which the grant is made.

“GRANTS FOR MANAGERIAL TRAINING PROGRAMS

“SEC. 10. (a) The Secretary is authorized to make grants to States, local bodies, and agencies thereof to provide fellowships for training of personnel employed in managerial, technical, and professional positions in the urban mass transportation field. Fellowships shall be for not more than one year of advanced training in public or private nonprofit institutions of higher education offering programs of graduate study in business or public administration, or in other fields having application to the urban mass transportation industry. The State, local body, or agency receiving a grant under this section shall select persons for such fellowships on the basis of demonstrated ability and for the contribution which they can reasonably be expected to make to an efficient mass transportation operation. Not more than one hundred fellowships shall be awarded in any year. The grant assistance under this section toward each such fellowship shall not exceed \$12,000, nor 75 per centum of the sum of (1) tuition and other charges to the fellowship recipient, (2) any additional costs incurred by the educational institution in connection with the fellowship and billed to the grant recipient, and (3) the regular salary of the fellowship recipient for the period of the fellowship (to the extent that salary is actually paid or reimbursed by the grant recipient).

“(b) Not more than 12½ per centum of the fellowships authorized pursuant to subsection (a) shall be awarded for the training of employees of mass transportation companies in any one State.

“(c) The Secretary may make available to finance grants under this section not to exceed \$1,500,000 per annum of the grant funds appropriated pursuant to section 4(b).

78 Stat. 304.  
49 USC 1603.

“GRANTS FOR RESEARCH AND TRAINING IN URBAN TRANSPORTATION PROBLEMS

“SEC. 11. (a) The Secretary is authorized to make grants to public and private nonprofit institutions of higher learning to assist in establishing or carrying on comprehensive research in the problems of transportation in urban areas. Such grants shall be used to conduct competent and qualified research and investigations into the theoretical or practical problems of urban transportation, or both, and to provide for the training of persons to carry on further research or to obtain employment in private or public organizations which plan, construct, operate, or manage urban transportation systems. Such research and investigations may include, without being limited to, the design and functioning of urban mass transit systems; the design and functioning of urban roads and highways; the interrelationship between various modes of urban and interurban transportation; the role of transportation planning in overall urban planning; public preferences in transportation; the economic allocation of transportation resources; and the legal, financial, engineering, and esthetic aspects of urban transportation. In making such grants the Secretary shall give preference to institutions of higher learning that undertake such research and training by bringing together knowledge and expertise in the various social science and technical disciplines that relate to urban transportation problems.

“(b) The Secretary may make available to finance grants under this section not to exceed \$3,000,000 per annum of the grant funds appropriated pursuant to section 4(b).”

(b) Such Act is further amended—

(1) by striking out “section 10(c)” in section 3(c) and inserting in lieu thereof “section 13(c)”; and

(2) by striking out “under this Act” in section 13(c) (as redesignated by subsection (a)) and inserting in lieu thereof “under section 3 of this Act”.

49 USC 1609,  
1602.

49 USC 1609.

RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROJECT

SEC. 3. Section 6 of the Urban Mass Transportation Act of 1964 is amended by redesignating subsections (b) and (c) as subsections (c) and (d), and by adding after subsection (a) a new subsection as follows:

49 USC 1605.

“(b) The Secretary shall, in consultation with the Secretary of Commerce, undertake a project to study and prepare a program of research, development, and demonstration of new systems of urban transportation that will carry people and goods within metropolitan areas speedily, safely, without polluting the air, and in a manner that will contribute to sound city planning. The program shall (1) concern itself with all aspects of new systems of urban transportation for metropolitan areas of various sizes, including technological, financial, economic, governmental, and social aspects; (2) take into account the most advanced available technologies and materials; and (3) provide national leadership to efforts of States, localities, private industry, universities, and foundations. The Secretary shall report his findings and recommendations to the President, for submission to the Congress, as rapidly as possible and in any event not later than eighteen months after the effective date of this subsection.”

Report to President.

STATE LIMITATION

SEC. 4. Section 15 of the Urban Mass Transportation Act of 1964 (as redesignated by section 2 of this Act) is amended by striking out the period and inserting in lieu thereof the following: “: Provided, That the Secretary may, without regard to such limitation, enter into contracts for grants under section 3 aggregating not to exceed \$12,500,000 (subject to the total authorization provided in section 4(b)) with local public bodies and agencies in States where more than two-thirds of the maximum grants permitted in the respective State under this section has been obligated.”

78 Stat. 308.  
49 USC 1611.

49 USC 1603.

Approved September 8, 1966.

## Public Law 89-563

## AN ACT

September 9, 1966  
[S. 3005]

To provide for a coordinated national safety program and establishment of safety standards for motor vehicles in interstate commerce to reduce accidents involving motor vehicles and to reduce the deaths and injuries occurring in such accidents.

National Traffic  
and Motor Vehicle  
Safety Act of 1966.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Congress hereby declares that the purpose of this Act is to reduce traffic accidents and deaths and injuries to persons resulting from traffic accidents. Therefore, Congress determines that it is necessary to establish motor vehicle safety standards for motor vehicles and equipment in interstate commerce; to undertake and support necessary safety research and development; and to expand the national driver register.

## TITLE I—MOTOR VEHICLE SAFETY STANDARDS

Short title.

SEC. 101. This Act may be cited as the "National Traffic and Motor Vehicle Safety Act of 1966".

Definitions.

SEC. 102. As used in this title—

(1) "Motor vehicle safety" means the performance of motor vehicles or motor vehicle equipment in such a manner that the public is protected against unreasonable risk of accidents occurring as a result of the design, construction or performance of motor vehicles and is also protected against unreasonable risk of death or injury to persons in the event accidents do occur, and includes nonoperational safety of such vehicles.

(2) "Motor vehicle safety standards" means a minimum standard for motor vehicle performance, or motor vehicle equipment performance, which is practicable, which meets the need for motor vehicle safety and which provides objective criteria.

(3) "Motor vehicle" means any vehicle driven or drawn by mechanical power manufactured primarily for use on the public streets, roads, and highways, except any vehicle operated exclusively on a rail or rails.

(4) "Motor vehicle equipment" means any system, part, or component of a motor vehicle as originally manufactured or any similar part or component manufactured or sold for replacement or improvement of such system, part, or component or as an accessory, or addition to the motor vehicle.

(5) "Manufacturer" means any person engaged in the manufacturing or assembling of motor vehicles or motor vehicle equipment, including any person importing motor vehicles or motor vehicle equipment for resale.

(6) "Distributor" means any person primarily engaged in the sale and distribution of motor vehicles or motor vehicle equipment for resale.

(7) "Dealer" means any person who is engaged in the sale and distribution of new motor vehicles or motor vehicle equipment primarily to purchasers who in good faith purchase any such vehicle or equipment for purposes other than resale.

(8) "State" includes each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, the Canal Zone, and American Samoa.

(9) "Interstate commerce" means commerce between any place in a State and any place in another State, or between places in the same State through another State.

(10) "Secretary" means Secretary of Commerce.

(11) "Defect" includes any defect in performance, construction, components, or materials in motor vehicles or motor vehicle equipment.

(12) "United States district courts" means the Federal district courts of the United States and the United States courts of the Commonwealth of Puerto Rico, Guam, the Virgin Islands, the Canal Zone, and American Samoa.

(13) "Vehicle Equipment Safety Commission" means the Commission established pursuant to the joint resolution of the Congress relating to highway traffic safety, approved August 20, 1958 (72 Stat. 635), or as it may be hereafter reconstituted by law.

SEC. 103. (a) The Secretary shall establish by order appropriate Federal motor vehicle safety standards. Each such Federal motor vehicle safety standard shall be practicable, shall meet the need for motor vehicle safety, and shall be stated in objective terms.

(b) The Administrative Procedure Act shall apply to all orders establishing, amending, or revoking a Federal motor vehicle safety standard under this title.

(c) Each order establishing a Federal motor vehicle safety standard shall specify the date such standard is to take effect which shall not be sooner than one hundred and eighty days or later than one year from the date such order is issued, unless the Secretary finds, for good cause shown, that an earlier or later effective date is in the public interest, and publishes his reasons for such finding.

(d) Whenever a Federal motor vehicle safety standard established under this title is in effect, no State or political subdivision of a State shall have any authority either to establish, or to continue in effect, with respect to any motor vehicle or item of motor vehicle equipment any safety standard applicable to the same aspect of performance of such vehicle or item of equipment which is not identical to the Federal standard. Nothing in this section shall be construed to prevent the Federal Government or the government of any State or political subdivision thereof from establishing a safety requirement applicable to motor vehicles or motor vehicle equipment procured for its own use if such requirement imposes a higher standard of performance than that required to comply with the otherwise applicable Federal standard.

(e) The Secretary may by order amend or revoke any Federal motor vehicle safety standard established under this section. Such order shall specify the date on which such amendment or revocation is to take effect which shall not be sooner than one hundred and eighty days or later than one year from the date the order is issued, unless the Secretary finds, for good cause shown, that an earlier or later effective date is in the public interest, and publishes his reasons for such finding.

(f) In prescribing standards under this section, the Secretary shall—

(1) consider relevant available motor vehicle safety data, including the results of research, development, testing and evaluation activities conducted pursuant to this Act;

(2) consult with the Vehicle Equipment Safety Commission, and such other State or interstate agencies (including legislative committees) as he deems appropriate;

(3) consider whether any such proposed standard is reasonable, practicable and appropriate for the particular type of motor vehicle or item of motor vehicle equipment for which it is prescribed; and

(4) consider the extent to which such standards will contribute to carrying out the purposes of this Act.

23 USC 313  
note.

Standards.

60 Stat. 237.  
5 USC 1001  
note.

Effective date.

Revocation.

Dual standards,  
prohibition.  
49 Stat. 543;  
54 Stat. 919.  
74 Stat. 808.

(g) In prescribing safety regulations covering motor vehicles subject to part II of the Interstate Commerce Act, as amended (49 U.S.C. 301 et seq.), or the Transportation of Explosives Act, as amended (18 U.S.C. 831-835), the Interstate Commerce Commission shall not adopt or continue in effect any safety regulation which differs from a motor vehicle safety standard issued by the Secretary under this title, except that nothing in this subsection shall be deemed to prohibit the Interstate Commerce Commission from prescribing for any motor vehicle operated by a carrier subject to regulation under either or both of such Acts, a safety regulation which imposes a higher standard of performance subsequent to its manufacture than that required to comply with the applicable Federal standard at the time of manufacture.

(h) The Secretary shall issue initial Federal motor vehicle safety standards based upon existing safety standards on or before January 31, 1967. On or before January 31, 1968, the Secretary shall issue new and revised Federal motor vehicle safety standards under this title.

National Motor  
Vehicle Safety  
Advisory Council,  
establishment.

SEC. 104. (a) The Secretary shall establish a National Motor Vehicle Safety Advisory Council, a majority of which shall be representatives of the general public, including representatives of State and local governments, and the remainder shall include representatives of motor vehicle manufacturers, motor vehicle equipment manufacturers, and motor vehicle dealers.

(b) The Secretary shall consult with the Advisory Council on motor vehicle safety standards under this Act.

Compensation  
of members.

(c) Members of the National Motor Vehicle Safety Advisory Council may be compensated at a rate not to exceed \$100 per diem (including travel time) when engaged in the actual duties of the Advisory Council. Such members, while away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2), for persons in the Government service employed intermittently. Payments under this section shall not render members of the Advisory Council employees or officials of the United States for any purpose.

60 Stat. 808;  
75 Stat. 339,  
340.

Judicial re-  
view.

SEC. 105. (a) (1) In a case of actual controversy as to the validity of any order under section 103, any person who will be adversely affected by such order when it is effective may at any time prior to the sixtieth day after such order is issued file a petition with the United States court of appeals for the circuit wherein such person resides or has his principal place of business, for a judicial review of such order. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary or other officer designated by him for that purpose. The Secretary thereupon shall file in the court the record of the proceedings on which the Secretary based his order, as provided in section 2112 of title 28 of the United States Code.

72 Stat. 941.  
Modification of  
findings.

(2) If the petitioner applies to the court for leave to adduce additional evidence, and shows to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the proceeding before the Secretary, the court may order such additional evidence (and evidence in rebuttal thereof) to be taken before the Secretary, and to be adduced upon the hearing, in such manner and upon such terms and conditions as to the court may seem proper. The Secretary may modify his findings as to the facts, or make new findings, by reason of the additional evidence so taken, and he shall file such modified or new findings, and his recommendation, if any, for the modification or setting aside of his original order, with the return of such additional evidence.

(3) Upon the filing of the petition referred to in paragraph (1) of this subsection, the court shall have jurisdiction to review the order in accordance with section 10 of the Administrative Procedure Act (5 U.S.C. 1009) and to grant appropriate relief as provided in such section.

60 Stat. 243.

(4) The judgment of the court affirming or setting aside, in whole or in part, any such order of the Secretary shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28 of the United States Code.

62 Stat. 928.

(5) Any action instituted under this subsection shall survive, notwithstanding any change in the person occupying the office of Secretary of any vacancy in such office.

(6) The remedies provided for in this subsection shall be in addition to and not in substitution for any other remedies provided by law.

(b) A certified copy of the transcript of the record and proceedings under this section shall be furnished by the Secretary to any interested party at his request, and payment of the costs thereof, and shall be admissible in any criminal, exclusion of imports, or other proceeding arising under or in respect of this title, irrespective of whether proceedings with respect to the order have previously been initiated or become final under subsection (a).

SEC. 106. (a) The Secretary shall conduct research, testing, development, and training necessary to carry out the purposes of this title, including, but not limited to—

Research and training, etc.

(1) collecting data from any source for the purpose of determining the relationship between motor vehicle or motor vehicle equipment performance characteristics and (A) accidents involving motor vehicles, and (B) the occurrence of death, or personal injury resulting from such accidents;

(2) procuring (by negotiation or otherwise) experimental and other motor vehicles or motor vehicle equipment for research and testing purposes;

(3) selling or otherwise disposing of test motor vehicles and motor vehicle equipment and reimbursing the proceeds of such sale or disposal into the current appropriation available for the purpose of carrying out this title.

(b) The Secretary is authorized to conduct research, testing, development, and training as authorized to be carried out by subsection (a) of this section by making grants for the conduct of such research, testing, development, and training to States, interstate agencies, and nonprofit institutions.

Grants.

(c) Whenever the Federal contribution for any research or development activity authorized by this Act encouraging motor vehicle safety is more than minimal, the Secretary shall include in any contract, grant, or other arrangement for such research or development activity, provisions effective to insure that all information, uses, processes, patents, and other developments resulting from that activity will be made freely and fully available to the general public. Nothing herein shall be construed to deprive the owner of any background patent of any right which he may have thereunder.

SEC. 107. The Secretary is authorized to advise, assist, and cooperate with, other Federal departments and agencies, and State and other interested public and private agencies, in the planning and development of—

Cooperation.

(1) motor vehicle safety standards;

(2) methods for inspecting and testing to determine compliance with motor vehicle safety standards.

SEC. 108. (a) No person shall—

(1) manufacture for sale, sell, offer for sale, or introduce or deliver for introduction in interstate commerce, or import into the United States, any motor vehicle or item of motor vehicle equipment manufactured on or after the date any applicable Federal motor vehicle safety standard takes effect under this title unless it is in conformity with such standard except as provided in subsection (b) of this section;

(2) fail or refuse access to or copying of records, or fail to make reports or provide information, or fail or refuse to permit entry or inspection, as required under section 112;

(3) fail to issue a certificate required by section 114, or issue a certificate to the effect that a motor vehicle or item of motor vehicle equipment conforms to all applicable Federal motor vehicle safety standards, if such person in the exercise of due care has reason to know that such certificate is false or misleading in a material respect;

(4) fail to furnish notification of any defect as required by section 113.

(b) (1) Paragraph (1) of subsection (a) shall not apply to the sale, the offer for sale, or the introduction or delivery for introduction in interstate commerce of any motor vehicle or motor vehicle equipment after the first purchase of it in good faith for purposes other than resale. In order to assure a continuing and effective national traffic safety program, it is the policy of Congress to encourage and strengthen the enforcement of State inspection of used motor vehicles. Therefore to that end the Secretary shall conduct a thorough study and investigation to determine the adequacy of motor vehicle safety standards and motor vehicle inspection requirements and procedures applicable to used motor vehicles in each State, and the effect of programs authorized by this title upon such standards, requirements, and procedures for used motor vehicles, and report to Congress as soon as practicable but not later than one year after the date of enactment of this title, the results of such study, and recommendations for such additional legislation as he deems necessary to carry out the purposes of this Act. As soon as practicable after the submission of such report, but no later than one year from the date of submission of such report, the Secretary, after consultation with the Council and such interested public and private agencies and groups as he deems advisable, shall establish uniform Federal motor vehicle safety standards applicable to all used motor vehicles. Such standards shall be expressed in terms of motor vehicle safety performance. The Secretary is authorized to amend or revoke such standards pursuant to this Act.

(2) Paragraph (1) of subsection (a) shall not apply to any person who establishes that he did not have reason to know in the exercise of due care that such vehicle or item of motor vehicle equipment is not in conformity with applicable Federal motor vehicle safety standards, or to any person who, prior to such first purchase, holds a certificate issued by the manufacturer or importer of such motor vehicle or motor vehicle equipment, to the effect that such vehicle or equipment conforms to all applicable Federal motor vehicle safety standards, unless such person knows that such vehicle or equipment does not so conform.

(3) A motor vehicle or item of motor vehicle equipment offered for importation in violation of paragraph (1) of subsection (a) shall be refused admission into the United States under joint regulations issued by the Secretary of the Treasury and the Secretary; except that the Secretary of the Treasury and the Secretary may, by such regulations, provide for authorizing the importation of such motor vehicle or item

Used motor vehicles, state inspection.

Report to Congress.

Importation.

of motor vehicle equipment into the United States upon such terms and conditions (including the furnishing of a bond) as may appear to them appropriate to insure that any such motor vehicle or item of motor vehicle equipment will be brought into conformity with any applicable Federal motor vehicle safety standard prescribed under this title, or will be exported or abandoned to the United States.

(4) The Secretary of the Treasury and the Secretary may, by joint regulations, permit the temporary importation of any motor vehicle or item of motor vehicle equipment after the first purchase of it in good faith for purposes other than resale.

(5) Paragraph (1) of subsection (a) shall not apply in the case of a motor vehicle or item of motor vehicle equipment intended solely for export, and so labeled or tagged on the vehicle or item itself and on the outside of the container, if any, which is exported.

(c) Compliance with any Federal motor vehicle safety standard issued under this title does not exempt any person from any liability under common law.

SEC. 109. (a) Whoever violates any provision of section 108, or any regulation issued thereunder, shall be subject to a civil penalty of not to exceed \$1,000 for each such violation. Such violation of a provision of section 108, or regulations issued thereunder, shall constitute a separate violation with respect to each motor vehicle or item of motor vehicle equipment or with respect to each failure or refusal to allow or perform an act required thereby, except that the maximum civil penalty shall not exceed \$400,000 for any related series of violations.

(b) Any such civil penalty may be compromised by the Secretary. In determining the amount of such penalty, or the amount agreed upon in compromise, the appropriateness of such penalty to the size of the business of the person charged and the gravity of the violation shall be considered. The amount of such penalty, when finally determined, or the amount agreed upon in compromise, may be deducted from any sums owing by the United States to the person charged.

SEC. 110. (a) The United States district courts shall have jurisdiction, for cause shown and subject to the provisions of rule 65 (a) and (b) of the Federal Rules of Civil Procedure, to restrain violations of this title, or to restrain the sale, offer for sale, or the introduction or delivery for introduction, in interstate commerce, or the importation into the United States, of any motor vehicle or item of motor vehicle equipment which is determined, prior to the first purchase of such vehicle in good faith for purposes other than resale, not to conform to applicable Federal motor vehicle safety standards prescribed pursuant to this title, upon petition by the appropriate United States attorney or the Attorney General on behalf of the United States. Whenever practicable, the Secretary shall give notice to any person against whom an action for injunctive relief is contemplated and afford him an opportunity to present his views, and, except in the case of a knowing and willful violation, shall afford him reasonable opportunity to achieve compliance. The failure to give such notice and afford such opportunity shall not preclude the granting of appropriate relief.

(b) In any proceeding for criminal contempt for violation of an injunction or restraining order issued under this section, which violation also constitutes a violation of this title, trial shall be by the court or, upon demand of the accused, by a jury. Such trial shall be conducted in accordance with the practice and procedure applicable in the case of proceedings subject to the provisions of rule 42(b) of the Federal Rules of Criminal Procedure.

Violations.

U.S. district  
courts, jurisdic-  
tion.  
28 USC app.

18 USC app.

(c) Actions under subsection (a) of this section and section 109(a) of this title may be brought in the district wherein any act or transaction constituting the violation occurred, or in the district wherein the defendant is found or is an inhabitant or transacts business, and process in such cases may be served in any other district of which the defendant is an inhabitant or wherever the defendant may be found.

(d) In any actions brought under subsection (a) of this section and section 109(a) of this title, subpoenas for witnesses who are required to attend a United States district court may run into any other district.

(e) It shall be the duty of every manufacturer offering a motor vehicle or item of motor vehicle equipment for importation into the United States to designate in writing an agent upon whom service of all administrative and judicial processes, notices, orders, decisions and requirements may be made for and on behalf of said manufacturer, and to file such designation with the Secretary, which designation may from time to time be changed by like writing, similarly filed. Service of all administrative and judicial processes, notices, orders, decisions and requirements may be made upon said manufacturer by service upon such designated agent at his office or usual place of residence with like effect as if made personally upon said manufacturer, and in default of such designation of such agent, service of process, notice, order, requirement or decision in any proceeding before the Secretary or in any judicial proceeding for enforcement of this title or any standards prescribed pursuant to this title may be made by posting such process, notice, order, requirement or decision in the Office of the Secretary.

Motor vehicle  
importation.  
Service of proc-  
ess; designation  
of agent.

Noncompliance.

SEC. 111. (a) If any motor vehicle or item of motor vehicle equipment is determined not to conform to applicable Federal motor vehicle safety standards, or contains a defect which relates to motor vehicle safety, after the sale of such vehicle or item of equipment by a manufacturer or a distributor to a distributor or a dealer and prior to the sale of such vehicle or item of equipment by such distributor or dealer:

(1) The manufacturer or distributor, as the case may be, shall immediately repurchase such vehicle or item of motor vehicle equipment from such distributor or dealer at the price paid by such distributor or dealer, plus all transportation charges involved and a reasonable reimbursement of not less than 1 per centum per month of such price paid prorated from the date of notice of such nonconformance to the date of repurchase by the manufacturer or distributor; or

(2) In the case of motor vehicles, the manufacturer or distributor, as the case may be, at his own expense, shall immediately furnish the purchasing distributor or dealer the required conforming part or parts or equipment for installation by the distributor or dealer on or in such vehicle and for the installation involved the manufacturer shall reimburse such distributor or dealer for the reasonable value of such installation plus a reasonable reimbursement of not less than 1 per centum per month of the manufacturer's or distributor's selling price prorated from the date of notice of such nonconformance to the date such vehicle is brought into conformance with applicable Federal standards: *Provided, however,* That the distributor or dealer proceeds with reasonable diligence with the installation after the required part, parts or equipment are received.

(b) In the event any manufacturer or distributor shall refuse to comply with the requirements of paragraphs (1) and (2) of subsection (a), then the distributor or dealer, as the case may be, to whom such nonconforming vehicle or equipment has been sold may bring suit against such manufacturer or distributor in any district court of the

United States in the district in which said manufacturer or distributor resides, or is found, or has an agent, without respect to the amount in controversy, and shall recover the damage by him sustained, as well as all court costs plus reasonable attorneys' fees. Any action brought pursuant to this section shall be forever barred unless commenced within three years after the cause of action shall have accrued.

(c) The value of such installations and such reasonable reimbursements as specified in subsection (a) of this section shall be fixed by mutual agreement of the parties, or failing such agreement, by the court pursuant to the provisions of subsection (b) of this section.

SEC. 112. (a) The Secretary is authorized to conduct such inspection and investigation as may be necessary to enforce Federal vehicle safety standards established under this title. He shall furnish the Attorney General and, when appropriate, the Secretary of the Treasury any information obtained indicating noncompliance with such standards, for appropriate action.

Inspection.

(b) For purposes of enforcement of this title, officers or employees duly designated by the Secretary, upon presenting appropriate credentials and a written notice to the owner, operator, or agent in charge, are authorized (1) to enter, at reasonable times, any factory, warehouse, or establishment in which motor vehicles or items of motor vehicle equipment are manufactured, or held for introduction into interstate commerce or are held for sale after such introduction; and (2) to inspect, at reasonable times and within reasonable limits and in a reasonable manner, such factory, warehouse, or establishment. Each such inspection shall be commenced and completed with reasonable promptness.

(c) Every manufacturer of motor vehicles and motor vehicle equipment shall establish and maintain such records, make such reports, and provide such information as the Secretary may reasonably require to enable him to determine whether such manufacturer has acted or is acting in compliance with this title and motor vehicle safety standards prescribed pursuant to this title and shall, upon request of an officer or employee duly designated by the Secretary, permit such officer or employee to inspect appropriate books, papers, records, and documents relevant to determining whether such manufacturer has acted or is acting in compliance with this title and motor vehicle safety standards prescribed pursuant to this title.

Recordkeeping requirements.

(d) Every manufacturer of motor vehicles and motor vehicle equipment shall provide to the Secretary such performance data and other technical data related to performance and safety as may be required to carry out the purposes of this Act. The Secretary is authorized to require the manufacturer to give such notification of such performance and technical data at the time of original purchase to the first person who purchases a motor vehicle or item of equipment for purposes other than resale, as he determines necessary to carry out the purposes of this Act.

(e) All information reported to or otherwise obtained by the Secretary or his representative pursuant to subsection (b) or (c) which information contains or relates to a trade secret or other matter referred to in section 1905 of title 18 of the United States Code, shall be considered confidential for the purpose of that section, except that such information may be disclosed to other officers or employees concerned with carrying out this title or when relevant in any proceeding under this title. Nothing in this section shall authorize the withholding of information by the Secretary or any officer or employee under his control, from the duly authorized committees of the Congress.

62 Stat. 791.

SEC. 113. (a) Every manufacturer of motor vehicles shall furnish notification of any defect in any motor vehicle or motor vehicle equip-

Notification of defect.

ment produced by such manufacturer which he determines, in good faith, relates to motor vehicle safety, to the purchaser (where known to the manufacturer) of such motor vehicle or motor vehicle equipment, within a reasonable time after such manufacturer has discovered such defect.

Notification by certified mail.

(b) The notification required by subsection (a) shall be accomplished—

(1) by certified mail to the first purchaser (not including any dealer of such manufacturer) of the motor vehicle or motor vehicle equipment containing such a defect, and to any subsequent purchaser to whom has been transferred any warranty on such motor vehicle or motor vehicle equipment; and

(2) by certified mail or other more expeditious means to the dealer or dealers of such manufacturer to whom such motor vehicle or equipment was delivered.

(c) The notification required by subsection (a) shall contain a clear description of such defect, an evaluation of the risk to traffic safety reasonably related to such defect, and a statement of the measures to be taken to repair such defect.

(d) Every manufacturer of motor vehicles shall furnish to the Secretary a true or representative copy of all notices, bulletins, and other communications to the dealers of such manufacturer or purchasers of motor vehicles or motor vehicle equipment of such manufacturer regarding any defect in such vehicle or equipment sold or serviced by such dealer. The Secretary shall disclose so much of the information contained in such notice or other information obtained under section 112(a) to the public as he deems will assist in carrying out the purposes of this Act, but he shall not disclose any information which contains or relates to a trade secret or other matter referred to in section 1905 of title 18 of the United States Code unless he determines that it is necessary to carry out the purposes of this Act.

62 Stat. 791.

(e) If through testing, inspection, investigation, or research carried out pursuant to this title, or examination of reports pursuant to subsection (d) of this section, or otherwise, the Secretary determines that any motor vehicle or item of motor vehicle equipment—

(1) does not comply with an applicable Federal motor vehicle safety standard prescribed pursuant to section 103; or

(2) contains a defect which relates to motor vehicle safety;

then he shall immediately notify the manufacturer of such motor vehicle or item of motor vehicle equipment of such defect or failure to comply. The notice shall contain the findings of the Secretary and shall include all information upon which the findings are based. The Secretary shall afford such manufacturer an opportunity to present his views and evidence in support thereof, to establish that there is no failure of compliance or that the alleged defect does not affect motor vehicle safety. If after such presentation by the manufacturer the Secretary determines that such vehicle or item of equipment does not comply with applicable Federal motor vehicle safety standards, or contains a defect which relates to motor vehicle safety, the Secretary shall direct the manufacturer to furnish the notification specified in subsection (c) of this section to the purchaser of such motor vehicle or item of motor vehicle equipment as provided in subsections (a) and (b) of this section.

Certification of vehicle or equipment.

SEC. 114. Every manufacturer or distributor of a motor vehicle or motor vehicle equipment shall furnish to the distributor or dealer at the time of delivery of such vehicle or equipment by such manufacturer or distributor the certification that each such vehicle or item of motor vehicle equipment conforms to all applicable Federal motor vehicle safety standards. In the case of an item of motor vehicle equipment

such certification may be in the form of a label or tag on such item or on the outside of a container in which such item is delivered. In the case of a motor vehicle such certification shall be in the form of a label or tag permanently affixed to such motor vehicle.

SEC. 115. The Secretary shall carry out the provisions of this Act through a National Traffic Safety Agency (hereinafter referred to as the "Agency"), which he shall establish in the Department of Commerce. The Agency shall be headed by a Traffic Safety Administrator who shall be appointed by the President, by and with the advice and consent of the Senate, and shall be compensated at the rate prescribed for level V of the Federal Executive Salary Schedule established by the Federal Executive Salary Act of 1964. The Administrator shall be a citizen of the United States, and shall be appointed with due regard for his fitness to discharge efficiently the powers and the duties delegated to him pursuant to this Act. The Administrator shall perform such duties as are delegated to him by the Secretary.

National Traffic  
Safety Agency,  
establishment.

78 Stat. 419.  
5 USC 2211.

SEC. 116. Nothing contained herein shall be deemed to exempt from the antitrust laws of the United States any conduct that would otherwise be unlawful under such laws, or to prohibit under the antitrust laws of the United States any conduct that would be lawful under such laws.

SEC. 117. (a) The Act entitled "An Act to provide that hydraulic brake fluid sold or shipped in commerce for use in motor vehicles shall meet certain specifications prescribed by the Secretary of Commerce", approved September 5, 1962 (76 Stat. 437; Public Law 87-637), and the Act entitled "An Act to provide that seat belts sold or shipped in interstate commerce for use in motor vehicles shall meet certain safety standards", approved December 13, 1963 (77 Stat. 361; Public Law 88-201), are hereby repealed.

Repeals.  
Brake fluid.

15 USC 1301-  
1303.  
Seat belts.

15 USC 1321-  
1323.

(b) Whoever, prior to the date of enactment of this section, knowingly and willfully violates any provision of law repealed by subsection (a) of this section, shall be punished in accordance with the provisions of such laws as in effect on the date such violation occurred.

(c) All standards issued under authority of the laws repealed by subsection (a) of this section which are in effect at the time this section takes effect, shall continue in effect as if they had been effectively issued under section 103 until amended or revoked by the Secretary, or a court of competent jurisdiction by operation of law.

(d) Any proceeding relating to any provision of law repealed by subsection (a) of this section which is pending at the time this section takes effect shall be continued by the Secretary as if this section had not been enacted, and orders issued in any such proceeding shall continue in effect as if they had been effectively issued under section 103 until amended or revoked by the Secretary in accordance with this title, or by operation of law.

(e) The repeals made by subsection (a) of this section shall not affect any suit, action, or other proceeding lawfully commenced prior to the date this section takes effect, and all such suits, actions, and proceedings, shall be continued, proceedings therein had, appeals therein taken, and judgments therein rendered, in the same manner and with the same effect as if this section had not been enacted. No suit, action, or other proceeding lawfully commenced by or against any agency or officer of the United States in relation to the discharge of official duties under any provision of law repealed by subsection (a) of this section shall abate by reason of such repeal, but the court, upon motion or supplemental petition filed at any time within 12 months after the date of enactment of this section showing the necessity for the survival of such suit, action, or other proceeding to obtain

Savings provi-  
sion.

a settlement of the questions involved, may allow the same to be maintained.

SEC. 118. The Secretary, in exercising the authority under this title, shall utilize the services, research and testing facilities of public agencies to the maximum extent practicable in order to avoid duplication.

Regulations.

SEC. 119. The Secretary is authorized to issue, amend, and revoke such rules and regulations as he deems necessary to carry out this title.

Report to Congress.

SEC. 120. (a) The Secretary shall prepare and submit to the President for transmittal to the Congress on March 1 of each year a comprehensive report on the administration of this Act for the preceding calendar year. Such report shall include but not be restricted to (1) a thorough statistical compilation of the accidents and injuries occurring in such year; (2) a list of Federal motor vehicle safety standards prescribed or in effect in such year; (3) the degree of observance of applicable Federal motor vehicle standards; (4) a summary of all current research grants and contracts together with a description of the problems to be considered by such grants and contracts; (5) an analysis and evaluation, including relevant policy recommendations, of research activities completed and technological progress achieved during such year; and (6) the extent to which technical information was disseminated to the scientific community and consumer-oriented information was made available to the motoring public.

(b) The report required by subsection (a) of this section shall contain such recommendations for additional legislation as the Secretary deems necessary to promote cooperation among the several States in the improvement of traffic safety and to strengthen the national traffic safety program.

Appropriations.

SEC. 121. (a) There is authorized to be appropriated for the purpose of carrying out the provisions of this title, other than those related to tire safety, not to exceed \$11,000,000 for fiscal year 1967, \$17,000,000 for fiscal year 1968, and \$23,000,000 for the fiscal year 1969.

(b) There is authorized to be appropriated for the purpose of carrying out the provisions of this title related to tire safety and title II, not to exceed \$2,900,000 for fiscal year 1967, and \$1,450,000 per fiscal year for the fiscal years 1968 and 1969.

Effective date.

SEC. 122. The provisions of this title for certification of motor vehicles and items of motor vehicle equipment shall take effect on the effective date of the first standard actually issued under section 103 of this title.

## TITLE II—TIRE SAFETY

Labeling.

SEC. 201. In all standards for pneumatic tires established under title I of this Act, the Secretary shall require that tires subject thereto be permanently and conspicuously labeled with such safety information as he determines to be necessary to carry out the purposes of this Act. Such labeling shall include—

(1) suitable identification of the manufacturer, or in the case of a retreaded tire suitable identification of the retreader, unless the tire contains a brand name other than the name of the manufacturer in which case it shall also contain a code mark which would permit the seller of such tire to identify the manufacturer thereof to the purchaser upon his request.

(2) the composition of the material used in the ply of the tire.

(3) the actual number of plies in the tire.

(4) the maximum permissible load for the tire.

(5) a recital that the tire conforms to Federal minimum safe performance standards, except that in lieu of such recital the Secretary may prescribe an appropriate mark or symbol for use by those manufacturers or retreaders who comply with such standards.

The Secretary may require that additional safety related information be disclosed to the purchaser of a tire at the time of sale of the tire.

SEC. 202. In standards established under title I of this Act the Secretary shall require that each motor vehicle be equipped by the manufacturer or by the purchaser thereof at the time of the first purchase thereof in good faith for purposes other than resale with tires which meet the maximum permissible load standards when such vehicle is fully loaded with the maximum number of passengers it is designed to carry and a reasonable amount of luggage.

SEC. 203. In order to assist the consumer to make an informed choice in the purchase of motor vehicle tires, within two years after the enactment of this title, the Secretary shall, through standards established under title I of this Act, prescribe by order, and publish in the Federal Register, a uniform quality grading system for motor vehicle tires. Such order shall specify the date such system is to take effect which shall not be sooner than one hundred and eighty days or later than one year from the date such order is issued, unless the Secretary finds, for good cause shown, that an earlier or later effective date is in the public interest, and publishes his reasons for such finding. The Secretary shall also cooperate with industry and the Federal Trade Commission to the maximum extent practicable in efforts to eliminate deceptive and confusing tire nomenclature and marketing practices.

Tire standards.

Publication in  
Federal Register.

SEC. 204. (a) No person shall sell, offer for sale, or introduce for sale or deliver for introduction in interstate commerce, any tire or motor vehicle equipped with any tire which has been regrooved, except that the Secretary may by order permit the sale of regrooved tires and motor vehicles equipped with regrooved tires which he finds are designed and constructed in a manner consistent with the purposes of this Act.

(b) Violations of this section shall be subject to civil penalties and injunction in accordance with sections 109 and 110 of this Act.

(c) For the purposes of this section the term "regrooved tire" means a tire on which a new tread has been produced by cutting into the tread of a worn tire.

"Regrooved  
tire."

SEC. 205. In the event of any conflict between the requirements of orders or regulations issued by the Secretary under this title and title I of this Act applicable to motor vehicle tires and orders or administrative interpretations issued by the Federal Trade Commission, the provisions of orders or regulations issued by the Secretary shall prevail.

### TITLE III—ACCIDENT AND INJURY RESEARCH AND TEST FACILITY

SEC. 301. The Secretary of Commerce is hereby authorized to make a complete investigation and study of the need for a facility or facilities to conduct research, development, and testing in traffic safety (including but not limited to motor vehicle and highway safety) authorized by law, and research, development, and testing relating to the safety of machinery used on highways or in connection with the maintenance of highways (with particular emphasis on tractor safety) as he deems appropriate and necessary.

SEC. 302. The Secretary shall report the results of his investigation and study to Congress not later than December 31, 1967. Such report shall include but not be limited to (1) an inventory of existing capabilities, equipment, and facilities, either publicly or privately owned or operated, which could be made available for use by the Secretary in carrying out the safety research, development, and testing referred to

Report to  
Congress.

in section 301, (2) recommendations as to the site or sites for any recommended facility or facilities, (3) preliminary plans, specifications, and drawings for such recommended facility or facilities (including major research, development, and testing equipment), and (4) the estimated cost of the recommended sites, facilities, and equipment.

Appropriation.

SEC. 303. There is hereby authorized to be appropriated not to exceed \$3,000,000 for the investigation, study, and report authorized by this title. Any funds so appropriated shall remain available until expended.

#### TITLE IV—NATIONAL DRIVER REGISTER

SEC. 401. The Act entitled "An Act to provide for a register in the Department of Commerce in which shall be listed the names of certain persons who have had their motor vehicle operator's licenses revoked", approved July 14, 1960, as amended (74 Stat. 526; 23 U.S.C. 313 note), is hereby amended to read as follows: "That the Secretary of Commerce shall establish and maintain a register identifying each individual reported to him by a State, or political subdivision thereof, as an individual with respect to whom such State or political subdivision has denied, terminated, or temporarily withdrawn (except a withdrawal for less than six months based on a series of nonmoving violations) an individual's license or privilege to operate a motor vehicle.

"SEC. 2. Only at the request of a State, a political subdivision thereof, or a Federal department or agency, shall the Secretary furnish information contained in the register established under the first section of this Act, and such information shall be furnished only to the requesting party and only with respect to an individual applicant for a motor vehicle operator's license or permit.

"SEC. 3. As used in this Act, the term 'State' includes each of the several States, the Commonwealth of Puerto Rico, the District of Columbia, Guam, the Virgin Islands, the Canal Zone, and American Samoa."

Approved September 9, 1966, 1:10 p.m.

## Public Law 89-564

## AN ACT

September 9, 1966  
[S. 3052]

To provide for a coordinated national highway safety program through financial assistance to the States to accelerate highway traffic safety programs, and for other purposes.

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

## TITLE I—HIGHWAY SAFETY

Highway Safety  
Act of 1966.

72 Stat. 885.

SEC. 101. Title 23, United States Code, is hereby amended by adding at the end thereof a new chapter:

## "Chapter 4.—HIGHWAY SAFETY

"Sec.

"401. Authority of the Secretary.

"402. Highway safety programs.

"403. Highway safety research and development.

"404. National Highway Safety Advisory Committee.

## "§ 401. Authority of the Secretary

"The Secretary is authorized and directed to assist and cooperate with other Federal departments and agencies, State and local governments, private industry, and other interested parties, to increase highway safety.

## "§ 402. Highway safety programs

"(a) Each State shall have a highway safety program approved by the Secretary, designed to reduce traffic accidents and deaths, injuries, and property damage resulting therefrom. Such programs shall be in accordance with uniform standards promulgated by the Secretary. Such uniform standards shall be expressed in terms of performance criteria. Such uniform standards shall be promulgated by the Secretary so as to improve driver performance (including, but not limited to, driver education, driver testing to determine proficiency to operate motor vehicles, driver examinations (both physical and mental) and driver licensing) and to improve pedestrian performance. In addition such uniform standards shall include, but not be limited to, provisions for an effective record system of accidents (including injuries and deaths resulting therefrom), accident investigations to determine the probable causes of accidents, injuries, and deaths, vehicle registration, operation, and inspection, highway design and maintenance (including lighting, markings, and surface treatment), traffic control, vehicle codes and laws, surveillance of traffic for detection and correction of high or potentially high accident locations, and emergency services. Such standards as are applicable to State highway safety programs shall, to the extent determined appropriate by the Secretary, be applicable to federally administered areas where a Federal department or agency controls the highways or supervises traffic operations. The Secretary shall be authorized to amend or waive standards on a temporary basis for the purpose of evaluating new or different highway safety programs instituted on an experimental, pilot, or demonstration basis by one or more States, where the Secretary finds that the public interest would be served by such amendment or waiver.

Uniform stand-  
ards.

"(b) (1) The Secretary shall not approve any State highway safety program under this section which does not—

"(A) provide that the Governor of the State shall be responsible for the administration of the program.

"(B) authorize political subdivisions of such State to carry out local highway safety programs within their jurisdictions as a

part of the State highway safety program if such local highway safety programs are approved by the Governor and are in accordance with the uniform standards of the Secretary promulgated under this section.

“(C) provide that at least 40 per centum of all Federal funds apportioned under this section to such State for any fiscal year will be expended by the political subdivisions of such State in carrying out local highway safety programs authorized in accordance with subparagraph (B) of this paragraph.

“(D) provide that the aggregate expenditure of funds of the State and political subdivisions thereof, exclusive of Federal funds, for highway safety programs will be maintained at a level which does not fall below the average level of such expenditures for its last two full fiscal years preceding the date of enactment of this section.

“(E) provide for comprehensive driver training programs, including (1) the initiation of a State program for driver education in the school systems or for a significant expansion and improvement of such a program already in existence, to be administered by appropriate school officials under the supervision of the Governor as set forth in subparagraph (A) of this paragraph; (2) the training of qualified school instructors and their certification; (3) appropriate regulation of other driver training schools, including licensing of the schools and certification of their instructors; (4) adult driver training programs, and programs for the retraining of selected drivers; and (5) adequate research, development and procurement of practice driving facilities, simulators, and other similar teaching aids for both school and other driver training use.

“(2) The Secretary is authorized to waive the requirement of subparagraph (C) of paragraph (1) of this subsection, in whole or in part, for a fiscal year for any State whenever he determines that there is an insufficient number of local highway safety programs to justify the expenditure in such State of such percentage of Federal funds during such fiscal year.

Use of funds.

“(c) Funds authorized to be appropriated to carry out this section shall be used to aid the States to conduct the highway safety programs approved in accordance with subsection (a), shall be subject to a deduction not to exceed 5 per centum for the necessary costs of administering the provisions of this section, and the remainder shall be apportioned among the several States. For the fiscal years ending June 30, 1967, June 30, 1968, and June 30, 1969, such funds shall be apportioned 75 per centum on the basis of population and 25 per centum as the Secretary in his administrative discretion may deem appropriate and thereafter such funds shall be apportioned as Congress, by law enacted hereafter, shall provide. On or before January 1, 1969, the Secretary shall report to Congress his recommendations with respect to a nondiscretionary formula for apportionment of funds authorized to carry out this section for the fiscal year ending June 30, 1970, and fiscal years thereafter. After December 31, 1968, the Secretary shall not apportion any funds under this subsection to any State which is not implementing a highway safety program approved by the Secretary in accordance with this section. Federal aid highway funds apportioned on or after January 1, 1969, to any State which is not implementing a highway safety program approved by the Secretary in accordance with this section shall be reduced by amounts equal to 10 per centum of the amounts which would otherwise be apportioned to such State under section 104 of this title, until

such time as such State is implementing an approved highway safety program. Whenever he determines it to be in the public interest, the Secretary may suspend, for such periods as he deems necessary, the application of the preceding sentence to a State. Any amount which is withheld from apportionment to any State under this section shall be reapportioned to the other States in accordance with the applicable provisions of law.

“(d) All provisions of chapter 1 of this title that are applicable to Federal-aid primary highway funds other than provisions relating to the apportionment formula and provisions limiting the expenditure of such funds to the Federal-aid systems, shall apply to the highway safety funds authorized to be appropriated to carry out this section, except as determined by the Secretary to be inconsistent with this section. In applying such provisions of chapter 1 in carrying out this section the term ‘State highway department’ as used in such provisions shall mean the Governor of a State for the purposes of this section.

“(e) Uniform standards promulgated by the Secretary to carry out this section shall be developed in cooperation with the States, their political subdivisions, appropriate Federal departments and agencies, and such other public and private organizations as the Secretary deems appropriate.

“(f) The Secretary may make arrangements with other Federal departments and agencies for assistance in the preparation of uniform standards for the highway safety programs contemplated by subsection (a) and in the administration of such programs. Such departments and agencies are directed to cooperate in such preparation and administration, on a reimbursable basis.

“(g) Nothing in this section authorizes the appropriation or expenditure of funds for (1) highway construction, maintenance, or design (other than design of safety features of highways to be incorporated into standards) or (2) any purpose for which funds are authorized by section 403 of this title.

#### “§ 403. Highway safety research and development

“The Secretary is authorized to use funds appropriated to carry out this section to carry out safety research which he is authorized to conduct by subsection (a) of section 307 of this title. In addition, the Secretary may use the funds appropriated to carry out this section, either independently or in cooperation with other Federal departments or agencies, for (1) grants to State or local agencies, institutions, and individuals for training or education of highway safety personnel, (2) research fellowships in highway safety, (3) development of improved accident investigation procedures, (4) emergency service plans, (5) demonstration projects, and (6) related activities which are deemed by the Secretary to be necessary to carry out the purposes of this section.

#### “§ 404. National Highway Safety Advisory Committee

“(a) (1) There is established in the Department of Commerce a National Highway Safety Advisory Committee, composed of the Secretary or an officer of the Department appointed by him, who shall be chairman, the Federal Highway Administrator, and twenty-nine members appointed by the President, no more than four of whom shall be Federal officers or employees. The appointed members, having due regard for the purposes of this chapter, shall be selected from among representatives of various State and local governments, including State legislatures, of public and private interests contributing to,

affected by, or concerned with highway safety, and of other public and private agencies, organizations, or groups demonstrating an active interest in highway safety, as well as research scientists and other individuals who are expert in this field.

“(2) (A) Each member appointed by the President shall hold office for a term of three years, except that (i) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (ii) the terms of office of members first taking office after the date of enactment of this section shall expire as follows: ten at the end of one year after such date, ten at the end of two years after such date, and nine at the end of three years after such date, as designated by the President at the time of appointment, and (iii) the term of any member shall be extended until the date on which the successor’s appointment is effective. None of the members appointed by the President other than Federal officers or employees shall be eligible for reappointment within one year following the end of his preceding term.

Pay.

“(B) Members of the Committee who are not officers or employees of the United States shall, while attending meetings or conferences of such Committee or otherwise engaged in the business of such Committee, be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding \$100 per diem, including traveltime, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized in section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in the Government service employed intermittently. Payments under this section shall not render members of the Committee employees or officials of the United States for any purpose.

60 Stat. 808;  
75 Stat. 339, 340.

“(b) The National Highway Safety Advisory Committee shall advise, consult with, and make recommendations to, the Secretary on matters relating to the activities and functions of the Department in the field of highway safety. The Committee is authorized (1) to review research projects or programs submitted to or recommended by it in the field of highway safety and recommend to the Secretary, for prosecution under this title, any such projects which it believes show promise of making valuable contributions to human knowledge with respect to the cause and prevention of highway accidents; and (2) to review, prior to issuance, standards proposed to be issued by order of the Secretary under the provisions of section 402(a) of this title and to make recommendations thereon. Such recommendations shall be published in connection with the Secretary’s determination or order.

“(c) The National Highway Safety Advisory Committee shall meet from time to time as the Secretary shall direct, but at least once each year.

“(d) The Secretary shall provide to the National Highway Safety Committee from among the personnel and facilities of the Department of Commerce such staff and facilities as are necessary to carry out the functions of such Committee.”

Repeal.

SEC. 102. (a) Sections 135 and 313 of title 23 of the United States Code are hereby repealed.

(b) (1) The analysis of chapter 1 of title 23, United States Code, is hereby amended by deleting:

“135. Highway safety programs.”

(2) The analysis of chapter 3 of title 23, United States Code, is hereby amended by deleting:

“313. Highway safety conference.”

(3) There is hereby added at the end of the table of chapters at the beginning of title 23, United States Code, the following:

“4. Highway safety----- 401”.

SEC. 103. Section 307 of title 23, United States Code, is amended (1) by inserting in subsection (a) thereof immediately after “section 104 of this title” the following: “, funds authorized to carry out section 403 of this title,” and (2) by adding at the end of such section the following new subsection:

“(d) As used in this section the term ‘safety’ includes, but is not limited to, highway safety systems, research, and development relating to vehicle, highway, and driver characteristics, accident investigations, communications, emergency medical care, and transportation of the injured.”

“Safety.”

SEC. 104. For the purpose of carrying out section 402 of title 23, United States Code, there is hereby authorized to be appropriated the sum of \$67,000,000 for the fiscal year ending June 30, 1967; \$100,000,000 for the fiscal year ending June 30, 1968; and \$100,000,000 for the fiscal year ending June 30, 1969.

Appropriations.

SEC. 105. For the purpose of carrying out sections 307(a) and 403 of title 23, United States Code, there is hereby authorized to be appropriated the additional sum of \$10,000,000 for the fiscal year ending June 30, 1967; \$20,000,000 for the fiscal year ending June 30, 1968; and \$25,000,000 for the fiscal year ending June 30, 1969.

SEC. 106. All facts contained in any report of any Federal department or agency or any officer, employee, or agent thereof, relating to any highway traffic accident or the investigation thereof conducted pursuant to chapter 4 of title 23 of the United States Code shall be available for use in any civil, criminal, or other judicial proceeding arising out of such accident, and any such officer, employee, or agent may be required to testify in such proceedings as to the facts developed in such investigation. Any such report shall be made available to the public in a manner which does not identify individuals. All completed reports on research projects, demonstration projects, and other related activities conducted under sections 307 and 403 of title 23, United States Code, shall be made available to the public in a manner which does not identify individuals.

Reports of highway traffic accidents.

## TITLE II—ADMINISTRATION AND REPORTING

SEC. 201. The Secretary shall carry out the provisions of the Highway Safety Act of 1966 (including chapter 4 of title 23 of the United States Code) through a National Highway Safety Agency (hereinafter referred to as the “Agency”), which he shall establish in the Department of Commerce. The Agency shall be headed by an Administrator who shall be appointed by the President, by and with the advice and consent of the Senate, who shall be compensated at the rate prescribed for level V of the Federal Executive Salary Schedule established by the Federal Executive Salary Act of 1964. The Administrator shall be a citizen of the United States, and shall be appointed with due regard for his fitness to discharge efficiently the powers and the duties delegated to him. The Administrator shall have

National Highway Safety Agency.

78 Stat. 419.  
5 USC 2211.

no pecuniary interest in or own any stock in or bonds of any enterprise involved in (1) manufacturing motor vehicles or motor vehicle equipment, or (2) constructing highways, nor shall he engage in any other business, vocation, or employment. The Administrator shall perform such duties as are delegated to him by the Secretary. On highway matters the Administrator shall consult with the Federal Highway Administrator. The President is authorized to carry out the provisions of the National Traffic and Motor Vehicle Safety Act of 1966 through the Agency and Administrator authorized by this section.

*Ante*, p. 718.

Report to President and Congress.

SEC. 202. (a) The Secretary shall prepare and submit to the President for transmittal to the Congress on March 1 of each year a comprehensive report on the administration of the Highway Safety Act of 1966 (including chapter 4 of title 23 of the United States Code) for the preceding calendar year. Such report should include but not be restricted to (1) a thorough statistical compilation of the accidents and injuries occurring in such year; (2) a list of all safety standards issued or in effect in such year; (3) the scope of observance of applicable Federal standards; (4) a statement of enforcement actions including judicial decisions, settlements, or pending litigation during the year; (5) a summary of all current research grants and contracts together with a description of the problems to be considered by such grants and contracts; (6) an analysis and evaluation of completed research activities and technological progress achieved during such year together with the relevant policy recommendations flowing therefrom; (7) the effectiveness of State highway safety programs (including local highway safety programs) and (8) the extent to which technical information was being disseminated to the scientific community and consumer-oriented material was made available to the motoring public.

Recommendations for additional legislation.

(b) The annual report shall also contain such recommendations for additional legislation as the Secretary deems necessary to promote cooperation among the several States in the improvement of highway safety and to strengthen the national highway safety program.

Report to Congress.

SEC. 203. The Secretary of Commerce shall report to Congress, not later than July 1, 1967, all standards to be initially applied in carrying out section 402 of title 23 of the United States Code.

Effect of alcohol on highway safety and drivers, study.

SEC. 204. The Secretary of Commerce shall make a thorough and complete study of the relationship between the consumption of alcohol and its effect upon highway safety and drivers of motor vehicles, in consultation with such other government and private agencies as may be necessary. Such study shall cover review and evaluation of State and local laws and enforcement methods and procedures relating to driving under the influence of alcohol, State and local programs for the treatment of alcoholism, and such other aspects of this overall problem as may be useful. The results of this study shall be reported to the Congress by the Secretary on or before July 1, 1967, and shall include recommendations for legislation if warranted.

SEC. 205. The Federal Highway Administrator and any other officer who may subsequent to the date of enactment of this Act become the operating head of the Bureau of Public Roads shall receive compensation at the rate prescribed for level IV of the Federal Executive Salary Schedule established by the Federal Executive Salary Act of 1964.

SEC. 206. Section 105 of title 23, United States Code, is hereby amended by adding the following subsection at the end thereof:

“(e) In approving programs for projects on the Federal-aid systems pursuant to chapter 1 of this title, the Secretary shall give priority to those projects which incorporate improved standards and features with safety benefits.”

78 Stat. 419.  
5 USC 2211.

Priority projects.

SEC. 207. In order to provide the basis for evaluating the continuing programs authorized by this Act, and to furnish the Congress with the information necessary for authorization of appropriations for fiscal years beginning after June 30, 1969, the Secretary, in cooperation with the Governors or the appropriate State highway safety agencies, shall make a detailed estimate of the cost of carrying out the provisions of this Act. The Secretary shall submit such detailed estimate and recommendations for Federal, State, and local matching funds to the Congress not later than January 10, 1968.

Estimate of  
cost.

SEC. 208. This Act may be cited as the "Highway Safety Act of 1966".

Short title.

Approved September 9, 1966, 1:11 p.m.

Public Law 89-565

AN ACT

September 9, 1966  
[S. 489]

To authorize the establishment of the San Juan Island National Historical Park in the State of Washington, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is authorized to acquire on behalf of the United States by donation, purchase with donated or appropriated funds, or by exchange, lands, interests in lands, and such other property on San Juan Island, Puget Sound, State of Washington, as the Secretary may deem necessary for the purpose of interpreting and preserving the sites of the American and English camps on the island, and of commemorating the historic events that occurred from 1853 to 1871 on the island in connection with the final settlement of the Oregon Territory boundary dispute, including the so-called Pig War of 1859. Lands or interests therein owned by the State of Washington or a political subdivision thereof may be acquired only by donation.

San Juan Island  
National Histori-  
cal Park, Wash.  
Establishment.

SEC. 2. The property acquired under the provisions of the first section of this Act shall be known as the San Juan Island National Historical Park and shall commemorate the final settlement by arbitration of the Oregon boundary dispute and the peaceful relationship which has existed between the United States and Canada for generations. The Secretary of the Interior shall administer, protect, and develop such park in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented, and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.).

SEC. 3. The Secretary of the Interior may enter into cooperative agreements with the State of Washington, political subdivisions thereof, corporations, associations, or individuals, for the preservation of nationally significant historic sites and structures and for the interpretation of significant events which occurred on San Juan Island, in Puget Sound, and on the nearby mainland, and he may erect and maintain tablets or markers at appropriate sites in accordance with the provisions of the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.).

Administration.

SEC. 4. There are hereby authorized to be appropriated such sums, but not more than \$3,542,000 for the acquisition of lands and interests therein and for the development of the San Juan National Historical Park.

Appropriation.

Approved September 9, 1966.

## Public Law 89-566

## AN ACT

September 10, 1966  
[S. 3688]

To stimulate the flow of mortgage credit for Federal Housing Administration and Veterans' Administration assisted residential construction.

Housing.  
Mortgage credit  
stimulation.  
68 Stat. 615.  
12 USC 1719.  
12 USC 1718.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 304(b) of the National Housing Act is amended by striking out "ten times the sum" and inserting in lieu thereof "fifteen times the sum".

SEC. 2. (a) The second sentence of section 303(d) of the National Housing Act is amended by striking out "\$115,000,000" and inserting in lieu thereof "\$225,000,000".

(b) The second sentence of section 303(e) of such Act is amended by striking out "\$115,000,000" and inserting in lieu thereof "\$225,000,000".

72 Stat. 74.  
12 USC 1720.

SEC. 3. Section 305(g) of the National Housing Act is amended to read as follows:

"(g) With a view to further carrying out the purposes set forth in section 301(b), and notwithstanding any other provision of this Act, the Association is authorized to make commitments to purchase and to purchase, service, or sell any mortgages which are insured under title II of this Act or guaranteed under chapter 37 of title 38, United States Code, if the original principal obligation of any such mortgage does not exceed \$15,000: *Provided*, That the Association is authorized to increase the foregoing amount for single family dwellings to not more than \$17,500 (\$22,500 in Alaska, Guam, or Hawaii) in any geographical area where the Secretary finds that cost levels so require. The total amount of such purchases and commitments made after August 1, 1966, shall not exceed \$1,000,000,000 outstanding at any one time, and no such commitment shall be made unless the applicant therefor certifies that construction of the housing to be covered by the mortgage has not commenced. For the purposes of this subsection, \$500,000,000 of the authority hereinabove provided shall be transferred from the amount of outstanding authority specified in subsection (c), and the amount of outstanding authority so specified shall be reduced by the amount so transferred."

12 USC 1716.

12 USC 1707-  
1715y.  
72 Stat. 1203.  
38 USC 1801.

Approved September 10, 1966.

## Public Law 89-567

## AN ACT

September 10, 1966  
[H. R. 13703]

To make technical amendments to titles 19 and 20 of the District of Columbia Code.

D. C.  
Decedents'  
estates, adminis-  
tration.  
79 Stat. 698.  
79 Stat. 733.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 19-308 of the District of Columbia Code is amended by striking out "survivors" and inserting in lieu thereof "survivor".

SEC. 2. Section 20-2301(b) of the District of Columbia Code is amended by striking out "The United States attorney for the District of Columbia" and inserting in lieu thereof "The Corporation Counsel of the District of Columbia".

Approved September 10, 1966.

## Public Law 89-568

## AN ACT

September 12, 1966  
[S. 3105]

To authorize certain construction at military installations, and for other purposes.

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

Military Construction Authorization Act, 1967.

## TITLE I

SEC. 101. The Secretary of the Army may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparations, appurtenances, utilities, and equipment for the following projects:

Army.

## INSIDE THE UNITED STATES

## UNITED STATES CONTINENTAL ARMY COMMAND

## (First Army)

Fort Devens, Massachusetts: Troop housing, \$7,117,000.  
 Fort Dix, New Jersey: Training facilities, \$1,914,000.  
 Fort Eustis, Virginia: Training facilities, maintenance facilities, and troop housing, \$957,000.  
 Fort Knox, Kentucky: Training facilities, \$2,470,000.  
 United States Military Academy, West Point, New York: Training facilities, storage facilities, and utilities, \$2,451,000.

## (Third Army)

Armed Forces Examining Entrance Station, Montgomery, Alabama: Administrative facilities, \$235,000.  
 Fort Campbell, Kentucky: Operational facilities, \$355,000.  
 Fort Gordon, Georgia: Troop housing, \$12,630,000.  
 Fort Jackson, South Carolina: Training facilities, and utilities, \$4,072,000.  
 Fort Rucker, Alabama: Operational facilities, \$318,000.

## (Fourth Army)

Fort Bliss, Texas: Maintenance facilities, and research, development, and test facilities, \$1,636,000.  
 Fort Chaffee, Arkansas: Utilities, \$225,000.  
 Fort Hood, Texas: Training facilities, and utilities, \$1,871,000.  
 Fort Polk, Louisiana: Training facilities, \$861,000.  
 Fort Wolters, Texas: Training facilities, \$1,026,000.

## (Fifth Army)

Fort Riley, Kansas: Troop housing, \$3,100,000.

## (Sixth Army)

Fort Ord, California: Training facilities, \$596,000.

## UNITED STATES ARMY MATERIEL COMMAND

Atlanta Army Depot, Georgia: Utilities, \$237,000.  
 Charleston Army Depot, South Carolina: Utilities, \$200,000.  
 Edgewood Arsenal, Maryland: Research, development, and test facilities, and utilities, \$3,293,000.  
 Frankford Arsenal, Pennsylvania: Supply facilities, \$249,000.  
 Natick Laboratories, Massachusetts: Research, development, and test facilities, \$109,000.  
 Picatinny Arsenal, New Jersey: Research, development, and test facilities, \$620,000.  
 Redstone Arsenal, Alabama: Research, development, and test facilities, \$600,000.  
 Rock Island Arsenal, Illinois: Research, development, and test facilities, \$3,246,000.  
 Sharpe Army Depot, California: Maintenance facilities, \$158,000.  
 Watervliet Arsenal, New York: Research, development, and test facilities, \$955,000.  
 White Sands Missile Range, New Mexico: Research, development, and test facilities, \$2,336,000.

## UNITED STATES ARMY SECURITY AGENCY

Vint Hill Farms Station, Virginia: Operational facilities, \$145,000.

## UNITED STATES ARMY STRATEGIC COMMUNICATIONS COMMAND

Fort Lewis, Washington: Maintenance facilities, \$916,000.  
 Fort Ritchie, Maryland: Utilities, \$397,000.

## UNITED STATES ARMY ALASKA

Fort Richardson, Alaska: Operational facilities, supply facilities, and utilities, \$1,814,000.  
 Fort J. M. Wainwright, Alaska: Utilities, \$110,000.

## OUTSIDE THE UNITED STATES

## UNITED STATES ARMY PACIFIC

Okinawa: Utilities, \$619,000.

## UNITED STATES ARMY FORCES, SOUTHERN COMMAND

Panama Canal Zone: Operational facilities, and utilities, \$2,011,000.

## UNITED STATES ARMY MATERIEL COMMAND

Kwajalein Atoll: Research, development, and test facilities, \$31,333,000.

## UNITED STATES ARMY SECURITY AGENCY

Various locations: Operational facilities, maintenance facilities, supply facilities, administrative facilities, troop housing and community facilities, and utilities, \$1,970,000.

## UNITED STATES ARMY STRATEGIC COMMUNICATIONS COMMAND

Various locations: Operational facilities, \$208,000.

SEC. 102. The Secretary of the Army may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of \$33,000,000.

Establishment  
of classified in-  
stallations.

SEC. 103. The Secretary of the Army may establish or develop Army installations and facilities by proceeding with construction made necessary by changes in Army missions and responsibilities which have been occasioned by: (a) unforeseen security considerations, (b) new weapons developments, (c) new and unforeseen research and development requirements, or (d) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of \$10,000,000: *Provided*, That the Secretary of the Army, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1967, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

Construction  
for unforeseen  
requirements.

Notification of  
Committees.

SEC. 104. (a) Public Law 85-241, as amended, is amended under the heading "INSIDE THE UNITED STATES" in section 101, as follows: (1) Under the subheading "TECHNICAL SERVICES FACILITIES (Ordnance Corps)", with respect to "Anniston Ordnance Depot, Alabama", strike out "\$2,015,000" and insert in place thereof "\$2,881,000".

71 Stat. 531.

(b) Public Law 85-241, as amended, is amended by striking out in clause (1) of section 502, the amounts "\$119,330,000" and "\$296,809,000" and inserting in place thereof "\$120,196,000" and "\$297,675,000", respectively.

74 Stat. 170.

SEC. 105. (a) Public Law 87-554, as amended, is amended under the heading "INSIDE THE UNITED STATES" in section 101, as follows: (1) Under the subheading "TECHNICAL SERVICES FACILITIES (Ordnance Corps)", with respect to "Letterkenny Ordnance Depot, Pennsylvania", strike out "\$411,000" and insert in place thereof "\$466,000".

76 Stat. 224.

(b) Public Law 87-554, as amended, is amended by striking out in clause (1) of section 602 "\$102,315,000" and "\$150,824,000" and inserting in place thereof "\$102,370,000" and "\$150,879,000", respectively.

79 Stat. 796.

SEC. 106. (a) Public Law 88-174, as amended, is amended under the heading "INSIDE THE UNITED STATES" in section 101, as follows:

77 Stat. 307.

(1) Under the subheading "CONTINENTAL ARMY COMMAND (Second Army)", with respect to "Fort Belvoir, Virginia", strike out "\$1,083,000" and insert in place thereof "\$1,213,000".

77 Stat. 310.

(2) With respect to "section 102", strike out "\$8,900,000" and insert in place thereof "\$9,112,000".

(b) Public Law 88-174, as amended, is amended by striking out in clause (1) of section 602 "\$155,696,000", "\$8,900,000", and "\$200,353,000" and inserting in place thereof "\$155,826,000", "\$9,112,000", and "\$200,695,000", respectively.

77 Stat. 327;  
79 Stat. 797.

SEC. 107. (a) Public Law 88-390, as amended, is amended under the heading "INSIDE THE UNITED STATES" in section 101, as follows:

(1) Under the subheading "CONTINENTAL ARMY COMMAND (Second Army)", with respect to "Fort Belvoir, Virginia", strike out "\$3,564,000" and insert in place thereof "\$4,113,000".

(2) Under the subheading "CONTINENTAL ARMY COMMAND (Second Army)", with respect to "Carlisle Barracks, Pennsylvania", strike out "\$5,244,000" and insert in place thereof "\$5,808,000".

(3) Under the subheading "CONTINENTAL ARMY COMMAND (Second Army)", with respect to "Fort Knox, Kentucky", strike out "\$7,778,000" and insert in place thereof "\$8,566,000".

(4) Under the subheading "CONTINENTAL ARMY COMMAND (Third Army)", with respect to "Fort Benning, Georgia", strike out "\$5,452,000" and insert in place thereof "\$6,483,000".

(5) Under the subheading "CONTINENTAL ARMY COMMAND (Fifty Army)", with respect to "Fort Benjamin Harrison, Indiana", strike out "\$1,652,000" and insert in place thereof "\$1,836,000".

(6) Under the subheading "CONTINENTAL ARMY COMMAND (Sixth Army)", with respect to "Presidio of San Francisco, California", strike out "\$283,000" and insert in place thereof "\$349,000".

(7) Under the subheading "ARMY COMPONENT COMMAND (Alaska Command Area)", with respect to "Fort Richardson, Alaska", strike out "\$767,000" and insert in place thereof "\$882,000".

(b) Public Law 88-390, as amended, is amended by striking out in clause (1) of section 602, "\$249,697,000" and "\$300,758,000", and inserting "\$252,994,000" and "\$304,055,000", respectively.

SEC. 108. (a) Public Law 89-188 is amended under heading "INSIDE THE UNITED STATES" in section 101, as follows:

(1) Under the subheading "CONTINENTAL ARMY COMMAND, LESS ARMY MATERIEL COMMAND (First Army)", with respect to "Fort Devens, Massachusetts", strike out "\$11,008,000" and insert in place thereof "\$11,964,000".

(2) Under the subheading "ARMY MATERIEL COMMAND", with respect to "Jefferson Proving Ground, Indiana", strike out "\$52,000" and insert in place thereof "\$71,000".

(3) Under the subheading "ARMY MATERIEL COMMAND", with respect to "Sharpe Army Depot, California", strike out "\$175,000" and insert in place thereof "\$261,000".

(b) Public Law 89-188 is amended by striking out in clause (1) of section 602, "\$252,661,000" and "\$309,522,000", and inserting "\$253,722,000" and "\$310,583,000", respectively.

## TITLE II

SEC. 201. The Secretary of the Navy may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment for the following projects:

78 Stat. 341.

79 Stat. 797.

79 Stat. 793.

79 Stat. 795.

79 Stat. 814.

Navy.

## INSIDE THE UNITED STATES

## NAVAL SHIP SYSTEMS COMMAND

## (Naval Shipyards)

Naval Shipyard, Boston, Massachusetts: Operational facilities, \$65,000.

Naval Shipyard, Bremerton, Washington: Operational facilities, maintenance facilities, and utilities, \$1,928,000.

Naval Shipyard, Charleston, South Carolina: Maintenance facilities, \$535,000.

Naval Shipyard, Long Beach, California: Maintenance facilities, \$49,000.

Naval Shipyard, Norfolk, Virginia: Operational facilities, and maintenance facilities, \$1,628,000.

Naval Shipyard, Pearl Harbor, Oahu, Hawaii: Operational facilities, and maintenance facilities, \$940,000.

Naval Shipyard, Philadelphia, Pennsylvania: Operational facilities, and maintenance facilities, \$1,368,000.

Naval Shipyard, Portsmouth, New Hampshire: Operational facilities, and utilities, \$295,000.

Naval Shipyard, San Francisco Bay, California: Maintenance facilities at Hunters Point and on Mare Island, \$2,782,000.

## (Research, Development, Test, and Evaluation Stations)

Navy Marine Engineering Laboratory, Annapolis, Maryland: Research, development, and test facilities, \$600,000.

David Taylor Model Basin, Carderock, Maryland: Research, development, and test facilities, \$2,124,000.

## FLEET BASE FACILITIES

Naval Station, Brooklyn, New York: Operational facilities, administrative facilities, and utilities, \$1,700,000.

Naval Station, Long Beach, California: Operational facilities, and utilities, \$1,658,000.

Naval Submarine Base, New London, Connecticut: Operational facilities, and troop housing, \$2,377,000.

Headquarters Support Activity, New Orleans, Louisiana: Operational facilities, and administrative facilities, \$500,000.

Naval Station, Newport, Rhode Island: Troop housing, \$1,124,000.

Naval Station, Pearl Harbor, Oahu, Hawaii: Troop housing, \$719,000.

Naval Submarine Base, Pearl Harbor, Oahu, Hawaii: Troop housing, \$1,346,000.

Naval Station, Philadelphia, Pennsylvania: Troop housing, \$1,353,000.

## NAVAL AIR SYSTEMS COMMAND

## (Naval Air Training Stations)

Naval Auxiliary Air Station, Chase Field, Texas: Maintenance facilities, \$93,000.

Naval Air Station, Memphis, Tennessee: Training facilities, and troop housing, \$3,882,000.

Naval Air Station, Pensacola, Florida: Real estate, \$377,000.

Naval Auxiliary Air Station, Saufley Field, Florida: Utilities, \$44,000.

Naval Auxiliary Air Station, Whiting Field, Florida: Troop housing, \$800,000.

(Field Support Stations)

Naval Station, Adak, Alaska: Maintenance facilities, and utilities, \$2,440,000.

Naval Air Station, Albany, Georgia: Operational and training facilities, and maintenance facilities, \$2,100,000.

Naval Air Station, Cecil Field, Florida: Maintenance facilities, and troop housing, \$619,000.

Naval Air Station, Jacksonville, Florida: Operational facilities, and maintenance facilities, \$1,706,000.

Naval Air Station, Lakehurst, New Jersey: Maintenance facilities, \$69,000.

Naval Air Station, Lemoore, California: Maintenance facilities, and utilities, \$251,000.

Naval Station, Mayport, Florida: Troop housing, \$280,000.

Naval Air Station, Norfolk, Virginia: Maintenance facilities, \$2,512,000.

Naval Air Station, North Island, California: Troop housing, \$1,920,000.

Naval Air Station, Oceana, Virginia: Operational and training facilities, maintenance facilities, and troop housing, \$1,466,000.

Naval Auxiliary Air Station, Ream Field, California: Operational facilities, maintenance facilities, and ground improvements, \$1,816,000.

Naval Air Station, Whidbey Island, Washington: Medical facilities, \$1,674,000.

(Marine Corps Air Stations)

Marine Corps Air Station, Beaufort, South Carolina: Supply facilities, \$491,000.

Marine Corps Air Station, Cherry Point, North Carolina: Training facilities, and maintenance facilities, \$572,000.

Marine Corps Air Facility, New River, North Carolina: Troop housing, \$486,000.

Marine Corps Air Facility, Santa Ana, California: Operational facilities, \$406,000.

(Research, Development, Test, and Evaluation Stations)

Naval Ordnance Test Station, China Lake, California: Research, development, and test facilities, \$198,000.

Naval Ordnance Laboratory, Corona, California: Research, development, and test facilities, \$743,000.

Naval Aerospace Recovery Facility, El Centro, California: Research, development, and test facilities, \$430,000.

Naval Air Test Center, Patuxent River, Maryland: Maintenance facilities, and supply facilities, \$283,000.

Pacific Missile Range, Point Mugu, California: Research, development, and test facilities on San Nicolas Islands, \$343,000.

NAVAL ORDNANCE SYSTEMS COMMAND

(Fleet Readiness Stations)

Naval Ammunition Depot, Bangor, Washington: Operational facilities, \$189,000.

Naval Weapons Station, Charleston, South Carolina: Maintenance facilities, \$260,000.

Naval Propellant Plant, Indian Head, Maryland: Production facilities, \$97,000.

Naval Torpedo Station, Keyport, Washington: Maintenance facilities, \$1,274,000.

(Research, Development, Test, and Evaluation Stations)

Naval Underwater Ordnance Station, Newport, Rhode Island: Utilities and ground improvements, \$86,000.

Naval Ordnance Laboratory, White Oak, Maryland: Research, development, and test facilities, \$3,847,000.

NAVAL SUPPLY SYSTEMS COMMAND

Naval Oceanographic Distribution Office, Ogden, Utah: Administrative facilities, \$236,000.

Naval Supply Center, Puget Sound, Washington: Administrative facilities; and at the Seattle Annex, administrative facilities and community facilities, \$940,000.

Navy Fuel Depot, San Pedro, California: Supply facilities, \$111,000.

MARINE CORPS FACILITIES

Marine Corps Base, Camp Pendleton, California: Maintenance facilities, administrative facilities, troop housing, and utilities, \$3,166,000.

Marine Corps Recruit Depot, Parris Island, South Carolina: Real estate, \$168,000.

Marine Corps Recruit Depot, San Diego, California: Troop housing, \$781,000.

Marine Corps Base, Twentynine Palms, California: Operational facilities, and supply facilities, \$1,042,000.

SERVICE SCHOOL FACILITIES

Naval Academy, Annapolis, Maryland: Utilities, \$2,803,000.

Fleet Anti-Air Warfare Training Center, Dam Neck, Virginia: Training facilities, \$2,128,000.

Naval Training Center, Great Lakes, Illinois: Training facilities, \$24,000.

Fleet Training Center, Newport, Rhode Island: Utilities, \$167,000.

Naval Training Center, location to be determined: Training facilities, medical facilities, troop housing, and utilities and ground improvements, \$14,900,000.

Fleet Anti-Submarine Warfare Training Facility, Pearl Harbor, Oahu, Hawaii: Training facilities, \$452,000.

Naval Training Center, San Diego, California: Troop housing, and utilities, \$5,727,000.

Nuclear Weapons Training Center, Pacific, San Diego, California: Training facilities, \$44,000.

MEDICAL FACILITIES

Naval Hospital, Chelsea, Massachusetts: Hospital and medical facilities, \$9,300,000.

Naval Hospital, Memphis, Tennessee: Hospital and medical facilities, and troop housing, \$6,847,000.

Naval Submarine Medical Center, New London, Connecticut: Hospital and medical facilities, \$4,957,000.

Naval Hospital, Portsmouth, Virginia: Community facilities, \$48,000.

#### COMMUNICATION FACILITIES

Naval Communication Station, Adak, Alaska: Troop housing, \$1,197,000.

Naval Radio Station, Northwest, Virginia: Utilities, \$132,000.

Various locations: Operational facilities, \$1,057,000.

#### OFFICE OF NAVAL RESEARCH FACILITIES

Naval Arctic Research Laboratory, Barrow, Alaska: Research, development, and test facilities, administrative facilities, troop housing and community facilities, and utilities, \$3,000,000.

#### NAVAL FACILITIES ENGINEERING COMMAND

Naval Construction Battalion Center, Davisville, Rhode Island: Operational facilities, \$66,000.

#### OUTSIDE THE UNITED STATES

##### NAVAL SHIP SYSTEMS COMMAND

Atlantic Undersea Test and Evaluation Center, West Indies: Research, development, and test facilities, supply facilities, troop housing, and utilities and ground improvements, \$1,371,000.

##### NAVAL AIR SYSTEMS COMMAND

Naval Air Station, Agana, Guam, Mariana Islands: Maintenance facilities, and community facilities, \$159,000.

Naval Air Station, Cubi Point, Republic of the Philippines: Troop housing, \$530,000.

Naval Air Station, Guantanamo Bay, Cuba: Troop housing, \$2,333,000.

Naval Station, Keflavik, Iceland: Operational facilities, \$203,000.

Naval Air Facility, Naples, Italy: Operational facilities, \$37,000.

Naval Station, Roosevelt Roads, Puerto Rico: Troop housing, \$1,142,000.

##### MARINE CORPS FACILITIES

Camp Smedley D. Butler, Okinawa: Supply facilities, administrative facilities, and community facilities, \$1,056,000.

##### MEDICAL FACILITIES

Naval Hospital, Guantanamo Bay, Cuba: Supply facilities, and medical facilities, \$279,000.

#### COMMUNICATION FACILITIES

Naval Communication Station, Nea Makri, Greece: Troop housing and community facilities, \$363,000.

Naval Communication Station, North West Cape, Australia: Operational facilities, and troop housing, \$708,000.

Naval Communication Station, San Miguel, Republic of the Philippines: Troop housing, \$476,000.

Naval Radio Station, Totsuka, Japan: Operational facilities, \$576,000.

Various locations: Operational facilities, \$715,000.

SEC. 202. The Secretary of the Navy may establish or develop classified naval installations and facilities by acquiring, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of \$13,788,000.

Establishment of classified installations.

SEC. 203. The Secretary of the Navy may establish or develop Navy installations and facilities by proceeding with construction made necessary by changes in Navy missions and responsibilities which have been occasioned by: (a) unforeseen security considerations, (b) new weapons developments, (c) new and unforeseen research and development requirements, or (d) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of \$10,000,000: *Provided*, That the Secretary of the Navy, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1967, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

Construction for unforeseen requirements.

Notification of Committees.

SEC. 204. (a) Public Law 88-174, as amended, is amended in section 201 under the heading "INSIDE THE UNITED STATES" and subheading "NAVAL WEAPONS FACILITIES (Field Support Stations)", with respect to the Naval Air Station, Cecil Field, Florida, and the Naval Air Station, Norfolk, Virginia, by striking out "\$150,000" and "\$3,242,000", respectively, and inserting in place thereof "\$182,000" and "\$3,640,000", respectively.

77 Stat. 312.

(b) Public Law 88-174, as amended, is amended by striking out in clause (2) of section 602 "\$115,601,000" and "\$202,500,000", and inserting in place thereof "\$116,031,000" and "\$202,930,000", respectively.

78 Stat. 351.

SEC. 205. (a) Public Law 89-188 is amended in section 201 under the heading "INSIDE THE UNITED STATES" and subheading "BUREAU OF SHIPS FACILITIES", with respect to the Naval Shipyard, Boston, Massachusetts, by striking out "\$5,105,000" and inserting in place thereof "\$7,998,000".

79 Stat. 797.

(b) Public Law 89-188 is amended by striking out in clause (2) of section 602 "\$225,877,000" and "\$311,412,000", and inserting in place thereof "\$228,770,000" and "\$314,305,000", respectively.

79 Stat. 815.

### TITLE III

SEC. 301. The Secretary of the Air Force may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment, for the following projects.

Air Force.

## INSIDE THE UNITED STATES

## AIR DEFENSE COMMAND

Duluth Municipal Airport, Duluth, Minnesota: Troop housing, \$260,000.

Hamilton Air Force Base, San Rafael, California: Utilities, \$422,000.

McChord Air Force Base, Tacoma, Washington: Operational facilities and maintenance facilities, \$528,000.

NORAD Headquarters, Colorado Springs, Colorado: Operational facilities, \$3,547,000.

Perrin Air Force Base, Sherman, Texas: Maintenance facilities, \$61,000.

Peterson Field, Colorado Springs, Colorado: Maintenance facilities, \$53,000.

Stewart Air Force Base, Newburgh, New York: Operational facilities and utilities, \$154,000.

Tyndall Air Force Base, Panama City, Florida: Maintenance facilities, troop housing, and community facilities, \$1,280,000.

## AIR FORCE LOGISTICS COMMAND

Griffiss Air Force Base, Rome, New York: Research, development, and test facilities, \$225,000.

Hill Air Force Base, Ogden, Utah: Operational facilities, maintenance facilities, research, development and test facilities, supply facilities, administrative facilities, troop housing, and utilities, \$1,504,000.

Kelly Air Force Base, San Antonio, Texas: Operational facilities, administrative facilities and utilities, \$450,000.

McClellan Air Force Base, Sacramento, California: Operational facilities and maintenance facilities, \$1,008,000.

Robins Air Force Base, Macon, Georgia: Maintenance facilities, \$154,000.

Tinker Air Force Base, Oklahoma City, Oklahoma: Maintenance facilities, troop housing, and utilities, \$2,615,000.

Wright-Patterson Air Force Base, Dayton, Ohio: Operational facilities, research, development, and test facilities, administrative facilities, troop housing, and utilities, \$5,100,000.

## AIR FORCE SYSTEMS COMMAND

Arnold Engineering Development Center, Tullahoma, Tennessee: Operational facilities, research, development, and test facilities, \$2,835,000.

Edwards Air Force Base, Muroc, California: Research, development, and test facilities, \$3,366,000.

Eglin Air Force Base, Valparaiso, Florida: Training facilities, maintenance facilities, research, development, and test facilities, supply facilities, and hospital facilities, \$6,277,000.

Eglin Auxiliary Airfield Number 9, Valparaiso, Florida: Maintenance facilities and utilities, \$705,000.

Holloman Air Force Base, Alamogordo, New Mexico: Operational facilities, maintenance facilities, research, development, and test facilities, troop housing, and community facilities, \$4,575,000.

Los Angeles Air Force Station, Los Angeles, California: Administrative facilities, \$195,000.

Patrick Air Force Base, Cocoa, Florida: Operational facilities and supply facilities, \$484,000.

Various locations: Operational facilities, troop housing, and utilities, \$1,192,000.

#### AIR TRAINING COMMAND

Chanute Air Force Base, Rantoul, Illinois: Training facilities and utilities, \$586,000.

Craig Air Force Base, Selma, Alabama: Maintenance facilities, \$226,000.

Laredo Air Force Base, Laredo, Texas: Maintenance facilities, \$220,000.

Laughlin Air Force Base, Del Rio, Texas: Operational and training facilities and maintenance facilities, \$675,000.

Lowry Air Force Base, Denver, Colorado: Training facilities and utilities, \$2,295,000.

Mather Air Force Base, Sacramento, California: Operational and training facilities, maintenance facilities and troop housing, \$2,359,000.

Moody Air Force Base, Valdosta, Georgia: Maintenance facilities, \$225,000.

Randolph Air Force Base, San Antonio, Texas: Maintenance facilities, \$236,000.

Reese Air Force Base, Lubbock, Texas: Operational and training facilities and maintenance facilities, \$546,000.

Sheppard Air Force Base, Wichita Falls, Texas: Operational and training facilities, maintenance facilities, and troop housing, \$1,935,000.

Vance Air Force Base, Enid, Oklahoma: Operational facilities and maintenance facilities, \$1,169,000.

Webb Air Force Base, Big Spring, Texas: Maintenance facilities, \$226,000.

Williams Air Force Base, Chandler, Arizona: Maintenance facilities, \$331,000.

#### ALASKAN AIR COMMAND

Eielson Air Force Base, Fairbanks, Alaska: Operational facilities and utilities, \$1,655,000.

Elmendorf Air Force Base, Anchorage, Alaska: Operational facilities and utilities, \$1,265,000.

Various locations: Operational facilities, maintenance facilities, supply facilities, troop housing, and utilities, \$1,200,000.

#### HEADQUARTERS COMMAND

Andrews Air Force Base, Camp Springs, Maryland: Operational facilities, maintenance facilities, and utilities, \$1,033,000.

#### MILITARY AIRLIFT COMMAND

Charleston Air Force Base, Charleston, South Carolina: Operational facilities, \$212,000.

Dover Air Force Base, Dover, Delaware: Utilities, \$250,000.

McGuire Air Force Base, Wrightstown, New Jersey: Maintenance facilities, \$1,920,000.

Norton Air Force Base, San Bernardino, California: Operational and training facilities, maintenance facilities, supply facilities, and troop housing, \$7,706,000.

Travis Air Force Base, Fairfield, California: Operational facilities, \$374,000.

## PACIFIC AIR FORCE

Hickam Air Force Base, Honolulu, Hawaii: Supply facilities, \$193,000.

## STRATEGIC AIR COMMAND

Barksdale Air Force Base, Shreveport, Louisiana: Maintenance facilities, troop housing and utilities, \$1,263,000.

Bunker Hill Air Force Base, Peru, Indiana: Operational facilities, \$106,000.

Carswell Air Force Base, Fort Worth, Texas: Training facilities and maintenance facilities, \$1,231,000.

Castle Air Force Base, Merced, California: Maintenance facilities, supply facilities, and troop housing, \$2,203,000.

Columbus Air Force Base, Columbus, Mississippi: Training facilities and utilities, \$494,000.

Davis-Monthan Air Force Base, Tucson, Arizona: Maintenance facilities and utilities, \$444,000.

Ellsworth Air Force Base, Rapid City, South Dakota: Maintenance facilities, \$397,000.

Grand Forks Air Force Base, Grand Forks, North Dakota: Operational facilities, maintenance facilities, and troop housing, \$941,000.

Little Rock Air Force Base, Little Rock, Arkansas: Operational facilities and supply facilities, \$361,000.

Malmstrom Air Force Base, Great Falls, Montana: Maintenance facilities and troop housing, \$1,618,000.

March Air Force Base, Riverside, California: Operational facilities, maintenance facilities, supply facilities, and troop housing, \$3,240,000.

McCoy Air Force Base, Orlando, Florida: Maintenance facilities, \$199,000.

Minot Air Force Base, Minot, North Dakota: Troop housing, \$440,000.

Offutt Air Force Base, Omaha, Nebraska: Administrative facilities and utilities, \$762,000.

Vandenberg Air Force Base, Lompoc, California: Operational facilities, and utilities, \$186,000.

Westover Air Force Base, Chicopee Falls, Massachusetts: Troop housing and utilities, \$350,000.

Wurtsmith Air Force Base, Oscoda, Michigan: Operational facilities and troop housing, \$358,000.

## TACTICAL AIR COMMAND

Bergstrom Air Force Base, Austin, Texas: Operational and training facilities, maintenance facilities, administrative facilities, and troop housing, \$4,487,000.

Cannon Air Force Base, Clovis, New Mexico: Maintenance facilities, troop housing, and real estate, \$2,147,000.

England Air Force Base, Alexandria, Louisiana: Operational and training facilities, maintenance facilities, and utilities, \$2,187,000.

George Air Force Base, Victorville, California: Training facilities and administrative facilities, \$598,000.

Langley Air Force Base, Hampton, Virginia: Utilities, \$468,000.

Luke Air Force Base, Phoenix, Arizona: Maintenance facilities, \$203,000.

MacDill Air Force Base, Tampa, Florida: Maintenance facilities, \$1,006,000.

McConnell Air Force Base, Wichita, Kansas: Training facilities and real estate, \$609,000.

Myrtle Beach Air Force Base, Myrtle Beach, South Carolina: Operational and training facilities and maintenance facilities, \$371,000.

Nellis Air Force Base, Las Vegas, Nevada: Training facilities and maintenance facilities, \$1,165,000.

Shaw Air Force Base, Sumter, South Carolina: Maintenance facilities, \$473,000.

#### UNITED STATES AIR FORCE ACADEMY

United States Air Force Academy, Colorado Springs, Colorado: Troop housing and utilities, \$10,758,000.

#### AIRCRAFT CONTROL AND WARNING SYSTEM

Various locations: Maintenance facilities, supply facilities, medical facilities, troop housing, community facilities, utilities, and real estate, \$3,713,000.

#### UNITED STATES AIR FORCE SECURITY SERVICE

Goodfellow Air Force Base, San Angelo, Texas: Community facilities, \$493,000.

#### OUTSIDE THE UNITED STATES

##### AIR DEFENSE COMMAND

Various locations: Operational facilities, \$238,000.

##### MILITARY AIRLIFT COMMAND

Various locations: Utilities, \$396,000.

##### PACIFIC AIR FORCE

Various locations: Operational facilities, supply facilities, troop housing, community facilities, and utilities, \$6,189,000.

##### STRATEGIC AIR COMMAND

Andersen Air Force Base, Guam: Operational facilities, \$22,000.

Ramey Air Force Base, Puerto Rico: Real estate, \$63,000.

Various locations: Maintenance facilities and community facilities, \$1,303,000.

#### UNITED STATES AIR FORCES IN EUROPE

Various locations: Operational and training facilities, maintenance facilities, supply facilities, troop housing, and utilities, \$3,513,000.

#### UNITED STATES AIR FORCE SOUTHERN COMMAND

Howard Air Force Base, Canal Zone: Operational facilities and utilities, \$1,244,000.

#### UNITED STATES AIR FORCE SECURITY SERVICE

Various locations: Operational facilities, maintenance facilities, supply facilities, troop housing, and utilities, \$1,123,000.

Sec. 302. The Secretary of the Air Force may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of \$76,825,000.

Establishment of  
classified instal-  
lations.

Construction for  
unforeseen re-  
quirements.

SEC. 303. The Secretary of the Air Force may establish or develop Air Force installations and facilities by proceeding with construction made necessary by changes in Air Force missions and responsibilities which have been occasioned by (a) unforeseen security considerations, (b) new weapons developments, (c) new and unforeseen research and development requirements, or (d) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of \$10,000,000: *Provided*, That the Secretary of the Air Force or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1967, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

Notification of  
committees.

76 Stat. 234.

SEC. 304. (a) Public Law 87-554, as amended, is amended in section 301 under the heading "INSIDE THE UNITED STATES" and subheading "TACTICAL AIR COMMAND", with respect to Nellis Air Force Base, Las Vegas, Nevada, by striking out "\$3,136,000" and inserting in place thereof "\$3,416,000".

77 Stat. 322.

(b) Public Law 87-554, as amended, is amended by striking out in clause (3) of section 602 the amounts "\$131,679,000" and "\$743,407,000" and inserting in place thereof "\$131,959,000" and "\$743,687,000", respectively.

78 Stat. 354.

SEC. 305. (a) Public Law 88-390 is amended in section 301 under the heading "INSIDE THE UNITED STATES" and subheading "MILITARY AIR TRANSPORT SERVICE", with respect to McGuire Air Force Base, Wrightstown, New Jersey, by striking out "\$687,000" and inserting in place thereof "\$786,000".

78 Stat. 362.

(b) Public Law 88-390 is amended by striking out in clause (3) of section 602 the amounts "\$165,228,000" and "\$303,348,000" and inserting in place thereof "\$165,327,000" and "\$303,447,000", respectively.

#### TITLE IV

Defense agen-  
cies.

SEC. 401. The Secretary of Defense may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment, for defense agencies for the following projects:

##### INSIDE THE UNITED STATES

###### DEFENSE ATOMIC SUPPORT AGENCY

Armed Forces Radiobiology Research Institute, Bethesda, Maryland: Research, development, and test facilities, \$1,890,000.

###### DEFENSE COMMUNICATIONS AGENCY

Headquarters, Defense Communications Agency, Building 12, Navy Department Service Center, Arlington, Virginia: Utilities, \$290,000.

## DEFENSE SUPPLY AGENCY

Defense Construction Supply Center, Columbus, Ohio: Supply facilities, \$59,000.

Defense Depot, Memphis, Tennessee: Supply facilities, \$171,000.

Defense Personnel Support Center, Philadelphia, Pennsylvania: Research, development, and test facilities, \$257,000.

Defense Depot, Tracy, California: Supply facilities, \$50,000.

Defense Electronics Supply Center, Dayton, Ohio: Administrative facilities, \$428,000.

## NATIONAL SECURITY AGENCY

Fort Meade, Maryland: Troop housing, \$550,000.

Kent Island, Maryland: Research, development, and test facilities, \$30,000.

## OUTSIDE THE UNITED STATES

## DEFENSE ATOMIC SUPPORT AGENCY

Johnston Island: Research, development, and test facilities, \$1,750,000.

## NATIONAL SECURITY AGENCY

Frankfurt Post, Tanus District, Germany: Operational facilities, \$400,000.

## TITLE V

## MILITARY FAMILY HOUSING

SEC. 501. (a) The first sentence of section 515 of Public Law 84-161 (69 Stat. 352), as amended, is amended by striking out "1966 through and including 1967" and inserting in lieu thereof "1967 and 1968".

(b) Such section 515 is further amended by adding at the end thereof a new sentence as follows: "In addition to the foregoing, not more than 500 housing units may be leased during the fiscal years 1967 and 1968 in the State of Hawaii in order to provide temporary housing relief at or near military installations in such State."

SEC. 502. Section 1594j of title 42, United States Code, is amended at subsection (a) by deleting the period at the end thereof, substituting a colon therefor, and adding the following: "Provided, That notwithstanding the fair rental value of such quarters, or of any other housing facilities under the jurisdiction of a department or agency of the United States, no rental charge for occupancy of family units designated as other than public quarters shall be made against the basic allowance for quarters of a member of a uniformed service in excess of 75 per centum of such allowance, except that in no event shall the net rental value charged to the member's basic allowance for quarters be less than the costs of maintaining and operating the housing."

SEC. 503. There is authorized to be appropriated for use by the Secretary of Defense or his designee as authorized by law for support of military family housing, including operating expenses, leasing, maintenance of real property, payments of principal and interest on mortgage debts incurred, payments to the Commodity Credit Corporation and mortgage insurance premiums authorized under section 222 of the National Housing Act, as amended (12 U.S.C. 1715m), an amount not to exceed \$511,196,000.

Leasing of facilities.  
79 Stat. 813.  
10 USC 2674  
note.  
Hawaii.

Occupancy, rental charges.  
71 Stat. 556.

Appropriation.

68 Stat. 603.

## TITLE VI

## GENERAL PROVISIONS

Construction authority.

Waiver of restrictions.  
70 A Stat. 269, 590.

Appropriation.

SEC. 601. The Secretary of each military department may proceed to establish or develop installations and facilities under this Act without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), and sections 4774(d) and 9774(d) of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

SEC. 602. There are authorized to be appropriated such sums as may be necessary for the purposes of this Act, but appropriations for public works projects authorized by titles I, II, III, IV, and V shall not exceed—

(1) for title I: Inside the United States, \$57,219,000; Outside the United States, \$36,141,000; section 102, \$33,000,000; or a total of \$126,360,000.

(2) for title II: Inside the United States, \$114,138,000; Outside the United States, \$9,948,000; section 202, \$13,788,000; or a total of \$137,874,000.

(3) for title III: Inside the United States, \$107,098,000; Outside the United States, \$14,091,000; section 302, \$76,825,000; or a total of \$198,014,000.

(4) for title IV: a total of \$5,875,000.

(5) for title V: Military Family Housing, a total of \$511,196,000.

Cost variations.

SEC. 603. Any of the amounts named in titles I, II, III, and IV of this Act, may, in the discretion of the Secretary concerned, be increased by 5 per centum for projects inside the United States (other than Alaska) and by 10 per centum for projects outside the United States or in Alaska, if he determines in the case of any particular project that such increase (1) is required for the sole purpose of meeting unusual variations in cost arising in connection with that project, and (2) could not have been reasonably anticipated at the time such project was submitted to the Congress. However, the total costs of all projects in each such title may not be more than the total amount authorized to be appropriated for projects in that title.

Contracts.

70 A Stat. 132.

SEC. 604. Whenever—

(1) the President determines that compliance with section 2313 (b) of title 10, United States Code, for contracts made under this Act for the establishment or development of military installations and facilities in foreign countries would interfere with the carrying out of this Act; and

(2) the Secretary of Defense and the Comptroller General have agreed upon alternative methods of adequately auditing those contracts;

the President may exempt those contracts from the requirements of that section.

Contract supervision.

SEC. 605. Contracts for construction made by the United States for performance within the United States and its possessions under this Act shall be executed under the jurisdiction and supervision of the

Corps of Engineers, Department of the Army, or the Naval Facilities Engineering Command, Department of the Navy, unless the Secretary of Defense or his designee determines that because such jurisdiction and supervision is wholly impracticable such contracts should be executed under the jurisdiction and supervision of another department or Government agency, and shall be awarded, insofar as practicable, on a competitive basis to the lowest responsible bidder, if the national security will not be impaired and the award is consistent with chapter 137 of title 10, United States Code. Regulations issued by the Secretary of Defense implementing the provisions of this section shall provide the department or agency requiring such construction with the right to select either the Corps of Engineers, Department of the Army, or the Naval Facilities Engineering Command, Department of the Navy, as its construction agent, providing that under the facts and circumstances that exist at the time of the selection of the construction agent, such selection will not result in any increased cost to the United States. The Secretaries of the military departments shall report semiannually to the President of the Senate and the Speaker of the House of Representatives with respect to all contracts awarded on other than a competitive basis to the lowest responsible bidder.

70A Stat. 127.  
10 USC 2301-  
2314.

Reports to  
Congress.

SEC. 606. (a) Notwithstanding the repeal provisions of section 606 of the Act of September 16, 1965, Public Law 89-188 (79 Stat. 815), all authorizations for military public works (other than family housing), contained in the Act of August 1, 1964, Public Law 88-390 (78 Stat. 363), and all such authorizations contained in the Act of September 16, 1965, Public Law 89-188, including prior authorizations extended by section 606(a)(3) of said Act of September 16, 1965, to be accomplished by the Secretary of a military department in connection with the establishment or development of military installations and facilities, and all authorizations for appropriations therefor, and not superseded or otherwise modified, are hereby authorized, and shall remain in full force and effect until October 1, 1968.

Authorizations  
continued.

(b) Notwithstanding the provisions of section 606 of the Act of September 16, 1965, Public Law 89-188 (79 Stat. 815), effective October 1, 1968, all authorizations for construction of family housing which are contained in this Act or the Act of September 16, 1965, Public Law 89-188, including prior authorizations for construction of family housing saved from repeal by the provisions of section 606(b) of such Act of September 16, 1965, are repealed except the authorization for family housing projects as to which funds have been obligated for construction contracts or land acquisitions or manufactured structural component contracts in whole or in part before such date.

Repeals, ex-  
ception.

SEC. 607. Notwithstanding any other provision of law, none of the military public works authorized by title I, II, III, or IV of this Act may be placed under contract until such time as those military public works previously authorized by law, and for which funds have been appropriated and for which the authorization has been extended by section 606 of this Act, have been placed under contract. The foregoing provision shall not apply to military public works previously authorized by law which have heretofore been deferred and which are certified by the Secretary of Defense to be no longer current and necessary to the mission of the military department or military installation concerned. Certifications by the Secretary of Defense under this section shall be made in writing to the Committees on Armed Services of the Senate and House of Representatives.

Priority of  
projects.

Notwithstanding the foregoing provisions of this section, any military public work authorized by title I, II, III, or IV of this Act may

Notification of  
committees.

Exception.

Notification of committees.

be placed under contract if the Secretary of Defense determines and certifies in writing to the Committees on Armed Services of the Senate and the House of Representatives that such project is (1) urgently required in the interests of national defense, and (2) more essential to the interests of national defense than those military public works previously authorized by law, described in the first sentence of this section.

76 Stat. 511;  
79 Stat. 819.

SEC. 608. The last sentence of section 2674(a) of title 10, United States Code, as amended, is amended by changing the figure "\$15,000" to "\$25,000".

Unit cost limitations.

SEC. 609. None of the authority contained in titles I, II, III, and IV of this Act shall be deemed to authorize any building construction project inside the United States (other than Alaska) at a unit cost in excess of—

- (1) \$32 per square foot for cold-storage warehousing;
- (2) \$8 per square foot for regular warehousing;
- (3) \$2,300 per man for permanent barracks;
- (4) \$8,500 per man for bachelor officer quarters; unless the

Secretary of Defense or his designee determines that, because of special circumstances, application to such project of the limitations on unit costs contained in this section is impracticable.

Fallout protection.

SEC. 610. (a) On and after the date of enactment of this Act all construction authorized in annual military construction authorization Acts shall be designed using techniques developed by the Office of Civil Defense to maximize fallout protection, where such can be done without impairing the purpose for which the construction is authorized or the effectiveness of the structure, unless exempted from this requirement under regulations prescribed by the Secretary of Defense or his designee.

(b) The Secretary of Defense shall make appropriate provision for the utilization of technical design and construction methods in the preparation of design and construction plans and in construction under this Act, to assure carrying out the purposes of this section; and for such purposes expenditures on individual projects shall not exceed one per centum of the amount authorized for that project.

Bolling-Anacostia complex.

Leasing arrangement.  
79 Stat. 818.

SEC. 611. Section 607(b) of Public Law 89-188 is amended by deleting the words "July 1, 1967" and inserting in lieu thereof the words "December 31, 1970" and adding at the end thereof "nor shall any of this land be set aside or committed by the Department of Defense for use by any other agency of the Federal Government other than the Department of Defense. However, the Department of Defense may, if and when directed by the President, enter into a leasing arrangement with the Federal Aviation Agency for a period not to extend beyond December 31, 1970, and subject to a one-year revocation provision whereby the Federal Aviation Agency or its designee may operate the runways, taxiways, hangars, parking aprons, and other related facilities at the Bolling-Anacostia complex for appropriate aviation purposes. The said lease shall not include facilities which are required for military activities. Such leasing arrangements shall be reported to the Committees on Armed Services of the Senate and the House of Representatives."

Report to committees.

Advance planning and design projects.

Reports to committees.

69 Stat. 352.

SEC. 612. In the case of any public works project for which advance planning, construction design and architectural services are estimated to cost \$150,000 or more, which are to be funded from moneys hereafter appropriated for such purposes pursuant to authority of section 723 of title 31, U.S.C., the Secretary of Defense shall describe the project and report the estimated cost of such services not less than 30

days prior to initial obligation of funds therefor to the Committees on Armed Services of the Senate and House of Representatives.

SEC. 613. Section 611 of the Military Construction Authorization Act, 1966 (79 Stat. 818), is amended to read as follows:

“(a) No camp, post, station, base, yard, or other installation under the authority of the Department of Defense shall be closed or abandoned until the expiration of thirty days of continuous session of the Congress following the date on which the Secretary of Defense or the Secretary of a military department makes a full report of the facts including the justification for such proposed action to the Congress.

“(b) For the purposes of subparagraph (a) continuity of session shall be considered as broken only by an adjournment of the Congress sine die; but in the computation of the thirty-day period there shall be excluded the days on which either House is not in session because of an adjournment of more than three days to a day certain.

“(c) This section shall apply only to posts, camps, stations, bases, yards, or other installations that are located in the United States and Puerto Rico and have a total military and civilian complement of more than two hundred and fifty. It shall not apply to any facility used primarily for river and harbor projects or flood control projects.”

SEC. 614. The Secretary of Defense is authorized and directed to make a comprehensive study with respect to the desirability of (1) transferring the Defense Language Institute from the Washington, D.C. area to the lands formerly constituting Biggs Air Force Base, Texas, and (2) demolishing the four existing piers at the Boston Naval Shipyard, Boston, Massachusetts, and constructing three new piers and carrying out related operations associated therewith at such shipyard. The Secretary shall report the findings of such study, together with such recommendations as he deems appropriate, to the Committees on Armed Services of the Senate and the House of Representatives not later than six months after the date of enactment of this Act.

SEC. 615. Titles I, II, III, IV, V, and VI of this Act may be cited as the “Military Construction Authorization Act, 1967”.

## TITLE VII

### RESERVE FORCES FACILITIES

SEC. 701. Subject to chapter 133 of title 10, United States Code, the Secretary of Defense may establish or develop additional facilities for the Reserve Forces, including the acquisition of land therefor, but the cost of such facilities shall not exceed—

(1) for the Department of the Navy: Naval and Marine Corps Reserves, \$5,000,000.

(2) for Department of the Air Force:

(a) Air National Guard of the United States, \$8,900,000.

(b) Air Force Reserve, \$3,300,000.

SEC. 702. The Secretary of Defense may establish or develop installations and facilities under this title without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), and sections 4774 (d) and 9774(d) of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or land includes

Closing of facilities, etc.  
Report to Congress.  
10 USC 2662  
note.

Defense Language Institute.  
Boston Naval Shipyard.  
Studies authorized.

Report to committees.

Citation of titles.

Reserve Forces Facilities Authorization Act, 1967.  
70A Stat. 120.  
10 USC 2231.

Construction authority.  
Waiver of restrictions.  
70A Stat. 269,  
590.

authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

SEC. 703. This title may be cited as the "Reserve Forces Facilities Authorization Act, 1967".

Approved September 12, 1966.

Public Law 89-569

AN ACT

September 12, 1966  
[H. R. 15858]

To amend section 6 of the District of Columbia Redevelopment Act of 1945, to authorize early land acquisition for the purpose of acquiring a site for a replacement of Shaw Junior High School.

D.C.  
Shaw Junior  
High School, re-  
placement site.  
60 Stat. 794.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 6 of the District of Columbia Redevelopment Act of 1945 (District of Columbia Code, sec. 5-705) is amended by adding at the end thereof the following new subsection:

"(e) Prior to the adoption of an urban renewal plan by the Planning Commission and approval by the District Commissioners, the Agency may exercise the powers granted to it by this Act, for the acquisition and disposition of real property, the demolition and removal of buildings or structures, the relocation of site occupants, and the construction of site improvements for the purpose of providing a site for a new facility to replace Shaw Junior High School within the boundaries which may be established for any urban renewal project area: *Provided*, That (1) the District Commissioners, after a public hearing, and the Planning Commission approve the acquisition and disposition of all such property or properties; and (2) the District Commissioners agree to assume the responsibility to bear any loss that may arise as a result of the exercise of authority under this subsection in the event that the property is not used for urban renewal purposes because the urban renewal plan is not approved by all appropriate authorities or because such urban renewal plan, as approved by all appropriate authorities does not include such property or properties or is amended to omit any of the acquired property, or is abandoned for any reason. The District Commissioners and the appropriate agencies operating within the District of Columbia are authorized to do any and all things necessary to secure financial assistance under title I of the Housing Act of 1949, as amended, to acquire and prepare a site for a new facility to replace Shaw Junior High School. The District Commissioners are authorized to assume the responsibilities described in this subsection and, to carry out the purposes of this subsection, the District Commissioners and the Agency are authorized to borrow money pursuant to the early land acquisition provisions of title I of the Housing Act of 1949, as amended, and to issue obligations evidencing such loans and to make such pledges as may be required to secure such loans."

Approved September 12, 1966.

42 USC 1450-  
1468.

Public Law 89-570

AN ACT

September 12, 1966  
[H. R. 4665]

Relating to the income tax treatment of exploration expenditures in the case of mining.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part I of subchapter I of chapter 1 of the Internal Revenue Code of 1954 (relating to natural resources) is amended by adding at the end thereof the following new section:

Income taxes.  
Mining exploration  
expenditures.  
68A Stat. 207.  
26 USC 611-616.

“SEC. 617. ADDITIONAL EXPLORATION EXPENDITURES IN THE CASE OF DOMESTIC MINING.

“(a) ALLOWANCE OF DEDUCTION.—

“(1) GENERAL RULE.—At the election of the taxpayer, expenditures paid or incurred during the taxable year for the purpose of ascertaining the existence, location, extent, or quality of any deposit of ore or other mineral in the United States or on the Outer Continental Shelf (within the meaning of section 2 of the Outer Continental Shelf Lands Act, as amended and supplemented; 43 U.S.C. 1331), and paid or incurred before the beginning of the development stage of the mine, shall be allowed as a deduction in computing taxable income. This subsection shall apply only with respect to the amount of such expenditures which, but for this subsection, would not be allowable as a deduction for the taxable year. This subsection shall not apply to expenditures for the acquisition or improvement of property of a character which is subject to the allowance for depreciation provided in section 167, but allowances for depreciation shall be considered, for purposes of this subsection, as expenditures paid or incurred. In no case shall this subsection apply with respect to amounts paid or incurred for the purpose of ascertaining the existence, location, extent, or quality of any deposit of oil or gas or of any mineral with respect to which a deduction for percentage depletion is not allowable under section 613.

67 Stat. 462.

68A Stat. 51.

68A Stat. 208.

“(2) ELECTIONS.—

“(A) METHOD.—Any election under this subsection shall be made in such manner as the Secretary or his delegate may by regulations prescribe.

Regulations.

“(B) TIME AND SCOPE.—The election provided by paragraph (1) for the taxable year may be made at any time before the expiration of the period prescribed for making a claim for credit or refund of the tax imposed by this chapter for the taxable year. Such an election for the taxable year shall apply to all expenditures described in paragraph (1) paid or incurred by the taxpayer during the taxable year or during any subsequent taxable year. Such an election may not be revoked after the last day of the third month following the month in which the final regulations issued under the authority of this subsection are published in the Federal Register, unless the Secretary or his delegate consents to such revocation.

Publication in  
Federal Register.

“(C) DEFICIENCIES.—The statutory period for the assessment of any deficiency for any taxable year, to the extent such deficiency is attributable to an election or revocation of an election under this subsection, shall not expire before the last day of the 2-year period beginning on the day after the date on which such election or revocation of election is

made; and such deficiency may be assessed at any time before the expiration of such 2-year period, notwithstanding any law or rule of law which would otherwise prevent such assessment.

“(b) RECAPTURE ON REACHING PRODUCING STAGE.—

“(1) RECAPTURE.—If, in any taxable year, any mine with respect to which expenditures were deducted pursuant to subsection (a) reaches the producing stage, then—

“(A) If the taxpayer so elects with respect to all such mines reaching the producing stage during the taxable year, he shall include in gross income for the taxable year an amount equal to the adjusted exploration expenditures with respect to such mines, and the amount so included in income shall be treated for purposes of this subtitle as expenditures which (i) are paid or incurred on the respective dates on which the mines reach the producing stage, and (ii) are properly chargeable to capital account.

“(B) If subparagraph (A) does not apply with respect to any such mine, then the deduction for depletion under section 611 with respect to the property shall be disallowed until the amount of depletion which would be allowable but for this subparagraph equals the amount of the adjusted exploration expenditures with respect to such mine.

“(2) ELECTIONS.—

“(A) METHOD.—Any election under this subsection shall be made in such manner as the Secretary or his delegate may by regulations prescribe.

“(B) TIME AND SCOPE.—The election provided by paragraph (1) for any taxable year may be made or changed not later than the time prescribed by law for filing the return (including extensions thereof) for such taxable year.

“(c) RECAPTURE IN CASE OF BONUS OR ROYALTY.—If an election has been made under subsection (a) with respect to expenditures relating to a mining property and the taxpayer receives or accrues a bonus or a royalty with respect to such property, then the deduction for depletion under section 611 with respect to the bonus or royalty shall be disallowed until the amount of depletion which would be allowable but for this subsection equals the amount of the adjusted exploration expenditures with respect to the property to which the bonus or royalty relates.

“(d) GAIN FROM DISPOSITIONS OF CERTAIN MINING PROPERTY.—

“(1) GENERAL RULE.—Except as otherwise provided in this subsection, if mining property is disposed of the lower of—

“(A) the adjusted exploration expenditures with respect to such property, or

“(B) the excess of—

“(i) the amount realized (in the case of a sale, exchange, or involuntary conversion), or the fair market value (in the case of any other disposition), over

“(ii) the adjusted basis of such property,

shall be treated as gain from the sale or exchange of property which is neither a capital asset nor property described in section 1231. Such gain shall be recognized notwithstanding any other provision of this subtitle.

“(2) DISPOSITION OF PORTION OF PROPERTY.—For purposes of paragraph (1)—

“(A) In the case of the disposition of a portion of a mining property (other than an undivided interest), the entire amount of the adjusted exploration expenditures with respect

to such property shall be treated as attributable to such portion to the extent of the amount of the gain to which paragraph (1) applies.

“(B) In the case of the disposition of an undivided interest in a mining property (or a portion thereof), a proportionate part of the adjusted exploration expenditures with respect to such property shall be treated as attributable to such undivided interest to the extent of the amount of the gain to which paragraph (1) applies.

This paragraph shall not apply to any expenditure to the extent the taxpayer establishes to the satisfaction of the Secretary or his delegate that such expenditure relates neither to the portion (or interest therein) disposed of nor to any mine, in the property held by the taxpayer before the disposition, which has reached the producing stage.

“(3) EXCEPTIONS AND LIMITATIONS.—Paragraphs (1), (2), and (3) of section 1245 (b) (relating to exceptions and limitations with respect to gain from disposition of certain depreciable property) shall apply in respect of this subsection in the same manner and with the same effect as if references in section 1245 (b) to section 1245 or any provision thereof were references to this subsection or the corresponding provisions of this subsection and as if references to section 1245 property were references to mining property.

76 Stat. 1032.

“(4) APPLICATION OF SUBSECTION.—This subsection shall apply notwithstanding any other provision of this subtitle.

“(e) BASIS OF PROPERTY.—

“(1) BASIS.—The basis of any property shall not be reduced by the amount of any depletion which would be allowable but for the application of this section.

“(2) ADJUSTMENTS.—The Secretary or his delegate shall prescribe such regulations as he may deem necessary to provide for adjustments to the basis of property to reflect gain recognized under subsection (d) (1).

“(f) DEFINITIONS.—For purposes of this section—

“(1) ADJUSTED EXPLORATION EXPENDITURES.—The term ‘adjusted exploration expenditures’ means, with respect to any property or mine—

“(A) the amount of the expenditures allowed for the taxable year and all preceding taxable years as deductions under subsection (a) to the taxpayer or any other person which are properly chargeable to such property or mine and which (but for the election under subsection (a)) would be reflected in the adjusted basis of such property or mine, reduced by

“(B) for the taxable year and for each preceding taxable year, the amount (if any) by which (i) the amount which would have been allowable for percentage depletion under section 613 but for the deduction of such expenditures, exceeds (ii) the amount allowable for depletion under section 611,

68A Stat. 208.

68A Stat. 207.

properly adjusted for any amounts included in gross income under subsection (b) or (c) and for any amounts of gain to which subsection (d) applied.

“(2) MINING PROPERTY.—The term ‘mining property’ means any property (within the meaning of section 614 after the application of subsections (c) and (e) thereof) with respect to which any expenditures allowed as a deduction under subsection (a) (1) are properly chargeable.

68A Stat. 210;  
72 Stat. 1634.

“(3) DISPOSAL OF COAL OR DOMESTIC IRON ORE WITH A RETAINED ECONOMIC INTEREST.—A transaction which constitutes a disposal of coal or iron ore under section 631(c) shall be treated as a disposition. In such a case, the excess referred to in subsection (d) (1) (B) shall be treated as equal to the gain (if any) referred to in section 631(c).”

(g) SPECIAL RULES RELATING TO PARTNERSHIP PROPERTY.—

“(1) PROPERTY DISTRIBUTED TO PARTNER.—In the case of any property or mine received by the taxpayer in a distribution with respect to part or all of his interest in a partnership, the adjusted exploration expenditures with respect to such property or mine include the adjusted exploration expenditures (not otherwise included under subsection (f) (1)) with respect to such property or mine immediately prior to such distribution, but the adjusted exploration expenditures with respect to any such property or mine shall be reduced by the amount of gain to which section 751 (b) applied realized by the partnership (as constituted after the distribution) on the distribution of such property or mine.

“(2) PROPERTY RETAINED BY PARTNERSHIP.—In the case of any property or mine held by a partnership after a distribution to a partner to which section 751(b) applied, the adjusted exploration expenditures with respect to such property or mine shall, under regulations prescribed by the Secretary or his delegate, be reduced by the amount of gain to which section 751(b) applied realized by such partner with respect to such distribution on account of such property or mine.

“(h) CROSS REFERENCE.—

“For additional rules applicable for purposes of this section, see subsections (f) and (g) of section 615.”

(b) The following provisions of the Internal Revenue Code of 1954 are each amended by striking out “section 1245(a)” and inserting in lieu thereof “section 617(d) (1), 1245(a),”:

(1) Section 170(e) (relating to charitable contributions).

(2) Subsections (b) (1) (B) (ii) and (d) (2) (B) of section 301 (relating to amount distributed).

(3) Paragraph (3) of section 312(c) (relating to adjustments of earnings and profits).

(4) Paragraph (12) of section 341(e) (relating to collapsible corporations).

(5) Subparagraphs (A) and (B) of section 453(d) (4) (relating to distribution of installment obligations in certain corporate liquidations).

(c) The last sentence of section 751(c) of such Code (relating to definition of “unrealized receivables” for purposes of subchapter K) is amended—

(1) by striking out “section 1245 property (as defined in section 1245(a) (3))” and inserting in lieu thereof “mining property (as defined in section 617(f) (2)), section 1245 property (as defined in section 1245(a) (3)),”, and

(2) by striking out “section 1245(a)” and inserting in lieu thereof “section 617(d) (1), 1245(a),”.

(d) The table of sections for part I of subchapter I of chapter 1 of such Code is amended by adding after the item relating to section 616 the following new item:

“SEC. 617. Additional exploration expenditures in the case of domestic mining.”

68A Stat. 213;  
78 Stat. 97.

68A Stat. 250.

76 Stat. 1034.  
76 Stat. 1035.

26 USC 611-  
616.

SEC. 2. (a) Section 615 of the Internal Revenue Code of 1954 (relating to exploration expenditures) is amended by adding at the end thereof the following new subsections:

68A Stat. 211;  
74 Stat. 333.

“(e) ELECTION TO HAVE SECTION APPLY.—This section (other than subsections (f) and (g)) shall apply only if the taxpayer so elects in such manner as the Secretary or his delegate may by regulations prescribe. Such election shall be made before the expiration of 3 years after the time prescribed by law (determined without any extension thereof) for filing the return for the first taxable year ending after the date of the enactment of this subsection in which expenditures described in subsection (a) are paid or incurred after such date. Such election may not be revoked after the expiration of such 3 years.

“(f) SECTION 615 AND SECTION 617 ELECTIONS TO BE MUTUALLY EXCLUSIVE.—A taxpayer who has made an election under subsection (e) (which he has not revoked) may not make an election under section 617 (a). A taxpayer who has made an election under section 617 (a) (which he has not revoked) may not make an election under subsection (e) of this section.

“(g) EFFECT OF TRANSFER OF MINERAL PROPERTY.—

“(1) TRANSFER BEFORE ELECTION.—If—

“(A) any person transfers any mineral property to another person in a transaction as a result of which the basis of such property in the hands of the transferee is determined by reference to the basis in the hands of the transferor, and

“(B) the transferor has not, at the time of the transfer, made an election under either subsection (a) of section 617 or subsection (e) of this section,

*Ante*, p. 759.

then no election by the transferor under either such subsection shall apply with respect to expenditures which are made by the transferor after the date of the enactment of this subsection and before the date of the transfer and which are properly chargeable to such property. For purposes of the preceding sentence, a transferor of mineral property who made an election under subsection (a) of section 617 or subsection (e) of this section before the transfer but who revokes such election after the transfer shall be treated with respect to such property as not having made an election under either such subsection.

“(2) EFFECT OF ELECTION BY TRANSFEREE UNDER SECTION 617.—If—

“(A) the taxpayer receives mineral property in a transaction described in paragraph (1) (A),

“(B) an election made by the transferor under subsection (e) applies with respect to expenditures which are made by him after the date of the enactment of this subsection and before the date of the transfer and which are properly chargeable to such property, and

“(C) the taxpayer has made or makes an election under section 617 (a),

then in applying section 617 with respect to the transferee, the amounts allowed as deductions under this section to the transferor, which (but for the transferor's election) would be reflected in the adjusted basis of such property in the hands of the transferee, shall be treated as expenditures allowed as deductions under section 617 (a) to the transferor. Notwithstanding subsections (b) and (d) of this section (and section 381 (c) (10)), any deferred expenses described in subsection (b) which are not allowed as deductions to the transferor for a period before the transfer may not be deducted by the transferee and in his hands shall be charged to capital account.”

68A Stat. 124.

68A Stat. 240.

(b) Section 703(b) of such Code (relating to elections of partnerships) is amended by inserting after "United States," the following: "and any election under section 615 (relating to exploration expenditures) or under section 617 (relating to additional exploration expenditures in the case of domestic mining)."

Effective date.

SEC. 3. The amendments made by this Act shall apply to taxable years ending after the date of the enactment of this Act but only in respect of expenditures paid or incurred after such date.

Approved September 12, 1966.

## Public Law 89-571

September 12, 1966  
[H. R. 3999]

## AN ACT

To provide the same life tenure and retirement rights for judges hereafter appointed to the United States District Court for the District of Puerto Rico as the judges of all other United States district courts now have.

Puerto Rico.  
Tenure of  
judges.  
68 Stat. 12.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subsection (a) of section 134 of title 28, United States Code, is amended to read as follows:

"(a) The district judges shall hold office during good behavior."

73 Stat. 10.

SEC. 2. The first paragraph of section 373 of title 28, United States Code, is amended by striking out the words "the United States District Court for the District of Puerto Rico,".

73 Stat. 9.

SEC. 3. The second paragraph of section 451 of title 28, United States Code, is amended by striking out the words "the United States District Court for the District of Puerto Rico,".

SEC. 4. The amendments made by this section to sections 134 and 373 of title 28, United States Code, shall not affect the tenure of office or right to continue to receive salary after resignation, retirement, or failure of reappointment of any district judge for the district of Puerto Rico who is in office on the date of enactment of this Act.

Approved September 12, 1966.

## Public Law 89-572

September 13, 1966  
[S. 3418]

## AN ACT

To amend the Peace Corps Act (75 Stat. 612), as amended, and for other purposes.

Peace Corps  
Act, amendment.  
Appropriation.  
78 Stat. 166;  
79 Stat. 549.  
22 USC 2502.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 3(b) of the Peace Corps Act, as amended, which authorizes appropriations to carry out the purposes of that Act, is amended as follows:

(a) Strike out "1966" and "\$115,000,000" and insert in lieu thereof "1967" and "\$110,000,000", respectively.

(b) Strike out "of which not to exceed \$500,000 shall be available for carrying out research" and insert in lieu thereof " : *Provided, however,* That not to exceed \$500,000 of funds made available hereunder for fiscal year 1967 shall be obligated under contracts or agreements to carry out research : *Provided further,* That no such contracts or agreements shall be executed unless the research in question relates to the basic responsibilities of the Peace Corps."

(c) Add a second sentence as follows: "Unobligated balances of funds made available hereunder are hereby authorized to be continued available for the general purposes for which appropriated and may at any time be consolidated with appropriations hereunder."

SEC. 2. (a) Section 5 of the Peace Corps Act, as amended, which relates to Peace Corps volunteers, is amended to add immediately after the end thereof a new subsection as follows:

Defense of  
volunteers.  
75 Stat. 613;  
77 Stat. 360.  
22 USC 2504.

"(1) Notwithstanding any other provision of law, counsel may be employed and counsel fees, court costs, bail, and other expenses incident to the defense of volunteers may be paid in foreign judicial or administrative proceedings to which volunteers have been made parties."

(b) The authority contained in subsection (a) shall extend to counsel fees, costs, and other expenses of the types specified therein that were incurred prior to the date of enactment of this Act.

SEC. 3. Section 15 of the Peace Corps Act, as amended, which relates to utilization of funds, is amended as follows:

Utilization of  
funds.  
22 USC 2514.

(a) In subsection (c), strike out "7(c)(2)" and substitute therefor "7(a)(2)".

(b) In subsection (d)(4), strike out "7(e)" and substitute therefor "7(c)".

SEC. 4. Section 25(b) of the Peace Corps Act, as amended, which defines the term "United States" for the purposes of that Act, is amended by striking out "and territories".

"United States."  
22 USC 2522.

SEC. 5. (a) Section 16 of the Peace Corps Act, as amended, which relates to appointment of persons serving under prior law, section 20 of the Peace Corps Act, as amended, which relates to moratorium on student loans, section 21 of the Peace Corps Act, as amended, which amends the Civil Service Retirement Act, and title II of the Act, which relates to Internal Revenue Code and Social Security Act amendments, are hereby repealed.

Repeals.  
22 USC 2515;  
20 USC 425;  
5 USC 2253.

(b) Such repeal shall not be deemed to affect amendments contained in such provisions and the application of the amendments contained in the title. All determinations, authorization, regulations, orders, contracts, agreements, and other actions issued, undertaken, or entered into under authority of the provisions of law repealed by subsection (a) shall continue in full force and effect until modified by appropriate authority.

SEC. 6. Section 10(a)(3) of the Peace Corps Act, as amended, which relates to the acceptance, employment, and transfer of gifts, is amended by inserting "or transfer" immediately after "and employ" and by striking out all that appears between "or otherwise" and "; and".

22 USC 2509.

Approved September 13, 1966.

## Public Law 89-573

### AN ACT

To extend for three years the period during which certain extracts suitable for tanning may be imported free of duty.

September 13, 1966  
[H. R. 12328]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That item 907.80 of the Tariff Schedules of the United States (19 U.S.C., sec. 1202, item 907.80) is amended by striking out "On or before 9/30/66" and inserting in lieu thereof "On or before 9/30/69".

Tanning ex-  
tracts.  
77A Stat. 433.

Approved September 13, 1966.

## Public Law 89-574

## AN ACT

September 13, 1966  
[S. 3155]

To authorize appropriations for the fiscal years 1968 and 1969 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

Federal-Aid  
Highway Act of  
1966.

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

## SHORT TITLE

SECTION 1. This Act may be cited as the "Federal-Aid Highway Act of 1966".

## REVISION OF AUTHORIZATION OF APPROPRIATIONS FOR INTERSTATE SYSTEM

SEC. 2. Subsection (b) of section 108 of the Federal-Aid Highway Act of 1956, as amended, is amended to read as follows:

"(b) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of expediting the construction, reconstruction, or improvement, inclusive of necessary bridges and tunnels, of the Interstate System, including extensions thereof through urban areas, designated in accordance with the provisions of subsection (d) of section 103 of title 23, United States Code, there is hereby authorized to be appropriated the additional sum of \$1,000,000,000 for the fiscal year ending June 30, 1957, which sum shall be in addition to the authorization heretofore made for that year, the additional sum of \$1,700,000,000 for the fiscal year ending June 30, 1958, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1959, the additional sum of \$2,500,000,000 for the fiscal year ending June 30, 1960, the additional sum of \$1,800,000,000 for the fiscal year ending June 30, 1961, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1962, the additional sum of \$2,400,000,000 for the fiscal year ending June 30, 1963, the additional sum of \$2,600,000,000 for the fiscal year ending June 30, 1964, the additional sum of \$2,700,000,000 for the fiscal year ending June 30, 1965, the additional sum of \$2,800,000,000 for the fiscal year ending June 30, 1966, the additional sum of \$3,000,000,000 for the fiscal year ending June 30, 1967, the additional sum of \$3,400,000,000 for the fiscal year ending June 30, 1968, the additional sum of \$3,800,000,000 for the fiscal year ending June 30, 1969, the additional sum of \$3,600,000,000 for the fiscal year ending June 30, 1970, the additional sum of \$3,600,000,000 for the fiscal year ending June 30, 1971, and the additional sum of \$2,685,000,000 for the fiscal year ending June 30, 1972. Nothing in this subsection shall be construed to authorize the appropriation of any sums to carry out section 131, 136, or 319 (b) of this title, or any provision of law relating to highway safety enacted after May 1, 1966."

## AUTHORIZATION OF USE OF COST ESTIMATE FOR APPORTIONMENT OF INTERSTATE FUNDS

SEC. 3. The Secretary of Commerce is authorized to make the apportionment for the fiscal years ending June 30, 1968, and 1969, of the sums authorized to be appropriated for such years for expenditures on the National System of Interstate and Defense Highways, using the apportionment factors contained in table 5 of House Document Numbered 42, Eighty-ninth Congress.

75 Stat. 122;  
79 Stat. 578.  
23 USC 101note.

74 Stat. 415.

79 Stat. 1028.  
23 USC 131, 136,  
319.

## EXTENSION OF TIME FOR COMPLETION OF SYSTEM

SEC. 4. (a) The second paragraph of section 101(b) of title 23, United States Code, is amended by striking out "fifteen years" and inserting in lieu thereof "sixteen years" and by striking out "June 30, 1971", and inserting in lieu thereof "June 30, 1972".

78 Stat. 397.

(b) The introductory phrase and the second and third sentences of section 104(b)(5) of title 23, United States Code, are amended by striking "1971" where it appears and inserting in lieu thereof "1972", and such section 104(b)(5) is further amended by striking "fiscal year ending June 30, 1971.", at the end of the penultimate sentence and inserting in lieu thereof "fiscal years ending June 30, 1971, and June 30, 1972."

77 Stat. 276.

## REVISION OF AUTHORIZATION OF APPROPRIATIONS FOR INTERSTATE SYSTEM

SEC. 5. (a) Section 109(b) of title 23 of the United States Code is amended by inserting after the second sentence the following: "Such standards shall in all cases provide for at least four lanes of traffic."

77 Stat. 277.

(b) The Secretary of Commerce is authorized to modify project agreements entered into prior to the date of enactment of this Act pursuant to section 106 of title 23 of the United States Code for the purpose of effectuating the amendment made by this section with respect to as much of the National System of Interstate and Defense Highways as may be possible.

72 Stat. 892;  
77 Stat. 278.

## AUTHORIZATIONS

SEC. 6. For the purpose of carrying out the provisions of title 23 of the United States Code, the following sums are hereby authorized to be appropriated:

23 USC 101 *et seq.*

(1) For the Federal-aid primary system and the Federal-aid secondary system and for their extension within urban areas, out of the highway trust fund, \$1,000,000,000 for the fiscal year ending June 30, 1968, and \$1,000,000,000 for the fiscal year ending June 30, 1969. Nothing in this paragraph shall be construed to authorize the appropriation of any sums to carry out section 131, 136, or 319(b) of this title, or any provision of law relating to highway safety enacted after May 1, 1966. The sums authorized in this paragraph for each fiscal year shall be available for expenditure as follows:

Federal-aid primary and secondary systems in urban areas.

(A) 45 per centum for projects on the Federal-aid primary highway system;

(B) 30 per centum for projects on the Federal-aid secondary highway system; and

(C) 25 per centum for projects on extensions of the Federal-aid primary and Federal-aid secondary highway systems in urban areas.

(2) For forest highways, \$33,000,000 for the fiscal year ending June 30, 1968, and \$33,000,000 for the fiscal year ending June 30, 1969.

79 Stat. 1028.  
23 USC 131, 136,  
319.

(3) For public lands highways, \$14,000,000 for the fiscal year ending June 30, 1968, and \$16,000,000 for the fiscal year ending June 30, 1969.

(4) For forest development roads and trails, \$170,000,000 for the fiscal year ending June 30, 1968, and \$170,000,000 for the fiscal year ending June 30, 1969.

(5) For public lands development roads and trails, \$3,000,000 for the fiscal year ending June 30, 1968, and \$5,000,000 for the fiscal year ending June 30, 1969.

(6) For park roads and trails, \$25,000,000 for the fiscal year ending June 30, 1968, and \$30,000,000 for the fiscal year ending June 30, 1969.

(7) For parkways, \$9,000,000 for the fiscal year ending June 30, 1968, and \$11,000,000 for the fiscal year ending June 30, 1969.

(8) For Indian reservation roads and bridges, \$19,000,000 for the fiscal year ending June 30, 1968, and \$23,000,000 for the fiscal year ending June 30, 1969.

#### ALASKAN ASSISTANCE

72 Stat. 897.

SEC. 7 (a) Section 118 of title 23, United States Code, is amended by adding at the end thereof the following:

“(d) Funds made available to the State of Alaska under this title may be expended for construction of access and development roads on a Federal-aid system that will serve resource development, recreational, residential, commercial, industrial, or other like purposes.”

Appropriation.

(b) There is hereby authorized to be appropriated for construction and maintenance of highways in the State of Alaska, out of the general fund, and in addition to funds otherwise made available to the State of Alaska under title 23, United States Code, \$14,000,000 for each of the fiscal years ending June 30, 1968, June 30, 1969, June 30, 1970, June 30, 1971, and June 30, 1972.

#### HIGHWAY BEAUTIFICATION

79 Stat. 1030,  
1032.

SEC. 8. (a) The last sentence of subsection (m) of section 131, and the last sentence of subsection (m) of section 136, of title 23, United States Code, are each amended to read as follows: “The provisions of chapter 1 of this title relating to the obligation, period of availability, and expenditure of Federal-aid primary highway funds shall apply to the funds authorized to be appropriated to carry out this section after June 30, 1967.”

79 Stat. 1032.  
23 USC 101.

(b) The last sentence of subsection (b) of section 319 of title 23, United States Code, is hereby amended to read as follows: “The provisions of chapter 1 of this title relating to the obligation, period of availability, and expenditure of Federal-aid primary highway funds shall apply to the funds authorized to be appropriated to carry out this subsection after June 30, 1967.”

(c) (1) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

#### “§ 137. Limitation on authorization of appropriations for certain purposes

“(a) Notwithstanding any other provision of law, neither sections 131, 136, and 319(b) of this title, nor any provision of law relating to highway safety enacted after May 1, 1966, shall be construed to be authority for any appropriations for any fiscal year for which appropriations are not specifically authorized by fiscal year in such sections or provisions.

79 Stat. 1028,  
1030, 1032.

“(b) Any appropriation to carry out section 131, 136, or 319(b) of this title or any provision of law relating to highway safety enacted after May 1, 1966, must be authorized by a provision of law specifically setting forth the total amount authorized to be appropriated for the fiscal year to carry out such section or other provision of law.

70 Stat. 397.  
23 USC 120 note.

“(c) The highway trust fund established by section 209 of the Highway Revenue Act of 1956 shall not be available for any appropriation to carry out sections 131, 136, and 319(b) of this title, and any provision of law relating to highway safety enacted after May 1, 1966, in an aggregate amount which exceeds the amount of tax that would be

imposed under section 4061(a)(2) of the Internal Revenue Code of 1954 if such section imposed a tax at the rate of 1 per centum plus such additional amounts as are appropriated from the general fund to the highway trust fund for such purposes, but the total of all appropriations made from such fund to carry out these sections and provisions of law shall never exceed the total of all appropriations made to such fund based on the imposition of such tax plus such additional amounts as are appropriated from the general fund to the highway trust fund for such purposes."

79 Stat. 136.  
26 USC 4061.

(2) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

"137. Limitation on authorization of appropriations for certain purposes."

EMERGENCY RELIEF

SEC. 9. (a) The last proviso of subsection (f) of section 120 of title 23 of the United States Code is amended by inserting after "park roads and trails," the following: "parkways, public lands highways, public lands development roads and trails,".

78 Stat. 1090.

(b) Subsection (c) of section 125 of title 23 of the United States Code is amended by inserting after "park roads and trails," the following: "parkways, public lands highways, public lands development roads and trails,".

73 Stat. 612.

(c) The second sentence of subsection (a) of section 125 of title 23 of the United States Code is amended to read as follows: "Subject to the following limitations, there is hereby authorized to be appropriated such sums as may be necessary to establish the fund authorized by this section and to replenish it on an annual basis: (1) not more than \$50,000,000 is authorized to be expended in any one fiscal year to carry out this section except that if in any fiscal year the total of all expenditures under this section is less than \$50,000,000, the unexpended balance of such amount shall remain available for expenditure during the next two succeeding fiscal years in addition to amounts otherwise available to carry out this section in such years, and (2) 60 per centum of the expenditures under this section for any fiscal year are authorized to be appropriated from the Highway Trust Fund and the remaining 40 per centum of such expenditures are authorized to be appropriated only from any moneys in the Treasury not otherwise appropriated."

Appropriation.

70 Stat. 397.  
23 USC 120 note.

(d) The amendments made by this section shall take effect July 1, 1966.

Effective date.

STUDY OF ADVANCE ACQUISITION OF RIGHTS-OF-WAY

SEC. 10. The Secretary of Commerce is authorized and directed to make a full and complete investigation and study of the advance acquisition of rights-of-way for future construction of highways on the Federal-aid highway systems, with particular reference to the provision of adequate time for the removal and disposal of improvements located on rights-of-way and the relocation of affected individuals, businesses, institutions, and organizations, the tax status of such property after acquisition and before its use for highway purposes, and the methods for financing advance right-of-way acquisition by both the State governments and the Federal Government, including the possible creation of revolving funds for such purpose. The Secretary shall submit a report of the results of such study to Congress not later than July 1, 1967, together with his recommendations.

Report to Congress.

## STATE HIGHWAY DEPARTMENTS

72 Stat. 912.

SEC. 11. Subsection (a) of section 302 of title 23 of the United States Code is amended by adding at the end thereof the following: "In meeting the provisions of this subsection, a State may engage, to the extent necessary or desirable, the services of private engineering firms."

## RELOCATION ASSISTANCE STUDY

Report to Congress.

SEC. 12. (a) The Secretary of Commerce is authorized and directed to make, in cooperation with the Secretary of the Department of Housing and Urban Development, the State highway departments, and other affected Federal and State agencies, a full and complete study and investigation for the purpose of determining what action can and should be taken to provide additional assistance for the relocation and reestablishment of persons, business concerns, and nonprofit organizations to be displaced by construction of projects on any of the Federal-aid highway systems, and to submit a report of the findings of such study and investigation, together with recommendations, to the Congress not later than July 1, 1967. The study and investigation shall include, but shall not be limited to—

(1) the need for additional payments or other financial assistance to such displaced persons, business concerns, and nonprofit organizations, and the extent to which the making of such payments and the providing of other financial assistance should be mandatory;

(2) the feasibility of constructing, within the right-of-way of a highway or upon real property adjacent thereto acquired for such purposes, publicly or privately owned, buildings, improvements, or other facilities to aid in the relocation of such displaced persons, business concerns, and nonprofit organizations;

(3) the extent to which the costs of acquiring such real property and constructing such buildings, improvements and other facilities should be paid from the highway trust fund; and

(4) sources of funds to pay the portion of the costs of acquiring such real property and constructing such buildings, improvements and other facilities, which is not properly chargeable to the highway trust fund.

## HIGHWAY STUDY—GUAM, AMERICAN SAMOA, AND THE VIRGIN ISLANDS

SEC. 13. (a) The Secretary of Commerce, in cooperation with the government of Guam, the government of American Samoa, and the government of the Virgin Islands is hereby authorized to make studies of the need for, and estimates and planning surveys relative to, highway construction programs for Guam, American Samoa, and the Virgin Islands.

Report to Congress.

(b) On or before July 1, 1967, the Secretary of Commerce shall submit a report to the Congress which shall include—

(1) an analysis of the adequacy of present highway programs to provide satisfactory highways in both the rural and urban areas in Guam, American Samoa, and the Virgin Islands;

(2) specific recommendations as to a program for the construction of highways throughout Guam, American Samoa, and the Virgin Islands; and

(3) a feasible program for implementing such specific recommendations, including cost estimates, recommendations as to the sharing of cost responsibilities, and other pertinent matters.

Appropriation.

(c) There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to be available until ex-

pending, the sum of \$200,000 for the purpose of making the studies, surveys, and report authorized by subsections (a) and (b) of this section.

#### SOIL EROSION CONTROL

SEC. 14. Section 109 of title 23, United States Code, is amended by adding a new subsection as follows: 72 Stat. 894;  
Ante, p. 767.

“(g) The Secretary shall consult with the Secretary of Agriculture with respect to guidelines for minimizing possible soil erosion from highway construction, and report to Congress such guidelines not later than July 1, 1967.” Report to  
Congress.

#### PRESERVATION OF PARKLANDS

SEC. 15. (a) Chapter 1 of title 23 of the United States Code is amended by inserting at the end thereof a new section as follows: 23 USC 101.

##### “§ 138. Preservation of parklands

“It is hereby declared to be the national policy that in carrying out the provisions of this title, the Secretary shall use maximum effort to preserve Federal, State, and local government parklands and historic sites and the beauty and historic value of such lands and sites. The Secretary shall cooperate with the States in developing highway plans and programs which carry out such policy. After July 1, 1968, the Secretary shall not approve under section 105 of this title any program for a project which requires the use for such project of any land from a Federal, State, or local government park or historic site unless such program includes all possible planning, including consideration of alternatives to the use of such land, to minimize any harm to such park or site resulting from such use.” 72 Stat. 891.

(b) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

“138. Preservation of parklands.”

Approved September 13, 1966.

### Public Law 89-575

#### AN ACT

To continue for a temporary period the existing suspension of duty on certain istle. September 13, 1966  
[H. R. 12461]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) item 903.90 of the Tariff Schedules of the United States (19 U.S.C., sec. 1202, item 903.90) is amended by striking out “9/5/66” and inserting in lieu thereof “9/5/69”. 77A Stat. 432.

(b) The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption, after September 5, 1966.

Approved September 13, 1966.

## Public Law 89-576

## AN ACT

September 14, 1966  
[H. R. 13284]

To redefine eligibility for membership in AMVETS (American Veterans of World War II).

AMVETS.  
Membership  
eligibility.  
69 Stat. 375.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 6 of the Act approved July 23, 1947, Public Law 216, Eightieth Congress (61 Stat. 407; 36 U.S.C. 67e), is amended to read as follows:

"SEC. 6. Any person who served in the Armed Forces of the United States of America or any American citizen who served in the armed forces of an allied nation of the United States on or after September 16, 1940, and on or before the date of cessation of hostilities as determined by the Government of the United States, is eligible for regular membership in AMVETS, provided such service when terminated by discharge or release from active duty be by honorable discharge or separation. No person who is a member of, or who advocates the principles of, any organization believing in, or working for, the overthrow of the United States Government by force, and no person who refuses to uphold and defend the Constitution of the United States, shall be privileged to become, or continue to be, a member of this organization."

Approved September 14, 1966.

## Public Law 89-577

## AN ACT

September 16, 1966  
[H. R. 8989]

To promote health and safety in metal and nonmetallic mineral industries, and for other purposes.

Federal Metal  
and Nonmetallic  
Mine Safety Act.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Federal Metal and Nonmetallic Mine Safety Act".

## DEFINITIONS AND EXEMPTIONS

SEC. 2. For the purposes of this Act.

(a) The term "commerce" means trade, traffic, commerce, transportation, or communication between any State, the Commonwealth of Puerto Rico, the District of Columbia, or any territory or possession of the United States, and any other place outside the respective boundaries thereof, or wholly within the District of Columbia, or any territory or possession of the United States, or between points in the same State, if passing through any point outside the boundaries thereof.

(b) The term "mine" means (1) an area of land from which minerals other than coal or lignite are extracted in nonliquid form or, if in liquid

form, are extracted with workers underground, (2) private ways and roads appurtenant to such area, and (3) land, excavations, underground passageways, and workings, structures, facilities, equipment, machines, tools, or other property, on the surface or underground, used in the work of extracting such minerals other than coal or lignite from their natural deposits in nonliquid form, or if in liquid form, with workers underground, or used in the milling of such minerals, except that with respect to protection against radiation hazards such term shall not include property used in the milling of source material as defined in the Atomic Energy Act of 1954, as amended.

(c) The term "operator" means the person, partnership, association, or corporation, or subsidiary of a corporation operating a mine, and owning the right to do so, and includes any agent thereof charged with responsibility for the operation of such mine.

(d) The term "Secretary" means the Secretary of the Interior or his duly authorized representative.

(e) The term "Board" means the Federal Metal and Nonmetallic Mine Safety Board of Review created by section 10.

SEC. 3. (a) Each mine the products of which regularly enter commerce, or the operations of which affect commerce, shall be subject to this Act.

(b) The Secretary may, by published rules adopted pursuant to the Administrative Procedure Act, decline to assert jurisdiction under this Act over any class or category of mines where, in the opinion of the Secretary, the effect of the operations of such mines on commerce is not sufficiently substantial to warrant the exercise of jurisdiction under this Act, and the record of injuries and accidents in such class or category of mines warrants such a declination of jurisdiction.

68 Stat. 919.  
42 USC 2011  
note.

Applicability.

60 Stat. 237.  
5 USC 1001  
note.

#### INSPECTIONS

SEC. 4. The Secretary of the Interior is authorized at any time to cause to be made such inspections and investigations as he shall deem necessary in mines which are subject to this Act (1) for the purpose of obtaining, utilizing, and disseminating information relating to health and safety conditions in such mines, the causes of accidents involving bodily injury or loss of life, or the causes of occupational diseases originating therein, (2) for the purpose of determining whether or not there is compliance with a health and safety standard or order issued under this Act, or (3) for the purpose of evaluating the manner in which a State plan approved under section 16 is being carried out. At least once each calendar year the Secretary shall inspect each underground mine which is subject to this Act.

SEC. 5. For the purpose of making any inspection or investigation authorized by this Act, authorized representatives of the Secretary shall be entitled to admission to, and shall have the right of entry to, upon, or through, any mine which is subject to this Act.

## HEALTH AND SAFETY STANDARDS

SEC. 6. (a) The Secretary shall develop, and from time to time revise, after consultation with advisory committees appointed pursuant to section 7 of this Act, and promulgate health and safety standards for the purpose of the protection of life, the promotion of health and safety, and the prevention of accidents in mines which are subject to this Act.

(b) After consultation with an appropriate advisory committee established pursuant to section 7 of this Act, the Secretary, by a notice published in the Federal Register, shall designate as mandatory standards those standards promulgated pursuant to subsection (a) of this section which deal with conditions or practices of a kind which could reasonably be expected to cause death or serious physical harm, and the operators of mines to which such standards are applicable shall comply with such mandatory standards pursuant to the provisions of section 8 and section 9 of this Act.

(c) The Secretary shall publish in the Federal Register, health and safety standards which he proposes to promulgate, and he shall specifically identify those standards which he proposes to designate as mandatory standards, and he shall also specifically designate those mandatory standards which have been recommended by an Advisory Committee appointed pursuant to section 7 of this Act. Interested persons shall be afforded a period of not less than 30 days after the publication of the proposed standards in which to submit written data, views, or arguments. Except as provided in subsection (d) of this section, the Secretary may, upon the expiration of such period and after consideration of all relevant matter presented, promulgate such standards.

(d) (1) On or before the last day of a period fixed for the submission of written data, views, or arguments, any person who may be adversely affected by a health and safety standard which the Secretary proposes to promulgate and to designate as a mandatory standard may file with the Secretary written objections thereto stating the grounds therefor, and requesting a public hearing (subject to the provisions of the Administrative Procedure Act) on such objections. The Secretary shall not promulgate any proposed mandatory standard respecting which such objections have been filed, until he has taken final action upon them as provided in paragraph (2) of this subsection. As soon as practicable after the period for filing such objections has expired, the Secretary shall publish in the Federal Register a notice specifying the proposed mandatory standards to which such objections have been filed.

(2) If such objections requesting a public hearing are filed, as soon after the expiration of the period for filing such objections as is practical, the Secretary, after due notice, shall hold a public hearing for the purpose of receiving evidence relevant and material to the issues raised by such objections. At the hearing, any interested person may

Publication in  
Federal Register.

Requests for  
public hearing.

60 Stat. 237.  
5 USC 1001  
note.

Publication in  
Federal Register.

be heard. As soon as practicable after completion of the hearing, the Secretary shall act upon such objections and make his decision public. Such decision shall be based only on substantial evidence of record at such hearing and shall set forth detailed findings of fact on which the decision is based.

(3) Any person aggrieved by a decision of the Secretary under paragraph (2) of this subsection may obtain a review of such order by the United States Court of Appeals for the District of Columbia by filing in such court within 20 days following the issuance of such decision a petition praying that the decision of the Secretary be modified or set aside in whole or in part. A copy of such petition shall forthwith be served upon the Secretary, and thereupon the Secretary shall certify and file in the court the record upon which the decision complained of was issued. The findings of fact by the Secretary, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Secretary to take further evidence, and the Secretary may thereupon make new or modified findings of fact and may modify his previous action and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. The commencement of a proceeding under this paragraph (3) shall not, unless specifically ordered by the court, operate as a stay of the Secretary's decision.

Review of order.

62 Stat. 928.

(e) The provisions of subsection (d) of this section shall not be applicable to any proposed mandatory standard which has been recommended by an Advisory Committee appointed pursuant to section 7 of this Act.

#### ADVISORY COMMITTEES

SEC. 7. (a) The Secretary is authorized to establish advisory committees to assist him in the development of health and safety standards for mines which are subject to this Act, and to advise him on other matters relating to health and safety in such mines. Each such advisory committee shall include among its members an equal number of persons qualified by experience and affiliation to present the viewpoint of operators of such mines, and of persons similarly qualified to present the viewpoint of workers in such mines, as well as one or more representatives of mine inspection or safety agencies of the States.

(b) Members appointed to such a committee from private life shall, while serving on business of the committee, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding \$100 per day, including travel time; and while so serving away from their homes or regular places of business, they may be paid travel expenses and per diem in lieu of subsistence at the rates authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C., sec. 73b-2).

Compensation of members.

60 Stat. 808;  
75 Stat. 339, 340.

#### FINDINGS AND ORDERS

SEC. 8. (a) If, upon any inspection or investigation of a mine which is subject to this Act, an authorized representative of the Secretary finds that conditions or practices in such mine are such that a danger exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such danger can be eliminated, such representative shall determine the extent of the area of such mine throughout which the danger exists, and there-

upon issue an order requiring the operator of such mine to cause all persons, except the following persons whose presence in such area is necessary to eliminate the danger described in such order, to be withdrawn from, and to be debarred from, entering such area:

(1) Any person whose presence in such area is necessary, in the judgment of the operator of the mine, to eliminate the danger described in the order; (2) any public official whose official duties require him to enter such area; or (3) any legal or technical consultant, or any representative of the employees of the mine, who is a certified person qualified to make mine examinations, or is accompanied by such a person, and whose presence in such area is necessary, in the judgment of the operator of the mine, for the proper investigation of the conditions described in the order.

(b) If, upon any such inspection or investigation, an authorized representative finds that there has been a failure to comply with a mandatory standard which is applicable to such mine, but that such failure to comply has not created a danger that could reasonably be expected to cause death or serious physical harm in such mine immediately or before the imminence of such danger can be eliminated, he shall find what would be a reasonable period of time within which such violation should be totally abated and thereupon issue a notice fixing a reasonable time for the abatement of the violation. If, upon the expiration of such period of time as originally fixed or extended, the authorized representative finds that such violation has not been totally abated, and if he also finds that such period of time should not be further extended, he shall also find the extent of the area which is affected by such violation. Thereupon, he shall promptly make an order requiring the operator of such mine to cause all persons in such area, excepting the following persons whose presence in such area is necessary to abate the violation described in the order, to be withdrawn from, and to be debarred from, entering such area:

(1) Any person whose presence in such area is necessary, in the judgment of the operator of the mine, to abate the violation described in the order; (2) any public official whose official duties require him to enter such area; or (3) any legal or technical consultant, or any representative of the employees of the mine, who is a certified person qualified to make mine examinations, or is accompanied by such a person, and whose presence in such area is necessary, in the judgment of the operator of the mine, for the proper investigation of the conditions described in the order.

(c) Findings and orders issued pursuant to this section shall contain a detailed description of the conditions or practices which cause and constitute a situation of imminent danger or a violation of a mandatory standard, and a description of the area of the mine throughout which persons must be withdrawn and debarred.

(d) Each finding made and notice or order issued under this section shall be given promptly to the operator of the mine to which it pertains by the person making such finding or order, and all such findings, orders, and notices shall be in writing, and shall be signed by the person making them. A notice or order issued pursuant to this section may be annulled, canceled, or revised by an authorized representative of the Secretary.

(e) If an order is made pursuant to subsection (a) of this section, and a State inspector did not participate in the inspection on which such order is based, the duly authorized representative of the Secretary who issued the order shall notify the State mine inspection or safety agency immediately, but not later than twenty-four hours after the issuance of such order, that such order has been issued. Following such order the operator of the mine may immediately request the State

mine inspection or safety agency to assign a State inspector to inspect the mine. The State agency shall then promptly assign a State inspector to inspect the mine affected by such order and file an inspection report with the Secretary and the State agency. The order of the duly authorized representative of the Secretary shall remain in effect, but shall immediately be subject to review as provided in this Act.

#### REVIEW BY SECRETARY

SEC. 9. (a) An operator notified of an order made pursuant to section 8(a) may apply to the Secretary for annulment or revision of such order. Upon receipt of such application the Secretary shall make a special inspection of the mine affected by such order, or cause three duly authorized representatives of the Secretary of the Interior, other than the representative who made such order, to make such inspection of such mine and to report thereon to him. Upon making such special inspection himself, or upon receiving the report of such inspection made by such representatives, the Secretary shall find whether or not danger throughout the area of such mine as set out in such order existed at the time of making such special inspection. If he finds that such danger did not then exist throughout such area of such mine, he shall make an order, consistent with his findings, revising or annulling the order under review. If he finds that such danger did then exist throughout such area of such mine, he shall make an order denying such application.

(b) An operator notified of an order made pursuant to section 8(b) may apply to the Secretary for annulment or revision of such order. Upon receipt of such application the Secretary shall make a special inspection of the mine affected by such order, or cause three duly authorized representatives of the Secretary of the Interior, other than the representative who made such order, to make such inspection of such mine and report thereon to him. Upon making such special inspection himself, or upon receiving the report of such inspection made by such representatives, the Secretary shall find whether or not there was a violation of a mandatory safety standard as described in such order, at the time of the making of such order. If he finds there was no such violation, he shall make an order annulling the order under review. If he finds there was such a violation, he shall also find whether or not such violation was totally abated at the time of the making of such special inspection. If he finds that such violation was totally abated at such time, he shall make an order annulling the order under review. If he finds that such violation was not totally abated at such time, he shall find whether or not the period of time within which such violation should be totally abated, fixed under section 8(b), should be extended. If he finds that such period of time should be extended, he shall find what a reasonable extension of such period of time would be. Thereupon he shall find the extent of the area of such mine which was affected by such violation at the time such special inspection was made, and then he shall make an order, consistent with his findings, revising the order under review. If he finds that such violation was not totally abated at the time of such special inspection, and that such period of time should not be extended, he shall find the extent of the area of such mine which was affected by such violation at the time such special inspection was made, and he shall then make an order, consistent with his findings, affirming or revising the order under review.

(c) In view of the urgent need for prompt decision of matters submitted to the Secretary under this section, all actions which the Secre-

tary or his representatives are required to take under this section shall be taken as rapidly as practicable, consistent with adequate consideration of the issues involved.

#### CREATION OF REVIEW BOARD

Federal Metal and Nonmetallic Mine Safety Board of Review.

SEC. 10. (a) An agency is hereby created to be known as the Federal Metal and Nonmetallic Mine Safety Board of Review, which shall be composed of five members who shall be appointed by the President, by and with the advice and consent of the Senate.

Membership, duration.

(b) The terms of office of members of the Board shall be five years, except that the terms of office of the members first appointed shall commence on the effective date of this section and shall expire one at the end of one year, one at the end of two years, one at the end of three years, one at the end of four years and one at the end of five years, as designated by the President at the time of appointment. A member appointed to fill a vacancy caused by the death, resignation, or removal of a member prior to the expiration of the term for which he was appointed shall be appointed only for the remainder of such unexpired term. The members of the Board may be removed by the President for inefficiency, neglect of duty, or malfeasance in office.

Compensation.

(c) Each member of the Board shall be compensated at the rate of \$50 for each day of actual service (including each day he is traveling on official business) and shall, notwithstanding the Travel Expense Act of 1949, be fully reimbursed for traveling, subsistence, and other related expenses. The Board, at all times, shall consist of two persons who by reason of previous training and experience may reasonably be said to represent the viewpoint of metal and nonmetallic mine operators, two persons who by reason of previous training and experience may reasonably be said to represent the viewpoint of metal and nonmetallic mine workers, and one person, who shall be Chairman of the Board, who shall be a graduate engineer with experience in the metal and nonmetallic mining industry or shall have had at least five years' experience as a practical mining engineer in the metal and nonmetallic mining industry, and who shall not, within one year of his appointment as a member of the Board, have had a pecuniary interest in, or have been regularly employed or engaged in, the metal or nonmetallic mining industry, or have regularly represented either metal or nonmetallic mine operators or workers, or have been an officer or employee of the Department of the Interior assigned to duty in the Bureau of Mines.

63 Stat. 166.  
5 USC 835 note.

(d) The principal office of the Board shall be in the District of Columbia. Whenever the Board deems that the convenience of the public or of the parties may be promoted, or delay or expense may be minimized, it may hold hearings or conduct other proceedings at any other place. The Board shall have an official seal which shall be judicially noticed and which shall be preserved in the custody of the secretary of the Board.

Appointment of personnel, etc.

(e) The Board shall, without regard to the civil service laws, appoint and prescribe the duties of a secretary of the Board and such legal counsel as it deems necessary. Subject to the civil service laws, the Board shall appoint such other employees as it deems necessary in exercising its powers and duties. The compensation of all employees appointed by the Board shall be fixed in accordance with the Classification Act of 1949, as amended.

Ante, p. 288.

(f) Three members of the Board shall constitute a quorum, and official actions of the Board shall be taken only on the affirmative vote of at least three members; but a special panel composed of one or more members, upon order of the Board, shall conduct any hearing provided for in section 11 and submit the transcript of such hearing

to the entire Board for its action thereon. Every official act of the Board shall be entered of record, and its hearings and records thereof shall be open to the public.

(g) The Board shall hear and determine applications filed pursuant to section 11 for annulment or revision of orders made pursuant to section 8 or section 9. The Board shall not make or cause to be made any inspection of a mine for the purpose of determining any pending application.

Review of application.

(h) The Board is authorized to make such rules as are necessary for the orderly transaction of its proceedings, which shall include requirement for adequate notice of hearings to all parties.

Rules of proceedings.

(i) Any member of the Board may sign and issue subpoenas for the attendance and testimony of witnesses and the production of relevant papers, books, and documents, and administer oaths. Witnesses summoned before the Board shall be paid the same fees and mileage that are paid witnesses in the courts of the United States.

Subpoena powers.

(j) The Board may order testimony to be taken by deposition in any proceeding pending before it, at any stage of such proceeding. Reasonable notice must first be given in writing by the party or his attorney proposing to take such deposition to the opposite party or his attorney of record, which notice shall state the name of the witness and the time and place of the taking of his deposition. Any person may be compelled to appear and depose, and to produce books, papers, or documents, in the same manner as witnesses may be compelled to appear and testify and produce like documentary evidence before the Board, as provided in subsection (i). Witnesses whose depositions are taken under this subsection, and the persons taking such depositions, shall be entitled to the same fees as are paid for like services in the courts of the United States.

Testimony by deposition.

(k) In the case of contumacy by, or refusal to obey a subpoena served upon, any person under this section, the Federal district court for any district in which such person is found or resides or transacts business, upon application by the United States, and after notice to such person and hearing, shall have jurisdiction to issue an order requiring such person to appear and give testimony before the Board or to appear and produce documents before the Board, or both; and any failure to obey such order of the court may be punished by such court as a contempt thereof.

(l) The Board shall submit annually to the Congress as soon as practicable after the beginning of each regular session, a full report of its activities during the preceding calendar year. Such report shall include, either in summary or detailed form, information regarding the cases heard by it and the disposition of each.

Report to Congress.

#### REVIEW BY BOARD

SEC. 11. (a) An operator notified of an order made pursuant to section 8 may apply to the Federal Metal and Nonmetallic Mine Safety Board of Review for annulment or revision of such order without seeking its annulment or revision under section 9. An operator notified of an order made pursuant to section 9 may apply to the Board for annulment or revision of such order.

(b) The operator shall be designated as the applicant in such proceeding, and the application filed by him shall recite the order complained of and other facts sufficient to advise the Board of the nature of the proceeding. He may allege in such application: that danger as set out in such order does not exist at the time of the filing of such application; that violation of a mandatory safety standard, as set out in such order, has not occurred; that such violation has been totally

or partially abated; that the period of time within which such violation should be be totally abated, as fixed in the findings upon which such order was based, was not reasonable; or that the area of the mine described in such order as the area affected by the violation referred to in such order is not so affected at the time of the filing of such application. The Secretary shall be the respondent in such proceeding, and the applicant shall send a copy of such application by registered mail or by certified mail to the Secretary at Washington, District of Columbia.

(c) Immediately upon the filing of such an application the Board shall fix the time for a prompt hearing thereof.

Temporary relief pending hearing.

(d) Pending such hearing the applicant may file with the Board a written request that the Board grant such temporary relief from such order as the Board may deem just and proper. Such temporary relief may be granted by the Board only after a hearing by the Board at which both the applicant and the respondent were afforded an opportunity to be heard, and only if respondent was given ample notice of the filing of applicant's request and of the time and place of the hearing thereon as fixed by the Board.

(e) The Board shall not be bound by any previous findings of fact by the respondent. Evidence relating to the making of the order complained of and relating to the questions raised by the allegations of the pleadings or other questions pertinent in the proceeding may be offered by both parties to the proceeding. If the respondent claims that imminent danger or violation of a mandatory safety standard, as set out in such order, existed at the time of the filing of the application, the burden of proving the then existence of such danger or violation shall be upon the respondent, and the respondent shall present his evidence first to prove the then existence of such danger or violation. Following presentation of respondent's evidence the applicant may present his evidence, and thereupon the respondent may present evidence to rebut the applicant's evidence.

(f) If the proceeding is one in which an operator seeks annulment or revision of an order made pursuant to section 8(a) the Board, upon conclusion of the hearing, shall find whether or not danger throughout the area of such mine as set out in such order existed at the time of the filing of the operator's application. If the Board finds that such danger did not then exist throughout such area of such mine, the Board shall make an order, consistent with its findings, revising or annulling the order under review. If the Board finds that such danger did then exist throughout such area of such mine, the Board shall make an order denying such application.

(g) If the proceeding is one in which an operator seeks annulment or revision of an order made pursuant to section 8(b), the Board upon conclusion of the hearing shall find whether or not there was a violation of a mandatory safety standard as described in such order, at the time of the making of such order. If the Board finds there was no such violation, the Board shall make an order annulling the order under review. If the Board finds there was such a violation, the Board shall also find whether or not such violation was totally abated at the time of the filing of the operator's application. If the Board finds that such violation was totally abated at such time, the Board shall make an order annulling the order under review. If the Board finds that such violation was not totally abated at such time, the Board shall find whether or not the period of time within which such violation should be totally abated fixed under section 8(b) or section 9(b) should be extended. If the Board finds that such period of time should

be extended, the Board shall also find what a reasonable extension of time should be, and shall immediately also find the extent of the area of such mine which was affected by such violation at the time of the filing of such application and the Board shall then make an order consistent with its findings, revising the order under review. If the Board finds that such violation was not totally abated at the time of the filing of the operator's application and that such period of time should not be extended, the Board shall find the extent of the area of such mine which was affected by such violation at such time, and shall make an order, consistent with its findings, affirming or revising the order under review.

(h) Each finding and order made by the Board shall be in writing. It shall show the date on which it is made, and shall bear the signatures of the members of the Board who concur therein. Upon making a finding and order the Board shall cause a true copy thereof to be sent by registered mail or by certified mail to all parties or their attorneys of record. The Board shall cause each such finding and order to be entered on its official record, together with any written opinion prepared by any members in support of, or dissenting from, any such finding or order.

(i) In view of the urgent need for prompt decision of matters submitted to the Board under this section, all action which the Board is required to take under this section shall be taken as rapidly as practicable, consistent with adequate consideration of the issues involved.

#### JUDICIAL REVIEW

SEC. 12. (a) Any final order issued by the Board under section 11 shall be subject to judicial review by the United States court of appeals for the circuit in which the mine affected is located, upon the filing in such court of a notice of appeal by the Secretary or the operator aggrieved by such final order within thirty days from the date of the making of such final order.

(b) The party making such appeal shall forthwith send a copy of such notice of appeal, by registered mail or by certified mail, to the other party and to the Board. Upon receipt of such copy of a notice of appeal the Board shall promptly certify and file in such court a complete transcript of the record upon which the order complained of was made. The costs of such transcript shall be paid by the party making the appeal.

(c) The court shall hear such appeal on the record made before the Board, and shall permit argument, oral or written or both, by both parties. The court shall permit such pleadings, in additions to the pleadings before the Board, as it deems to be required or as provided for in the Rules of Civil Procedure governing appeals in such court.

(d) Upon such conditions as may be required and to the extent necessary to prevent irreparable injury, the United States court of appeals may, after due notice to and hearing of the parties to the appeal, issue all necessary and appropriate process to postpone the effective date of the final order of the Board or to grant such other relief as may be appropriate pending final determination of the appeal.

(e) The United States court of appeals may affirm, annul, or revise the final order of the Board, or it may remand the proceeding to the Board for such further action as it directs. The findings of the Board as to facts, if supported by substantial evidence on the record considered as a whole, shall be conclusive.

(f) The decision of a United States court of appeals on an appeal from the Board shall be final, subject only to review by the Supreme Court as provided in section 1254 of title 28 of the United States Code.

28 USC app.  
Final order ef-  
fective date;  
postponement.

62 Stat. 928.

## MANDATORY REPORTING

SEC. 13. The Secretary shall require operators of mines which are subject to this Act to submit, at least annually and at such other times as he deems necessary, and in such form as he may prescribe, reports of accidents, injuries, and occupational diseases, and related data, and the Secretary shall compile, analyze, and publish, either in summary or detailed form, the information obtained; and all information, reports, orders, or findings, obtained or issued under this Act may be published and released to any interested person, and shall be made available for public inspection.

## PENALTIES

SEC. 14. (a) Whenever an operator (1) violates or fails or refuses to comply with any order of withdrawal and debarment issued under section 8 or section 9 of this Act, or (2) interferes with, hinders, or delays the Secretary, or his duly authorized representative, in carrying out his duties under this Act, or (3) refuses to admit an authorized representative of the Secretary to any mine which is subject to this Act, or (4) refuses to permit the inspection or investigation of any mine which is subject to this Act, or of an accident, injury, or occupational disease occurring in or connected with such a mine or (5) being subject to the provisions of section 13 of this Act, refuses to furnish any information or report requested by the Secretary, a civil action for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order, may be instituted by the Secretary in the district court of the United States for the district in which the mine in question is located or in which the mine operator has its principal office.

(b) Whoever violates or fails or refuses to comply with an order of withdrawal and debarment issued (1) under subsection (a) of section 8 or (2) under subsection (b) of section 8 if the failure to comply with an order of abatement has created a danger that could cause death or serious physical harm in such mine immediately or before the imminence of such danger can be eliminated, shall upon conviction thereof be punished for each such offense by a fine of not less than \$100, or more than \$3,000, or by imprisonment not to exceed sixty days, or both. In any instance in which such offense is committed by a corporation, the officer or authorized representative of such corporation who knowingly permits such offense to be committed shall, upon conviction, be subject to the same fine or imprisonment, or both.

## EDUCATION AND TRAINING

SEC. 15. The Secretary shall develop expanded programs for the education and training of employers and employees in the recognition, avoidance, and prevention of accidents or unsafe or unhealthful working conditions in mines which are subject to this Act.

## STATE PLANS

SEC. 16. (a) In order to promote sound and effective coordination in Federal and State activities within the field covered by this Act, the Secretary shall cooperate with the official mine inspection or safety agencies of the several States.

(b) Any State which, at any time, desires to develop and enforce health and safety standards in mines located in the State which are subject to this Act shall submit, through a State mine inspection or

safety agency, a State plan for the development of such standards and their enforcement.

(c) The Secretary shall approve the plan submitted by a State under subsection (b), or any modification thereof, whenever the State gives evidence satisfactory to the Secretary that under such plan—

(1) the State agency submitting such plan is the sole agency responsible for administering the plan throughout the State and contains satisfactory evidence that such agency will have the authority to carry out the plan: *Provided*, That the Secretary may, upon request of the Governor or other appropriate executive or legislative authority of the State responsible for determining or revising the organizational structure of State government, waive the single State agency provision hereof and approve another State administrative structure or arrangement if the Secretary determines that the objectives of this Act will not be endangered by the use of such other State structure or arrangement,

(2) such agency has adequate legal authority to enforce existing health and safety standards for the purpose of the protection of life, the promotion of health and safety, and the prevention of accidents in mines in the State that are subject to this Act, which are, in his judgment, substantially as effective for such purposes as the mandatory standards designated under section 6(b) and which provide for inspection at least annually of all such mines, other than quarries and sand and gravel pits,

(3) the agency has adequate qualified personnel necessary for the enforcement of the plan,

(4) the State will devote adequate funds to the administration and enforcement of such standards,

(5) reasonable safeguards exist against loss of life or property arising from mines which are closed or abandoned after the effective date of this Act, and

(6) the agency shall make such reports to the Secretary, in such form and containing such information, as the Secretary shall from time to time require.

State agency  
reports to In-  
terior Secretary.

(d) The Secretary shall, on the basis of reports submitted by the State agency and his own inspection of mines, make a continuing evaluation of the manner in which each State having a plan approved under this section is carrying out such plan. Whenever the Secretary finds, after affording due notice and opportunity for a hearing, that in the administration of the State plan there is a failure to comply substantially with any provision of the State plan (or any assurance contained therein), he shall notify the State agency of his withdrawal of approval of such plan and upon receipt of such notice such plan shall cease to be in effect.

(e) The provisions of section 8(b) and 9(b) of this Act shall not be applicable in any State in which there is in effect a State plan approved under subsection (c).

#### ADMINISTRATIVE PROVISIONS

SEC. 17. The Secretary shall provide that the major responsibility for administering the provisions of this Act shall be vested in the Bureau of Mines of the Department of the Interior which has the major responsibility for carrying out the Federal Coal Mine Safety Act. The Secretary acting through the Bureau, shall have authority to appoint, subject to the civil service laws, such officers and employees as he may deem requisite for the administration of this Act; and to prescribe powers, duties, and responsibilities of all officers and employees engaged in the administration of this Act: *Provided, however,*

55 Stat. 177.  
30 USC 451  
note.

Mine inspectors, qualifications.

That, to the maximum extent feasible, in the selection of persons for appointment as mine inspectors, no person shall be so selected unless he has the basic qualification of at least five years practical mining experience and in assigning mine inspectors to the inspection and investigation of individual mines, due consideration shall be given to their previous practical experience in the State, district, or region, and in the particular type of mining operation where such inspections are to be made.

#### EXCLUSION FROM ADMINISTRATIVE PROCEDURE ACT

60 Stat. 237.  
5 USC 1001  
note.

SEC. 18. The Administrative Procedure Act shall not apply to the making of any finding, order, or notice pursuant to this Act, or to any proceeding for the annulment or revision of any such finding, order, or notice.

#### EFFECT ON STATE LAWS

SEC. 19. (a) No State or territorial law in effect upon the effective date of this Act or which may become effective thereafter, shall be superseded by any provision of this Act, except insofar as such State or territorial law is in conflict with this Act, or with orders issued pursuant to this Act.

(b) Provisions in any State or territorial law in effect upon the effective date of this Act, or which may become effective thereafter, which provide for greater safety of persons in a mine as defined in this Act, than do provisions of this Act, which relate to the same phase of such operations, shall not be construed or held to be in conflict with this Act. Provisions in any State or territorial law in effect upon the effective date of this Act, or which may become effective thereafter, which provide for the safety of persons in a mine as defined in this Act concerning which no provision is contained in this Act, shall not be construed or held to be superseded by this Act.

(c) Nothing in this Act shall be construed or held to supersede or in any manner affect the workmen's compensation laws of any State or territory, or to enlarge or diminish or affect in any other manner the common law or statutory rights, duties, or liabilities of employers and employees under State or territorial laws in respect of injuries, occupational or other diseases, or death of employees arising out of, or in the course of, employment.

#### REPORT OF SECRETARY

SEC. 20. The Secretary shall submit annually to the Congress, as soon as practicable after the beginning of each regular session, a full report of the administration of his functions under this Act during the preceding calendar year. Such report shall include, either in summary or detailed form, the information obtained by him under this Act, together with such findings and comments thereon and such recommendations for legislative action as he may deem proper.

#### AUTHORIZATION OF APPROPRIATIONS

SEC. 21. There are authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this Act.

## EFFECTIVE DATE OF ACT

SEC. 22. This Act shall become effective on the date of its enactment, except that sections 8 and 9, and subsection (b) and paragraph (1) of subsection (a) of section 14 shall become effective one year after the date of publication of notice in the Federal Register of the designation of mandatory standards as provided for in section 6(b) of this Act.

Approved September 16, 1966, 12:20 p.m.

## Public Law 89-578

## AN ACT

September 16, 1966  
[H. R. 13558]

To provide for regulation of the professional practice of certified public accountants in the District of Columbia, including the examination, licensure, registration of certified public accountants, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act shall be known and may be cited as the "District of Columbia Certified Public Accountancy Act of 1966".

District of  
Columbia Certi-  
fied Public Ac-  
countancy Act of  
1966.

## DEFINITIONS

SEC. 2. As used in this Act—

(a) The term "certified public accountant" means a person who is the holder in good standing of a certificate of certified public accountant issued under the laws of any State or Territory of the United States authorizing him to practice as a certified public accountant in such State or territory. A "certified public accountant of the District of Columbia" is a person who is the holder in good standing of a certificate of certified public accountant issued under the Act of Congress approved February 17, 1923, as amended (42 Stat. 1261, ch. 94), or who is the holder in good standing of a certificate of certified public accountant or of an endorsement of certificate of certified public accountant issued pursuant to section 6 or 8, respectively, of this Act authorizing him to practice as a certified public accountant in the District of Columbia.

(b) The term "Commissioners" means the Commissioners of the District of Columbia sitting as a board or their authorized agent or agents.

(c) The term "Board" means the Board of Accountancy.

(d) The term "person" includes partnerships, corporations and associations as well as natural persons.

D. C. Code  
2-901 to 2-909.

(e) The term "he" and the derivatives thereof shall be construed to include the word "she" and the derivatives thereof.

SEC. 3. (a) No natural person shall assume or use the title or designation "certified public accountant" or the abbreviation "C.P.A.", or any other title, designation, words, letters, or abbreviations tending to indicate that such person is a certified public accountant, or is likely to be confused with "certified public accountant" or "C.P.A.", unless such person is a holder of a certificate of certified public accountant. No natural person shall engage or hold himself out to the public as being engaged in the practice of public accountancy as a certified public accountant in the District of Columbia, unless such natural person is the holder of a certificate of certified public accountant of the District of Columbia or an endorsement of certificate of certified public accountant as provided in sections 6 and 8 of this Act.

(b) No partnership shall assume or use the title or designation "certified public accountants" or the abbreviation "C.P.A.'s" or any other title, designation, words, letters, abbreviations, sign, or device tending to indicate that such partnership is composed of certified public accountants, unless such partnership is registered as a partnership of certified public accountants under section 10 of this Act.

(c) No corporation shall assume or use the title or designation "certified public accountant" or the abbreviation "C.P.A." or any other title, designation, words, letters, abbreviations, sign, card, or device tending to indicate that such corporation is licensed as a certified public accountant or likely to be confused with "certified public accountant" or "C.P.A."

(d) Nothing in this Act shall be construed to prohibit any person, partnership, or corporation from practicing public accountancy either gratuitously or for hire: *Provided*, That such person, partnership, or corporation does not assume the title of "certified public accountant", or the abbreviation "C.P.A." or any other titles, designations, or abbreviations likely to be confused with "certified public accountant" or "C.P.A."

Board of Accountancy, establishment.

SEC. 4. (a) The Commissioners are hereby authorized and empowered to establish a Board of Accountancy, composed of three certified public accountants of the District of Columbia, to serve as their agent and to delegate to such Board of Accountancy any of the technical and professional functions vested in the Commissioners by this Act. Each of the members of the Board of Accountancy shall be registered in accordance with the provisions of section 9 of this Act and, at the time of appointment to the Board, shall have been engaged in the practice of public accountancy as a certified public accountant for a period of not less than ten years, at least five years of which shall have

been in the District of Columbia. The requirements of the preceding sentence shall not apply to those persons who are members of the Board of Accountancy on the date of enactment of this Act. The length of terms for Board members shall be three years and no person shall be appointed to the Board for more than two terms. The Commissioners shall have the authority to determine from time to time the amount of compensation to be paid to Board members.

The Commissioners may remove any member of the Board of Accountancy for neglect of duty or for other sufficient cause.

Rules and regulations.

SEC. 5. The Commissioners are authorized to adopt from time to time such rules and regulations as may be necessary to carry out the purposes of this Act including, but not limited to, rules of professional conduct and grounds for denial, suspension, or revocation of any certificate, endorsement, or registration applied for or issued under this Act. The Board of Accountancy shall make recommendations to the Commissioners concerning the adoption of such rules and regulations. No such rules or regulations shall be adopted until after the Commissioners shall have held a public hearing thereon.

SEC. 6. (a) The Commissioners are authorized to issue a certificate of certified public accountant of the District of Columbia to any applicant furnishing to the Commissioners satisfactory proof that he has the following qualifications:

C.P.A. certificate, issuance.

- (1) Is at least twenty-one years of age;
- (2) Is a citizen of the United States, or has declared his intention of becoming such citizen;
- (3) Has actually and continuously resided in or has been domiciled in the District of Columbia or has been regularly employed in the District of Columbia on a continuous full-time basis for a period of not less than one year immediately prior to the date of filing an application, or, in the case of an employee of a certified public accountant or firm of certified public accountants registered to practice in the District of Columbia, has been a bona fide resident of a foreign country for a period of not less than eighteen months immediately preceding the date of filing an application and is not qualified to be examined and to receive a certificate of certified public accountant in the State of last residence solely because of the aforesaid residence abroad;
- (4) Has had the education and experience specified in section 7 hereof;
- (5) Has successfully completed an examination in accounting and such related subjects as prescribed by the Commissioners;
- (6) Is of good moral character; and
- (7) Has paid all required fees.

(b) Applications for certificate of certified public accountant by examination approved prior to the effective date of this Act by the Commissioners of the District of Columbia, created under prior law, shall be regarded as applications filed under this Act, and the terms and conditions governing carryover credits for having passed a part of the examination in effect at the effective date of this Act, shall control with respect to such applications.

(c) A person who holds a certificate of certified public accountant issued under the laws of the District of Columbia on the effective date of this Act shall not be required to obtain an additional certificate under this Act, but shall otherwise be subject to all the provisions of this Act and such certificate shall, for all purposes, be considered a certificate issued under this Act and subject to the provisions hereof. The holder of a certificate of certified public accountant which is in full force and effect, shall be styled and known as a certified public accountant and may also use the abbreviation "C.P.A."

Educational and  
experience re-  
quirements.

SEC. 7. (a) Commencing on the effective date of this Act and for one year thereafter the educational and experience requirements shall be:

(1) Completion of a four-year course of study at an approved high school, or the equivalent of such a course of study, and

(2) Completion of a resident course of study satisfactory to the Commissioners at an institution, junior college, or school of accountancy, or combination thereof, of not less than sixty semester hours of which a minimum of thirty semester hours shall have been in accounting theory and practice, in auditing, and in commercial law as affecting accountancy, and the remainder of the semester hours shall have been in subjects satisfactory to the Commissioners, and

(3) Not less than one year's experience satisfactory to the Commissioners in the full-time employment of a certified public accountant of the District of Columbia or of any State or territory of the United States, regularly engaged in the full-time public practice of his profession as a certified public accountant, or in the full-time employment of a firm of certified public accountants all the partners of which are certified public accountants of the District of Columbia or of some other State or territory of the United States, and said firm is regularly engaged in the full-time public practice as certified public accountants.

(b) Commencing one year from the date of enactment of this Act, the educational and experience requirements shall be:

(1) (A) Completion of a four-year course of study at an approved high school, or the equivalent of such a course of study, and

(B) Completion of a resident course of study satisfactory to the Commissioners at an institution, junior college, or school of accountancy, or combination thereof, of not less than sixty semester hours of which a minimum of thirty semester hours shall have been in accounting theory and practice, in auditing, and in commercial law as affecting accountancy and the remainder of the semester hours shall have been in subjects satisfactory to the Commissioners, and

(C) Not less than four years' experience satisfactory to the Commissioners in the full-time employment of a certified public accountant of the District of Columbia or of some other State or territory of the United States regularly engaged in the full-time public practice of his profession as a certified public accountant or in the full-time employment of a firm of certified public accountants, all the partners of which are certified public accountants of the District of Columbia or of some other State or terri-

tory of the United States, and said firm is regularly engaged in the full-time public practice as certified public accountants, or

(2)(A) Completion of a four-year course of study at an approved high school or the equivalent of such a course of study, and

(B) Completion of a resident course of study satisfactory to the Commissioners at an institution, junior college, or school of accountancy, or combination thereof, of not less than ninety semester hours of which a minimum of thirty semester hours shall have been in accounting theory and practice, in auditing, and in commercial law as affecting accountancy, and the remainder of the semester hours shall have been in subjects satisfactory to the Commissioners, and

(C) Not less than three years' experience satisfactory to the Commissioners in the full-time employment of a certified public accountant of the District of Columbia or of some other State or territory of the United States regularly engaged in the full-time public practice of his profession as a certified public accountant or in the full-time employment of a firm of certified public accountants, all the partners of which are certified public accountants of the District of Columbia or of any State or territory of the United States, and said firm is regularly engaged in the full-time public practice as certified public accountants, or

(3)(A) Completion of a four-year course of study at an approved high school or the equivalent of such a course of study; and

(B) Completion of a resident course of study satisfactory to the Commissioners at an institution, junior college, or school of accountancy, or combination thereof, of not less than one hundred and twenty semester hours with a major in accountancy satisfactory to the Board, or what the Board determines to be substantially the equivalent thereof, and

(C) Not less than two years' experience satisfactory to the Commissioners in the full-time employment of a certified public accountant of the District of Columbia or of some other State or territory of the United States regularly engaged in the full-time public practice of his profession as a certified public accountant or in the full-time employment of a firm of certified public accountants all the partners of which are certified public accountants of the District of Columbia or of some other State or territory of the United States and said firm is regularly engaged in the full-time public practice as certified public accountants.

(e) Commencing with the effective date of this Act, the Commissioners may, upon recommendation of the Board of Accountancy, except for any required year of certified public accountant employment as set forth in subsections (b) (1) (C), (b) (2) (C), and (b) (3) (C) of this section, one and one-half years of actual and continuous experience of any person (1) in auditing the books and accounts of other persons in three or more distinct lines of commercial business in accordance with generally accepted auditing standards, or (2) in a combination satisfactory to the Board of the experience described in (1) above together with auditing the books and accounts or activities of three or more governmental agencies or distinct organizational units in accordance with generally accepted auditing standards and reporting on their operations to a third party, to the Congress, or to a State legislature, or (3) in reviewing financial statements and supporting material covering the financial condition and operations of private business entities to determine the reliability and fairness of

the financial reporting and compliance with generally accepted accounting principles and applicable Government regulations for the protection of investors and consumers. Nothing in this subsection shall be interpreted as precluding consideration of Government experience for recognition under this subsection.

(d) In general, the educational and experience requirements specified in this section shall be those in effect on the final date for accepting applications for the examination for which the applicant first sits, but the Commissioners may permit exceptions to the general rule in order to prevent what they determine to be undue hardship to applicants resulting from changes in the educational and experience requirements made by this Act.

(e) The Commissioners are authorized and empowered to alter, amend, and otherwise change the educational and experience requirements specified in this section at any time, but in altering, amending, or changing said standards the Commissioners shall not be permitted to lower the same below the standards herein set forth.

SEC. 8. (a) The Commissioners may, in their discretion, waive the examination specified in section 6 of this Act and may issue an endorsement of certificate of certified public accountant, renewable periodically but no more frequently than annually, to an applicant who—

(1) is a certified public accountant of a State or territory of the United States, or who is the holder of a certificate of certified public accountant, or the equivalent thereof, issued in any foreign country, provided the requirements for such certificate are, in the opinion of the Commissioners, equivalent to those herein required; and

(2) meets the qualifications specified in clauses (1), (2), (4), (6), and (7) in subsection (a) of section 6 of this Act: *Provided, however,* That an applicant who is a certified public accountant in good standing of a State or territory shall not be required to meet more extensive educational and experience qualifications than those required by the District of Columbia at the time when such applicant was granted his certificate of certified public accountant by such State or territory; and

(3) declares his intention under oath of opening and maintaining or being employed in an office in the District of Columbia for the purpose of engaging in the full-time public practice of his profession as a certified public accountant of the District of Columbia.

(b) The holder of endorsement of certificate of certified public accountant, in full force and effect, shall have all of the privileges of the holder of a certificate of certified public accountant issued under section 6 of this Act and shall be subject to all of the provisions of the Act.

SEC. 9. Every certified public accountant engaged in or who proposes to engage in the public practice of his profession as a certified public accountant in the District of Columbia is hereby required to register periodically but no more frequently than annually with the Commissioners. A certified public accountant of the District of Columbia employed in the District of Columbia by another certified public accountant registered under this section or by a partnership of certified public accountants registered under section 10 of this Act, shall also be required to register. Failure of a certified public accountant or registrant to apply for such original or renewal registration shall deprive him of the right to engage in or continue to engage in the public practice of his profession as a certified public accountant unless and until he subsequently applies for and obtains such registration.

Endorsement of  
C. P. A. certificate.

Registration.

SEC. 10. (a) A partnership which maintains an office within and engages in the full-time practice of public accountancy or a partnership which may hereafter wish to practice as such in the District of Columbia, may apply for registration, renewable periodically but no more frequently than annually, with the Commissioners as a partnership of certified public accountants, provided it meets all of the following requirements:

(1) Each partner thereof is a certified public accountant in good standing of the District of Columbia or of some State or territory.

(2) At least one partner or the resident manager thereof is a certified public accountant of the District of Columbia engaged in the full-time practice of public accountancy in the District of Columbia.

(3) Each partner thereof engaged in public practice as a certified public accountant in the District of Columbia is a certified public accountant of the District of Columbia.

(b) A registered partnership of certified public accountants, and only such partnership may use the title "Certified Public Accountants" and the abbreviation "C.P.A.s" in connection with the partnership name in the District of Columbia.

SEC. 11. After notice by registered or certified mail and reasonable opportunity for a hearing, the Commissioners are authorized and empowered to revoke, or suspend for not more than three years, any certificate, endorsement, or registration issued by the Commissioners in accordance with the provisions of this Act, or to refuse to grant or renew, any certificate, endorsement, or registration applied for in accordance with the provisions of this Act, or may censure the holder thereof if the applicant or holder thereof violates the rules of professional conduct or other rules and regulations adopted pursuant to this Act, or for other sufficient cause: *Provided*, That said denial, suspension, or revocation shall be made only upon specific charges in writing. A certified copy of any such charge and at least twenty days' notice of the hearing of the same, shall be served upon the holder of or applicant for such certificate, endorsement, or registration.

Revocation of certificates, etc.

SEC. 12. The Commissioners are hereby authorized and empowered in connection with any hearing conducted pursuant to authority contained in section 11 of this Act, to subpoena any necessary witnesses, books, papers, records, and documents. Any such hearing shall be considered an investigation of a municipal matter within the meaning of the Act of July 1, 1902 (32 Stat. 591; D.C. Code, sec. 1-237).

Subpena power.

SEC. 13. After notice and hearing are given as provided for in section 11 of this Act, the Commissioners may revoke or suspend the registration of a partnership or may censure a registered partnership for any of the causes described in section 11 of this Act, or for any of the following additional causes:

(1) failure to maintain the qualifications prescribed by section 10 of this Act;

(2) the revocation or suspension by the Commissioners of the certificate or endorsement of a certificate of certified public accountant of any partner; or

(3) the cancellation, revocation, suspension or refusal to renew the authority of the partnership or any partner thereof to practice public accountancy in any State or territory.

SEC. 14. The Commissioners shall adopt and prescribe administrative procedures for public hearings for the purpose of denial, suspension, or revocation of a certificate, endorsement, or registration.

Public hearings.

SEC. 15. Upon application in writing and after hearing pursuant to notice, the Commissioners may issue a new certificate or endorsement

Re-issuance of certificates.

of certificate of certified public accountant to a person whose certificate or endorsement of certificate shall have been revoked, or may permit the registration of a partnership or of a practicing certified public accountant whose registration has been revoked.

SEC. 16. Nothing contained in this Act shall prohibit any natural person not a certified public accountant from serving as an employee of or an assistant to a certified public accountant or a partnership of certified public accountants.

Nothing contained in this Act shall prohibit a certified public accountant or a partnership of certified public accountants of another State from temporarily performing specific accounting engagements in the District of Columbia on professional business incident to regular practice outside the District of Columbia: *Provided*, That such temporary practice is conducted in conformity with the rules of professional conduct promulgated by the Commissioners.

Penalty for violations.

SEC. 17. Any person who violates any provision of section 3 of this Act shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than \$500 or to imprisonment for not more than one year, or both such fine and imprisonment. Whenever the Commissioners have reason to believe that any person is liable to punishment under this section, they may refer the facts to the Corporation Counsel of the District of Columbia, who may cause the proper proceedings to be brought, if, in his judgment, such as warranted. Prosecutions for violations of any provision of section 3 of this Act shall be conducted in the District of Columbia Court of General Sessions in the name of the District of Columbia by the Corporation Counsel or any of his assistants.

SEC. 18. The use, display, or uttering by a person of a letterhead, listing, card, sign, advertisement, directory classification, or other printed, engraved, or written instrument or device, bearing a person's name in conjunction with the words "certified public accountant" or "certified public accountants" or any abbreviation thereof, shall be prima facie evidence in any action brought under section 17 of this Act that the person whose name is so displayed caused or procured the display or uttering of such letterhead, listing, card, sign, advertisement, directory classification, or other printed, engraved, or written instrument or device, and that such person is holding himself out to be a certified public accountant or partnership of certified public accountants.

SEC. 19. All statements, records, schedules, working papers, and memorandums made by a certified public accountant or by a partnership of certified public accountants incident to or in the course of professional service to clients, except reports submitted to clients, shall be and remain the property of such certified public accountant or partnership in the absence of an express agreement between such persons and the client to the contrary. No such statement, record, schedule, working paper, or memorandum shall be sold, transferred, or bequeathed, without the consent of the client or his personal representative or assignee, to anyone other than one or more surviving partners or new partners of such persons.

Severability of provisions.

SEC. 20. If any provision of this Act or the application thereof to any person or to any circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Fees.

SEC. 21. The Commissioners are authorized and empowered, after public hearing, to establish, abolish, increase, or decrease, from time to time, fees and charges necessary to defray the approximate cost of administering the provisions of this Act. All funds derived from fees

and charges collected relevant to the administration of this Act shall be paid into the Treasury of the United States to the credit of the District of Columbia.

SEC. 22. There is hereby authorized to be appropriated out of revenues of the District of Columbia such funds as may be necessary to pay the expenses of administering and carrying out the purpose of this Act.

SEC. 23. The Act entitled "An Act to create a board of accountancy for the District of Columbia, and for other purposes", approved February 17, 1923 (42 Stat. 1261), as amended, is hereby repealed.

SEC. 24. This Act shall take effect ninety days after the date of its enactment.

Approved September 16, 1966.

Appropriation.

Repeal.

D.C. Code  
2-901 to 2-909.  
Effective date.

Public Law 89-579

AN ACT

To provide adjustments in order to make uniform the estate acquired for the Vega Dam and Reservoir, Colibran project, Colorado, by authorizing the Secretary of the Interior to reconvey mineral interests in certain lands.

September 16, 1966  
[H. R. 399]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to provide adjustments in the interests in land heretofore acquired for the Vega Dam and Reservoir, Collbran project, Colorado, and thereby make uniform the estate acquired to fulfill necessary real estate requirements of the project, the Secretary of the Interior is authorized to reconvey to the former owner thereof any mineral interest, including oil and gas, heretofore acquired for said project, whenever the Secretary shall determine that the retention of such mineral interest is not required for public purposes and he shall have received an application for reconveyance as hereinafter provided.

Vega Dam and  
Reservoir, Colo.  
Mineral inter-  
ests, reconvey-  
ance.

SEC. 2. The Secretary shall give notice to the former owner of such mineral interest of the availability of the interest for reconveyance under the provisions of this Act. The former owner shall thereafter file an application within ninety days of the date of notice if he desires to have the interest reconveyed to him.

SEC. 3. Any mineral interest reconveyed under this Act shall be transferred for an amount determined by the Secretary to be equal to the price at which the mineral interest was acquired by the United States.

SEC. 4. As used in this Act the term "former owner" means the person from whom any mineral interest was acquired by the United States or, if such person is deceased, his spouse; or if such spouse is deceased, his children or heirs at law.

"Former owner."

SEC. 5. The Secretary of the Interior may delegate any authority conferred upon him by this Act to any officer or employee of the Department of the Interior. Such officer or employee shall exercise the authority so delegated under regulations prescribed by the Secretary.

Approved September 16, 1966.

## Public Law 89-580

## AN ACT

September 16, 1966  
[H. R. 7446]

For the relief of certain civilian employees and former civilian employees of the Department of the Navy at the Norfolk Naval Shipyard, Portsmouth, Virginia.

Navy Department civilian employees.  
Naval shipyard, Portsmouth, Va.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) each civilian employee and former civilian employee of the Department of the Navy at the Norfolk Naval Shipyard, Portsmouth, Virginia, who was determined by the Comptroller General to have received any overpayment of compensation for the period from March 1, 1953, to January 29, 1965, inclusive, or any portion or portions of such period, resulting from a longevity step increase or increases granted to him through administrative error at such shipyard (which employees are named and the amount of overpayments made to them are set forth in the list appearing in file B-154699 of the Comptroller General), is hereby relieved of all liability to refund to the United States the amount of all such overpayments (including overpayments of night differential, holiday, and overtime premium pay) made to him. Each such employee or former employee who has at any time made any repayment to the United States on account of any such overpayments made to him (or, in the event of his death, the person who would be entitled thereto under the first section of the Act of August 3, 1950 (50 U.S.C. 61f), if any such repayment or repayments were unpaid compensation) shall be entitled to have an amount equal to all such repayments made by him refunded if application therefor is made to the Secretary of the Navy within two years after the date of enactment of this Act.

64 Stat. 395.  
5 USC 61f.

70 Stat. 743.  
5 USC 2251  
note.  
68 Stat. 736.  
5 USC 2091  
note.

(b) For purposes of the Civil Service Retirement Act and the Federal Employees' Group Life Insurance Act of 1954, each overpayment for which liability is relieved by subsection (a) of this section shall be deemed to have been a valid payment.

SEC. 2. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States full credit shall be given for any amounts for which liability is relieved by the first section of this Act.

SEC. 3. Appropriations available for the pay of civilian employees of the Department of the Navy shall be available for refunds provided for in the last sentence of the first section of this Act.

SEC. 4. No part of an amount appropriated in this Act 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 a claim paid under the authority of this Act, 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 16, 1966.

## Public Law 89-581

## AN ACT

To rename a lock of the Cross-Florida Barge Canal the "R. N. Bert Dosh lock".

September 16, 1966  
[H. R. 790]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Silver Springs lock of the Cross-Florida Barge Canal shall, after the date of enactment of this Act, be known and designated as the "R. N. Bert Dosh lock". Any law, regulation, map, document, or record of the United States in which such lock is referred to shall be held and considered to refer to such lock as the "R. N. Bert Dosh lock".

R. N. Bert Dosh  
lock.  
Designation.

Approved September 16, 1966.

## Public Law 89-582

## AN ACT

To amend the Ship Mortgage Act, 1920, relating to fees for certification of certain documents, and for other purposes.

September 16, 1966  
[H. R. 8000]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the third sentence of subsection I of the Ship Mortgage Act, 1920 (41 Stat. 1002; 46 U.S.C. 927), is amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "except that if a person requesting certification of more than ten copies of a mortgage which includes more than one vessel, furnishes such copies to the collector, the fee for certification of each copy in excess of ten shall be \$1 per copy."

Ship Mortgage  
Act, 1920, amend-  
ments.  
Documents.

SEC. 2. (a) Subsection E of the Ship Mortgage Act, 1920 (42 U.S.C. 923), is amended by inserting at the end thereof the following: "The requirement of this subsection that a copy of a preferred mortgage be placed and retained on board the mortgaged vessel shall not apply in the case of a mortgaged vessel which is not self-propelled (including but not limited to, barges, scows, lighters, and car floats)."

41 Stat. 1001.  
46 USC 923.

(b) The amendment made by subsection (a) of this section shall apply to all mortgages whether made before, on, or after the date of enactment of this section.

Approved September 16, 1966.

## Public Law 89-583

## AN ACT

To amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

September 19, 1966  
[H. R. 15750]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Foreign Assistance Act of 1966".

Foreign Assist-  
ance Act of 1966.

## PART I

## CHAPTER 1—POLICY

SEC. 101. Section 102 of the Foreign Assistance Act of 1961, as amended, which relates to the statement of policy, is amended as follows:

75 Stat. 424;  
79 Stat. 653.  
22 USC 2151.

(a) In the last paragraph, immediately before the period at the end thereof, insert the following: "and to provide adequate compensation for such damage or destruction".

(b) At the end of section 102 add the following new paragraph:  
"The furnishing of economic, military, or other assistance under this Act shall not be construed as creating a new commitment or as affecting any existing commitment to use armed forces of the United States for the defense of any foreign country."

## CHAPTER 2—DEVELOPMENT ASSISTANCE

## TITLE I—DEVELOPMENT LOAN FUND

SEC. 102. Title I of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to the Development Loan Fund, is amended as follows:

75 Stat. 426;  
77 Stat. 380.  
22 USC 2161.

(a) Section 201(b), which relates to general authority to make loans from the Development Loan Fund, is amended as follows:

(1) In the second sentence, strike out the word "and" at the end of clause (5) and strike out the period at the end of the sentence and insert a comma and the following: "(7) the degree to which the recipient country is making progress toward respect for the rule of law, freedom of expression and of the press, and recognition of the importance of individual freedom, initiative, and private enterprise, (8) the degree to which the recipient country is taking steps to improve its climate for private investment, and (9) whether or not the activity to be financed will contribute to the achievement of self-sustaining growth."

(2) At the end thereof add the following new sentence: "Funds made available under this title, except funds made available pursuant to section 205, shall not be used to make loans in more than ten countries in any fiscal year, except that such loans may be made in any additional country after at least thirty days shall have elapsed following the submission by the President to the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives of a report stating that the making of loans in such additional country during such fiscal year is in the national interest and giving his reasons therefor."

Post, p. 797.

Report to Congress.

22 USC 2162.

(b) Section 202(a), which relates to authorization for the Development Loan Fund, is amended as follows:

(1) Strike out "\$1,200,000,000" and all that follows down through "succeeding fiscal years" and insert in lieu thereof "\$685,000,000 for the fiscal year 1967 and \$750,000,000 for each of the fiscal years 1968 and 1969".

(2) In the second proviso, strike out "June 30, 1965, and June 30, 1966" and insert in lieu thereof "June 30, 1967, through June 30, 1969".

79 Stat. 653.  
22 USC 2165.

(c) Amend section 205, which relates to use of international lending organizations, to read as follows:

75 Stat. 444.  
22 USC 2369.

"SEC. 205. In order to serve the purposes of this title and the policy contained in section 619, 10 per centum of the funds made available for this title shall be available only for transfer, on such terms and conditions as the President determines, to the International Development Association, the International Bank for Reconstruction and Development, or the International Finance Corporation for use pursuant to the laws governing United States participation in such institutions, if any, and the governing statutes thereof and without regard to section 201 or any other requirements of this or any other Act."

## TITLE II—TECHNICAL COOPERATION AND DEVELOPMENT GRANTS

SEC. 103. Title II of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to technical cooperation and development grants, is amended as follows:

75 Stat. 427.  
22 USC 2171.

(a) Section 211, which relates to general authority, is amended as follows:

(1) In the second sentence of subsection (a) strike out "and" at the end of clause (5) and strike out the period at the end of the sentence and insert a comma and the following: "(7) the degree to which the recipient country is making progress toward respect for the rule of law, freedom of expression and of the press, and recognition of the importance of individual freedom, initiative, and private enterprise, and (8) whether or not the activity to be financed will contribute to the achievement of self-sustaining growth."

(2) At the end of subsection (a), add the following new sentence: "The authority of this title shall not be used to furnish assistance to more than forty countries in any fiscal year, except that such assistance may be furnished to any additional country after at least thirty days shall have elapsed following the submission by the President to the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives of a report stating that the furnishing of assistance to such additional country during such fiscal year is in the national interest and giving his reasons therefor."

Report to  
Congress.

(3) At the end of section 211, add the following new subsections:

"(d) Not to exceed \$10,000,000 of funds made available under section 212, or under section 252 (other than loan funds), may be used for assistance, on such terms and conditions as the President may specify, to research and educational institutions in the United States for the purpose of strengthening their capacity to develop and carry out programs concerned with the economic and social development of less developed countries.

22 USC 2172;  
22 USC 2212.

"(e) In any developing countries or areas where food production is not increasing enough to meet the demands of an expanding population, or diets are seriously deficient, a high priority shall be given to efforts to increase agricultural production, particularly the establishment or expansion of adaptive research programs designed to increase acre-yields of the major food crops. Such research programs, to the greatest extent possible, should be based on cooperative undertakings between universities and research institutions in the developing countries and United States universities and research institutions."

(b) Section 212, which relates to authorization, is amended by striking out "1966" and inserting in lieu thereof "1967".

79 Stat. 654.

22 USC 2174.

(c) Section 214, which relates to American schools and hospitals abroad, is amended as follows:

75 Stat. 428.

(1) In subsection (b), strike out "to hospitals outside the United States founded or sponsored by United States citizens and serving as centers for medical education and research" and insert in lieu thereof "to institutions referred to in subsection (a) of this section, and to hospital centers for medical education and research outside the United States, founded or sponsored by United States citizens".

79 Stat. 654.

(2) Subsection (c), which relates to authorization, is amended by striking out "1966, \$7,000,000" and inserting in lieu thereof "1967, \$10,989,000".

(3) At the end of such section add the following new subsection:

"(d) There is authorized to be appropriated to the President for the purposes of section 214(b), in addition to funds otherwise available for such purposes, for the fiscal year 1967, \$1,000,000 in foreign currencies which the Secretary of the Treasury determines to be excess to the normal requirements of the United States."

### TITLE III—INVESTMENT GUARANTIES

SEC. 104. Title III of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to investment guaranties, is amended as follows:

22 USC 2181.

(a) Section 221(b), which relates to general authority for investment guaranties, is amended as follows:

(1) In paragraph (1), strike out "\$5,000,000,000" and insert in lieu thereof "\$7,000,000,000"

(2) In the third proviso of paragraph (2), strike out "\$300,000,000" and "\$175,000,000" and insert in lieu thereof "\$375,000,000" and "\$215,000,000", respectively, and strike out "Federal Housing Administration" and insert in lieu thereof "Department of Housing and Urban Development".

(3) In the fourth proviso of paragraph (2), strike out "1967" and insert in lieu thereof "1969".

22 USC 2182.

(b) Section 222, which relates to general provisions, is amended by adding at the end thereof the following new subsection:

"(h) In the case of any loan investment for housing guaranteed under section 221(b)(2) or section 224, the Administrator of the Agency for International Development shall prescribe the rate of interest allowable to the eligible United States investor, which rate shall not be less than one-half of 1 per centum above the then current rate of interest applicable to housing mortgages insured by the Department of Housing and Urban Development. In no event shall the Administrator prescribe an allowable rate of interest which exceeds by more than 1 per centum the then current rate of interest applicable to housing mortgages insured by such Department."

22 USC 2184.

(c) Section 224, which relates to housing projects in Latin American countries, is amended as follows:

79 Stat. 655.

(1) In subsection (b)(1), strike out "Federal Housing Administration" and insert in lieu thereof "Department of Housing and Urban Development".

(2) In subsection (c), strike out "\$400,000,000" and insert in lieu thereof "\$450,000,000: *Provided*, That \$300,000,000 be used for the purposes of section 224(b)(1)".

(3) In the last proviso of subsection (c), strike out "1967" and insert in lieu thereof "1969".

## TITLE VI—ALLIANCE FOR PROGRESS

SEC. 105. Title VI of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to the Alliance for Progress, is amended as follows:

(a) Section 251, which relates to general authority, is amended as follows:

76 Stat. 257;  
77 Stat. 382.  
22 USC 2211.

(1) In the second sentence of subsection (b), strike out "and" at the end of clause (3) and strike out the period at the end of the sentence and insert a semicolon and the following: "(5) the degree to which the recipient country is making progress toward respect for the rule of law, freedom of expression and of the press, and recognition of the importance of individual freedom, initiative, and private enterprise; (6) the degree to which the recipient country is taking steps to improve its climate for private investment; (7) whether or not the activity to be financed will contribute to the achievement of self-sustaining growth; and (8) the extent to which the activity to be financed will contribute to the economic or political integration of Latin America."

(2) At the end of such section add the following new subsection:

"(h) Loans may be made under authority of this title only for social and economic development projects and programs which are consistent with the findings and recommendations of the Inter-American Committee for the Alliance for Progress in its annual review of national development activities. Whenever the President determines that the purposes of this title would be better served thereby, he may make available, in addition to any other funds available for such purposes, on such terms and conditions as he determines, not to exceed 15 per centum of the funds made available for this title to the Inter-American Development Bank, or to any of the institutions named in section 205, for use pursuant to the laws governing United States participation in the said Bank or in such institutions and the governing statutes thereof and without regard to section 201 or any other requirements of this or any other Act."

Ante, p. 797.

(b) Section 252, which relates to authorization, is amended as follows:

22 USC 2212.

(1) In the first sentence, strike out "use beginning" the first place it appears and all that follows down through "year 1966" and insert in lieu thereof "the fiscal year 1967, \$696,500,000, and for each of the fiscal years 1968 and 1969, \$750,000,000, which amounts are authorized to remain available until expended and which, except for not to exceed \$100,000,000 in each such fiscal year".

(2) In the second sentence, strike out "1964 through 1966" and insert in lieu thereof "1968 and 1969".

(3) In the last sentence, strike out "June 30, 1965 and June 30, 1966" and insert in lieu thereof "June 30, 1967, through June 30, 1969".

## TITLE VIII—SOUTHEAST ASIA MULTILATERAL AND REGIONAL PROGRAMS

SEC. 106. Chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, is amended by adding at the end thereof the following new titles:

22 USC 2161-2216.

"TITLE VIII—SOUTHEAST ASIA MULTILATERAL AND REGIONAL PROGRAMS

"SEC. 271. GENERAL PROVISIONS.—The acceleration of social and economic progress in southeast Asia is important to the achievement of the United States foreign policy objectives of peace and stability in that area. It is the sense of Congress that this objective would be

served by an expanded effort by the countries of southeast Asia and other interested countries in cooperative programs for social and economic development of the region, employing both multilateral and bilateral channels of assistance.

“SEC. 272. SPECIAL PROVISIONS.—In providing assistance to further the purposes of this title the President shall take into account:

“(1) initiatives in the field of social and economic development by Asian peoples and institutions;

“(2) regional economic cooperation and integration in southeast Asia;

“(3) the extent of participation by other potential donor countries;

“(4) the degree of peaceful cooperation among the countries of southeast Asia toward the solution of common problems; and

“(5) the ability of multilateral institutions or other administering authorities to carry out projects and programs effectively, efficiently, and economically.

“SEC. 273. AUTHORIZATION.—The President is authorized to utilize not to exceed \$10,000,000 of the funds otherwise available to carry out the provisions of part I of this Act (other than title VI of this chapter) to furnish assistance under this title on such terms and conditions as he may determine, in order to promote social and economic development and stability in southeast Asia.

#### “TITLE IX—UTILIZATION OF DEMOCRATIC INSTITUTIONS IN DEVELOPMENT

“SEC. 281. In carrying out programs authorized in this chapter, emphasis shall be placed on assuring maximum participation in the task of economic development on the part of the people of the developing countries, through the encouragement of democratic private and local governmental institutions.”

### CHAPTER 3—INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 107. Chapter 3 of part I of the Foreign Assistance Act of 1961, as amended, which relates to international organizations and programs, is amended as follows:

(a) Section 301(a), which relates to general authority, is amended by inserting immediately after “by such organizations” the following: “; and in the case of the Indus Basin Development Fund administered by the International Bank for Reconstruction and Development to make grants and loans payable as to principal and interest in United States dollars and subject to the provisions of section 201(d),”.

(b) Section 301(b), which relates to general authority, is amended by striking out “United Nations Expanded Program of Technical Assistance and the United Nations Special Fund” and inserting in lieu thereof “United Nations Development Program” and by adding at the end thereof the following new sentence: “The President shall seek to assure that no contribution to the United Nations Development Program authorized by this Act shall be used for projects for economic or technical assistance to the Government of Cuba, so long as Cuba is governed by the Castro regime.”

(c) Section 301(c), which relates to assistance for Palestine refugees in the Near East, is amended by striking out the last sentence and inserting in lieu thereof the following: “Contributions by the United States for the fiscal year 1967 shall not exceed \$13,300,000. No contributions under this subsection shall be made except on the condition that the United Nations Relief and Works Agency take all possible

75 Stat. 433.  
22 USC 2221.

22 USC 2161.  
Economic or  
technical assist-  
ance to Cuba, re-  
striction.

79 Stat. 656.

measures to assure that no part of the United States contribution shall be used to furnish assistance to any refugee who is receiving military training as a member of the so-called Palestine Liberation Army.”

(d) Section 302, which relates to authorization, is amended to read as follows:

75 Stat. 433;  
79 Stat. 656.  
22 USC 2222.

“SEC. 302. AUTHORIZATION.—(a) There is authorized to be appropriated to the President for grants to carry out the purposes of this chapter, in addition to funds available under any other Act for such purposes, for the fiscal year 1967 not to exceed \$140,433,000.

“(b) There is authorized to be appropriated to the President, for the fiscal year 1967, \$1,000,000 for contributions to the United Nations Children’s Fund during the calendar year 1967. Funds made available under this subsection shall be in addition to funds available under this or any other Act for such contributions and shall not be taken into account in computing the aggregate amount of United States contributions to such fund for the calendar year 1967.

“(c) None of the funds available to carry out this chapter shall be contributed to any international organization or to any foreign government or agency thereof to pay the costs of developing or operating any volunteer program of such organization, government, or agency relating to the selection, training, and programing of volunteer manpower.”

#### CHAPTER 4—SUPPORTING ASSISTANCE

SEC. 108. Chapter 4 of part I of the Foreign Assistance Act of 1961, as amended, which relates to supporting assistance, is amended as follows:

(a) Section 401, which relates to general authority, is amended by striking out the period at the end thereof and inserting a colon and the following: “*Provided*, That not more than thirteen countries may receive assistance under the authority of this chapter in any fiscal year, unless the President determines that it is in the national interest of the United States to furnish such assistance to an additional country or countries. Any such determination, together with the reasons therefor, shall be reported to the Committee on Foreign Relations of the Senate and to the Speaker of the House of Representatives.”

75 Stat. 434.  
22 USC 2241.

Report to  
Congress.

(b) Section 402, which relates to authorization, is amended to read as follows:

Ante, p. 74.

“SEC. 402. AUTHORIZATION.—There is authorized to be appropriated to the President to carry out the purposes of this chapter for the fiscal year 1967 not to exceed \$715,000,000: *Provided*, That where commodities are furnished on a grant basis under this chapter under arrangements which will result in the accrual of proceeds to the Government of Vietnam from the sale thereof, arrangements shall be made to assure that such proceeds will not be budgeted by the Government of Vietnam for economic assistance projects or programs unless the President or his representative has given his prior written approval. Amounts appropriated under this section are authorized to remain available until expended.”

#### CHAPTER 5—CONTINGENCY FUND

SEC. 109. Section 451 of the Foreign Assistance Act of 1961, as amended, which relates to contingency fund, is amended as follows:

Ante, p. 74.

(a) Subsection (a) is amended as follows:

(1) Strike out “1966” and “\$150,000,000” in the first sentence and insert in lieu thereof “1967” and “\$110,000,000”, respectively.

(2) Strike out the second and third sentences.

(b) Subsection (b) is amended by striking out “the first sentence of”.

## CHAPTER 7—JOINT COMMISSIONS ON RURAL DEVELOPMENT

75 Stat. 424.  
22 USC 2151-  
2271.

SEC. 110. Part I of the Foreign Assistance Act of 1961, as amended, is amended by adding at the end thereof a new chapter as follows:

### “CHAPTER 7—JOINT COMMISSIONS ON RURAL DEVELOPMENT

“SEC. 471. JOINT COMMISSIONS ON RURAL DEVELOPMENT.—(a) The President is authorized to conclude agreements with less developed countries providing for the establishment in such countries of Joint Commissions on Rural Development each of which shall be composed of one or more citizens of the United States appointed by the President and one or more citizens of the country in which the Commission is established. A majority of the members of each such Commission shall be citizens of the country in which it is established. Each such agreement shall provide for the selection of the members who are citizens of the country in which the Commission is established who wherever feasible shall be selected in such manner and for such terms of office as will insure to the maximum extent possible their tenure and continuity in office.

“(b) A commission established pursuant to an agreement authorized by this section shall be authorized to formulate and carry out programs for development of rural areas in the country in which it is established, which may include such research, training and other activities as may be necessary or appropriate for such development.

“(c) Not to exceed 10 per centum of the funds made available pursuant to section 212 shall be available to the President in negotiating and carrying out agreements entered into under this section, including the financing of appropriate activities of Commissions established pursuant to such agreements.

“(d) The furnishing of assistance under this section shall not be construed as an express or implied assumption by the United States of any responsibility for making further contributions for such purpose.

“(e) Nothing in this chapter shall be construed to restrict the authority contained in any other chapters of this Act.”

## PART II

### CHAPTER 2—MILITARY ASSISTANCE

SEC. 201. Chapter 2 of part II of the Foreign Assistance Act of 1961, as amended, which relates to military assistance, is amended as follows:

(a) Section 504(a), which relates to authorization, is amended to read as follows:

“(a) In addition to such amounts as may be otherwise authorized to support Vietnamese forces and other free world forces in Vietnam, there is authorized to be appropriated to the President to carry out the purposes of this part (excluding the support of Vietnamese forces and other free world forces in Vietnam) not to exceed \$875,000,000 for the fiscal year 1967: *Provided*, That funds made available for assistance under this chapter (other than training in the United States) shall not be used to furnish such assistance to more than forty countries in any fiscal year. Amounts appropriated under this subsection are authorized to remain available until expended.”

22 USC 2312.

75 Stat. 428;  
79 Stat. 654.  
22 USC 2172.

(b) Section 506, which relates to conditions of eligibility, is amended by adding at the end thereof the following new subsection:

75 Stat. 436;  
76 Stat. 259.  
22 USC 2314.

“(e) From and after the sixtieth day after the date of enactment of the Foreign Assistance Act of 1966, no assistance shall be provided under this chapter to any country to which sales are made under title I of the Agricultural Trade Development and Assistance Act of 1954 until such country has entered into an agreement to permit the use of foreign currencies accruing to the United States under such title I to procure equipment, materials, facilities, and services for the common defense including internal security, in accordance with the provisions of section 104(c) of such title I.”

68 Stat. 454.  
7 USC 1701-  
1709.

(c) Section 508, which relates to reimbursements, is amended by adding at the end thereof the following new sentence: “Such amounts of the appropriations made available under this part (including unliquidated balances of funds heretofore obligated for financing sales and guarantees) as may be determined by the President shall be transferred to, and merged with, the separate fund account.”

22 USC 2316.

(d) Section 510(a), which relates to special authority, is amended by striking out “1966” each place it appears and inserting in lieu thereof in each such place “1967”.

79 Stat. 658.  
22 USC 2318.

(e) Section 512, which relates to restrictions on military aid to Africa, is amended by striking out “fiscal year 1966” and inserting in lieu thereof “each fiscal year”.

22 USC 2320.

(f) At the end of such chapter 2, add the following new section:

“SEC. 514. ADMINISTRATION OF SALES AND EXCHANGE PROGRAMS INVOLVING DEFENSE ARTICLES AND SERVICES.—(a) Programs for the sale or exchange of defense articles or defense services under this chapter shall be administered so as to encourage regional arms control and disarmament agreements and so as to discourage arms races.

“(b) In order to further encourage regional arms control and disarmament agreements and discourage arms races in the American Republics, notwithstanding the provisions of section 511(a) of this Act, the total value of military assistance and sales (other than training) under this Act or in accordance with section 7307 of title 10, United States Code, for American Republics in any fiscal year shall not exceed \$85,000,000, of which \$25,000,000 may be used for assistance on a cost-sharing basis to an inter-American military force under the control of the Organization of American States: *Provided*, That the cost of defense articles supplied for use by elements of the Inter-American Peace Force in the Dominican Republic shall not be charged against the \$85,000,000 limitation provided by this subsection.”

22 USC 2319.

70A Stat. 452.  
10 USC 7307.

### PART III

#### CHAPTER 1—GENERAL PROVISIONS

SEC. 301. Chapter 1 of part III of the Foreign Assistance Act of 1961, as amended, which relates to general provisions, is amended as follows:

(a) Section 601, which relates to encouragement of free enterprise and private participation, is amended as follows:

77 Stat. 385;  
78 Stat. 1012.  
22 USC 2351.

(1) In subsection (b), immediately after paragraph (1), insert the following new paragraph:

“(2) establish an effective system for obtaining adequate information with respect to the activities of, and opportunities for, nongovernmental participation in the development process, and for utilizing such information in the planning, direction, and execution of programs carried out under this Act, and in the coordination of such programs with the ever-increasing developmental activities of nongovernmental United States institutions;”.

75 Stat. 438;  
77 Stat. 385.  
22 USC 2351.

(2) In subsection (b), redesignate paragraphs (2), (3), (4), (5), and (6) as paragraphs (3), (4), (5), (6), and (7), respectively.

(3) In subsection (b), strike out "and" at the end of paragraph (6), as so redesignated by paragraph (2) of this subsection; strike out the period at the end of paragraph (7), as so redesignated by paragraph (2) of this subsection, and insert in lieu thereof a semicolon; and at the end thereof add the following new paragraph:

"(8) utilize wherever practicable the services of United States private enterprise on a cost-plus incentive fee contract basis to provide the necessary skills to develop and operate a specific project or program of assistance in a less developed friendly country or area in any case in which direct private investment is not readily encouraged, and provide where appropriate for the transfer of equity ownership in such project or program to private investors at the earliest feasible time."

(4) Subsection (c) is amended to read as follows:

"(c) (1) There is hereby established an International Private Investment Advisory Council on Foreign Aid to be composed of such number of leading American business specialists as may be selected, from time to time, by the Administrator of the Agency for International Development for the purpose of carrying out the provisions of this subsection. The members of the Council shall serve at the pleasure of the Administrator, who shall designate one member to serve as Chairman.

"(2) It shall be the duty of the Council, at the request of the Administrator, to make recommendations to the Administrator with respect to particular aspects of programs and activities under this Act where private enterprise can play a contributing role and to act as liaison for the Administrator to involve specific private enterprises in such programs and activities.

"(3) The members of the Advisory Council shall receive no compensation for their services but shall be entitled to reimbursement in accordance with section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for travel and other expenses incurred by them in the performance of their functions under this subsection.

"(4) The expenses of the Advisory Council shall be paid by the Administrator from funds otherwise available under this Act."

(b) Section 604, which relates to procurement, is amended as follows:

(1) Subsection (c), which relates to procurement of agricultural commodities, is amended by striking out the word "surplus" each time it appears and by inserting "or product thereof available for disposition under the Agricultural Trade Development and Assistance Act of 1954, as amended," after the word "commodity" the first time it appears.

(2) Add the following new subsection:

"(e) No funds made available under this Act shall be used for the procurement of any agricultural commodity or product thereof outside the United States when the domestic price of such commodity is less than parity."

(c) Section 608(a), which relates to advance acquisition of property, is amended by inserting "(including personnel costs)" immediately after "costs" the first place it appears in the first sentence.

(d) Section 610(b), which relates to transfer between accounts, is amended by striking out the last sentence and inserting in lieu thereof the following: "Not to exceed \$5,000,000 of the funds appropriated under section 402 of this Act for any fiscal year may be transferred to and consolidated with appropriations made under section 637(a) of this Act for the same fiscal year, subject to the further limitation

International  
Private Invest-  
ment Advisory  
Council on  
Foreign Aid.

60 Stat. 808;  
75 Stat. 339, 340.

75 Stat. 439.  
22 USC 2354.

68 Stat. 454.  
7 USC 1691  
note.

22 USC 2358.

Ante, p. 74.

that funds so transferred shall be available solely for additional administrative expenses incurred in connection with programs in Vietnam.”

(e) Section 612, which relates to the use of foreign currencies, is amended by adding a new subsection as follows:

79 Stat. 659.  
22 USC 2362.  
Excess foreign  
currencies.

“(c) In addition to funds otherwise available, excess foreign currencies, as defined in subsection (b), may be made available to friendly foreign governments and to private, nonprofit United States organizations to carry out voluntary family planning programs in countries which request such assistance. No such program shall be assisted unless the President has received assurances that in the administration of such program the recipient will take reasonable precautions to insure that no person receives any family planning assistance or supplies unless he desires such services. The excess foreign currencies made available under this subsection shall not, in any one year, exceed 5 per centum of the aggregate of all excess foreign currencies. As used in this subsection, the term ‘voluntary family planning program’ includes, but is not limited to, demographic studies, medical and psychological research, personnel training, the construction and staffing of clinics and rural health centers, specialized training of doctors and paramedical personnel, the manufacture of medical supplies, and the dissemination of family planning information, medical assistance, and supplies to individuals who desire such assistance.”

(f) Section 614(a) which relates to special authorities, is amended by adding at the end thereof the following new sentence: “The limitation contained in the preceding sentence shall not apply to any country which is a victim of active Communist or Communist-supported aggression.”

75 Stat. 444.  
22 USC 2364.

(g) Section 614(c), which relates to special authorities, is amended by adding at the end thereof the following: “The President shall promptly and fully inform the Speaker of the House of Representatives and the chairman and ranking minority member of the Committee on Foreign Relations of the Senate of each use of funds under this subsection.”

Report to  
Congress.

(h) Section 620, which relates to prohibitions against furnishing assistance, is amended as follows:

77 Stat. 387.  
22 USC 2370.

(1) The first sentence of subsection (i) is amended to read as follows: “No assistance shall be provided under this or any other Act, and no sales shall be made under the Agricultural Trade Development and Assistance Act of 1954, to any country which the President determines is engaging in or preparing for aggressive military efforts, or which hereafter is officially represented at any international conference when that representation includes the planning of activities involving insurrection or subversion, which military efforts, insurrection, or subversion, are directed against—

68 Stat. 454.  
7 USC 1691  
note.

“(1) the United States,

“(2) any country receiving assistance under this or any other Act, or

“(3) any country to which sales are made under the Agricultural Trade Development and Assistance Act of 1954, until the President determines that such military efforts or preparations have ceased, or such representation has ceased, and he reports to the Congress that he has received assurances satisfactory to him

Report to  
Congress.

that such military efforts or preparations will not be renewed, or that such representation will not be renewed or repeated.”

77 Stat. 388.  
22 USC 2370.

(2) Subsection (k) is amended to read as follows:

22 USC 2318.

“(k) Without the express approval of Congress, no assistance shall be furnished under this Act to any country for construction of any productive enterprise with respect to which the aggregate value of assistance to be furnished by the United States will exceed \$100,000,000. Except as otherwise provided in section 510, no military assistance shall be furnished to any country under this Act for carrying out any program, with respect to which the aggregate value of assistance to be furnished beginning July 1, 1966, by the United States will exceed \$100,000,000 unless such program has been included in the presentation to the Congress during its consideration of authorizations for appropriations under this Act or of appropriations pursuant to authorizations contained in this Act. No provision of this or any other Act shall be construed to authorize the President to waive the provisions of this subsection.”

(3) Subsection (l) is amended to read as follows:

22 USC 2181.

“(l) The President shall consider denying assistance under this Act to the government of any less developed country which, after December 31, 1966, has failed to enter into an agreement with the President to institute the investment guaranty program under section 221 (b) (1) of this Act, providing protection against the specific risks of inconvertibility under subparagraph (A), and expropriation or confiscation under subparagraph (B), of such section 221 (b) (1).”

79 Stat. 659.

Countries assisting North Vietnam.

(4) Subsection (n) is amended to read as follows:

“(n) In view of the aggression of North Vietnam, no assistance shall be furnished under this Act to any country which has failed to take appropriate steps, not later than sixty days after the date of enactment of the Foreign Assistance Act of 1966—

“(A) to prevent ships or aircraft under its registry from transporting to North Vietnam—

“(i) any items of economic assistance,

65 Stat. 645.  
22 USC 1611-1611d.

“(ii) any items which are, for the purposes of title I of the Mutual Defense Assistance Control Act of 1951, as amended, arms, ammunition and implements of war, atomic energy materials, petroleum, transportation materials of strategic value, or items of primary strategic significance used in the production of arms, ammunition, and implements of war, or

“(iii) any other equipment, materials, or commodities; and

“(B) to prevent ships or aircraft under its registry from transporting any equipment, materials, or commodities from North Vietnam.”

(5) At the end of such section 620, add the following new subsections:

Assistance to United Arab Republic.  
Report to Congress.

“(p) No assistance shall be furnished under this Act to the United Arab Republic unless the President finds and reports within thirty days of such finding to the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives that such assistance is essential to the national interest of the United States, and further that such assistance will neither directly nor indirectly assist aggressive actions by the United Arab Republic.

Countries in default of payments.

“(q) No assistance shall be furnished under this Act to any country which is in default, during a period in excess of six calendar months,

in payment to the United States of principal or interest on any loan made to such country under this Act, unless such country meets its obligations under the loan or unless the President determines that assistance to such country is in the national interest and notifies the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate of such determination.

“(r) No recipient of a loan made under the authority of this Act, any part of which is outstanding on or after the date of enactment of this subsection, shall be relieved of liability for the repayment of any part of the principal of or interest on such loan.”

Notification of  
Congress.

## CHAPTER 2—ADMINISTRATIVE PROVISIONS

SEC. 302. Chapter 2 of part III of the Foreign Assistance Act of 1961, as amended, which relates to administrative provisions, is amended as follows:

(a) Section 622, which relates to coordination with foreign policy, is amended as follows:

75 Stat. 446;  
79 Stat. 660.  
22 USC 2382.

(1) Subsection (b) is amended by striking out “(including any civic action and sales program)” and substituting “(including civic action) or sales programs”.

(2) Subsection (c) is amended by striking all after “general direction of” and substituting “economic assistance and military assistance and sales programs, including but not limited to determining whether there shall be a military assistance (including civic action) or sales program for a country and the value thereof, to the end that such programs are effectively integrated both at home and abroad and the foreign policy of the United States is best served thereby.”

(b) Section 624(d), which relates to the Inspector General, Foreign Assistance, is amended by adding at the end thereof the following new paragraph:

76 Stat. 262.  
22 USC 2384.

“(8) Whenever the Inspector General, Foreign Assistance, deems it appropriate in carrying out his duties under this Act, he may from time to time notify the head of any agency primarily responsible for administering any program with respect to which the Inspector General, Foreign Assistance, has responsibilities under paragraph (2) of this subsection that all internal audit, end-use inspection, and management inspection reports submitted to the head of such agency or mission in the field in connection with such program from any geographic areas designated by the Inspector General, Foreign Assistance, shall be submitted simultaneously to the Inspector General, Foreign Assistance. The head of each such agency shall cooperate with the Inspector General, Foreign Assistance, in carrying out the provisions of this paragraph.”

(c) Section 634, which relates to reports and information, is amended by adding at the end thereof the following new subsection:

22 USC 2394.

“(f) The Secretary of the Treasury shall transmit to the Speaker of the House of Representatives and to the Committee on Foreign Relations of the Senate semiannual reports showing as of June 30 and December 31 of each year the repayment status of each loan theretofore made under authority of this Act any part of the principal or interest of which remains unpaid on the date of the report.”

Report to  
Congress.

(d) Section 635(h), which relates to general authorities, is amended by inserting “(except development loans)” immediately after “II, V, and VI”.

22 USC 2395.

79 Stat. 661.  
22 USC 2397.

(e) Section 637(a), which relates to administrative expenses, is amended by striking out "1966 not to exceed \$54,240,000" and inserting in lieu thereof "1967 not to exceed \$55,813,500".

Approved September 19, 1966.

Public Law 89-584

AN ACT

September 19, 1966  
[S. 2747]

To authorize conclusion of an agreement with Mexico for joint measures for solution of the Lower Rio Grande salinity problem.

Lower Rio Grande.  
Agreement with Mexico.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of State, acting through the United States Commissioner, International Boundary and Water Commission, United States and Mexico, is authorized, notwithstanding any other provision of law and subject to the conditions provided in this Act, to conclude an agreement or agreements with the appropriate official or officials of the Government of the United Mexican States for the construction, operation, and maintenance by the United Mexican States under the supervision of the International Boundary and Water Commission, United States and Mexico, of a drainage conveyance canal through Mexican territory for the discharge of waters of El Morillo and other drains in the United Mexican States into the Gulf of Mexico in the manner, and having substantially the characteristics, described in said Commission's minute numbered 223, dated November 30, 1965. The agreement or agreements shall provide that the costs of construction, including costs of design and right-of-way and the costs of operation and maintenance, shall be equally divided between the United Mexican States and the United States. Before concluding the agreement or agreements, the Secretary of State shall receive satisfactory assurances from private citizens or a responsible local group that they or it will pay to the United States Treasury one-half of the actual United States costs of such construction, including costs of design and right-of-way, and one-half of the actual costs of operation and maintenance allocated under such agreement or agreements to the United States. Payments to the United States Treasury under this section shall be covered into the Treasury as miscellaneous receipts.

Appropriation.

SEC. 2. To defray costs that accrue to the United States under the agreement or agreements referred to in the first section of this Act for the construction, operation, and maintenance of drainage conveyance canal projects, there are authorized to be appropriated to the Department of State for use of the United States Section, International Boundary and Water Commission, United States and Mexico, the following amounts:

- (1) Not to exceed \$690,000 for costs of construction.
- (2) Upon completion of construction, not to exceed \$20,000 annually for costs of operation and maintenance.

Approved September 19, 1966.

Public Law 89-585

AN ACT

To amend section 4 of the District of Columbia Income and Franchise Tax Act of 1947.

September 19, 1966  
[H. R. 8058]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (2) of section 4(h) of title I of the District of Columbia Income and Franchise Tax Act of 1947, as amended (D.C. Code, sec. 47-1551c(h)), is amended to read as follows:

D. C. Income and Franchise Tax Act of 1947, amendment. 62 Stat. 207.

“(2) Sales of tangible personal property by a corporation or unincorporated business which—

“(A) has or maintains an office, warehouse, or other place of business in the District, or

“(B) has an officer, agent, or representative having an office or other place of business in the District,

during the taxable year for the sole purpose of dealing with the United States for commercial or noncommercial purposes or of dealing with the District or persons for noncommercial purposes; but each such corporation and unincorporated business which does business in the District with the United States shall be subject to the licensing provisions in title XIV of this article.”

61 Stat. 357, D. C. Code 47-1591 to 47-1591f.

SEC. 2. The amendment made by the first section of this Act shall apply with respect to taxable years ending on or after the date of the enactment of this Act.

Approved September 19, 1966.

Public Law 89-586

AN ACT

To amend the Consolidated Farmers Home Administration Act of 1961 to authorize loans by the Secretary of Agriculture on leasehold interests in Hawaii, and for other purposes.

September 19, 1966  
[S. 112]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That only for the period of time commencing with the date of enactment of this Act and ending on June 30, 1968, section 343 of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1991), is amended by striking the word “and” before the figure “(2)” in said section and by striking the period at the end thereof and inserting a comma and the following: “and (3) the term ‘owner-operator’ shall in the State of Hawaii include the lessee-operator of real property in any case in which the Secretary determines that the land cannot be acquired in fee simple by the applicant, adequate security is provided for the loan, and there is a reasonable probability of accomplishing the objectives and repayment of the loan: *Provided*, That item (3) shall be applicable to lessee-operators of Hawaiian Homes Commission lands only when and to the extent that it is possible for such lessee-operators to meet the conditions therein set out.”

Hawaii. Fam real estate loans on leased lands. 76 Stat. 632.

Approved September 19, 1966.

## Public Law 89-587

## AN ACT

September 19, 1966  
[H. R. 1066]

To amend section 11-1701 of the District of Columbia Code to increase the retirement salaries of certain retired judges.

D. C.  
Retired judges,  
salary adjust-  
ments.  
78 Stat. 1055.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a), section 11-1701(a) (3) of the District of Columbia Code is amended to read as follows:

“(3) Any judge receiving retirement salary under the provisions of this subsection or under the provisions of this section as it existed immediately prior to its amendment by the District of Columbia Judges Retirement Act of 1964 may perform such judicial duties as may be requested by the chief judge of the District of Columbia Court of General Sessions, or the chief judge of the District of Columbia Court of Appeals, or the chief judge of the Juvenile Court of the District of Columbia, in any of such courts, but in no event shall any such retired judge be permitted to render such service for a total of more than sixty court days in any calendar year after his retirement. Any such judge so receiving such retirement salary shall be entitled, for any period for which he performs full-time judicial duties under this paragraph, to receive the salary of the office in which he performs such duties, but there shall be deducted from such salary an amount equal to his retirement salary for such period. No deduction shall be withheld for health benefits, Federal employee's life insurance, or retirement purposes from any salary paid to any such judge while performing full-time judicial duties under this paragraph. The performance of such duties shall not operate to create an additional retirement, change a retirement, or create an annuity for or in any manner affect the annuity of any survivor.”

Retroactive  
provision.

(b) Any judge referred to in paragraph (3) of subsection (a) of section 11-1701 of the District of Columbia Code who, while receiving retirement salary under the provisions of such subsection or under the provisions of such section as it existed immediately prior to its amendment by the District of Columbia Judges Retirement Act of 1964, performed judicial duty pursuant to such paragraph or such section during calendar year 1964, 1965, or 1966, shall be entitled to receive salary in accordance with the provisions of such paragraph for such duty so performed for not more than sixty court days during any such calendar year.

SEC. 2. (a) Section 11-1701 of the District of Columbia Code is further amended by adding at the end thereof the following new subsection:

“(e) (1) The retirement salary of any judge receiving such salary on the date of enactment of this subsection under the provisions of this section as it existed immediately prior to its amendment by the District of Columbia Judges Retirement Act of 1964 is hereby increased, in the case of any such judge who retired during calendar year 1956, by 11.1 per centum, and, in the case of any such judge who retired during calendar year 1960, by 6.1 per centum.

“(2) The retirement salary of any judge, or the annuity of any person based upon the service of any such judge, who, on the effective date of any increase which hereafter becomes payable under the provisions of section 18(b) of the Civil Service Retirement Act, as amended, is receiving such salary or annuity (i) under the provisions of this section, or (ii) under the provisions of this section as it existed prior to its amendment by the District of Columbia Judges Retirement Act of 1964, shall be increased on such effective date by a per-

79 Stat. 840.  
5 USC 2268.

centage equal to the percentage of such increase under section 18 of the Civil Service Retirement Act, as amended.”

(b) The increases in compensation authorized by the amendment made by this section shall be retroactive to December 1, 1965.

Approved September 19, 1966.

79 Stat. 840.  
5 USC 2268.

Public Law 89-588

AN ACT

To repeal certain provisions of the Act of January 21, 1929 (45 Stat. 1091), as amended.

September 19, 1966  
[S. 2366]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 3, 4, 5, 6, and 7 of the Act of January 21, 1929 (45 Stat. 1091), as amended, are hereby repealed.*

Alaska.  
Agriculture College and School of Mines.

Approved September 19, 1966.

Public Law 89-589

AN ACT

To amend section 502 of the Merchant Marine Act, 1936, relating to construction differential subsidies.

September 19, 1966  
[S. 2858]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso in the second sentence of subsection (b) of section 502 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1152(b)), is amended by striking out “June 30, 1966”, and inserting in lieu thereof “June 30, 1968”.*

Vessels.  
Construction subsidy, extension.  
76 Stat. 1200;  
79 Stat. 519.

Approved September 19, 1966.

Public Law 89-590

AN ACT

To amend section 2241 of title 28, United States Code, with respect to the jurisdiction and venue of applications for writs of habeas corpus by persons in custody under judgments and sentences of State courts.

September 19, 1966  
[S. 3576]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2241 of title 28, United States Code, is amended by inserting therein at the end thereof an additional subsection reading as follows:*

U.S. Courts.  
Habeas corpus, jurisdiction and venue.  
62 Stat. 964.

“(d) Where an application for a writ of habeas corpus is made by a person in custody under the judgment and sentence of a State court of a State which contains two or more Federal judicial districts, the application may be filed in the district court for the district wherein such person is in custody or in the district court for the district within which the State court was held which convicted and sentenced him and each of such district courts shall have concurrent jurisdiction to entertain the application. The district court for the district wherein such an application is filed in the exercise of its discretion and in furtherance of justice may transfer the application to the other district court for hearing and determination.”

Approved September 19, 1966.

## Public Law 89-591

## AN ACT

September 19, 1966  
[H. R. 11087]

To amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, and the District of Columbia Business Corporation Act, as amended, with respect to certain foreign corporations.

D.C.  
Foreign corporations, real property investments.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 2(b) of title III of the District of Columbia Income and Franchise Tax Act of 1947, as amended (61 Stat. 335, art. I, title III, sec. 2, as amended by 62 Stat. 207, ch. 246, sec. 3; 63 Stat. 130, ch. 146, title IV, secs. 403, 420; 71 Stat. 605, Public Law 85-281, secs. 1, 3; and 74 Stat. 219, Public Law 86-522, sec. 1; D.C. Code 47-1557a(b)), is amended by adding at the end thereof the following new paragraph:

“(17) FOREIGN CORPORATION REAL PROPERTY INVESTMENT INCOME.—Income derived by a foreign corporation authorized to invest in loans secured by real estate, which does not maintain any office, officer, agent, representative or employees for the purpose of making, maintaining, or liquidating such investment, in the District of Columbia, provided that the only activities of such foreign corporation in the District of Columbia, other than those of a liaison employee, are one or more of the following:

“(A) the acquisition of loans (including the negotiation thereof) secured by mortgages or deeds of trust on real property, including leaseholds, situated in the District of Columbia pursuant to commitment agreements or arrangements made prior to or following the origination or creation of such loans: *Provided, however,* That nothing herein shall be deemed to permit servicing other than as permitted by subparagraph (D) of this paragraph (17);

“(B) the physical inspection and appraisal of property in the District of Columbia as security for mortgages or deed of trust;

“(C) the ownership, modification, renewal, extension, transfer, or foreclosure of such loans, or the acceptance of substitute additional obligors thereon;

“(D) the making, collecting, and servicing of loans solely through a person authorized to engage in the District of Columbia in the business of servicing real estate loans for investors;

“(E) maintaining or defending any action or suit or any administrative or arbitration proceeding arising as a result of such loans;

“(F) the acquisition of title to property which is the security for such a loan in the event of default on such loan, either by foreclosure, sale, or agreement in lieu thereof;

“(G) pending liquidation of its investment within such period, not to exceed one year, as the Commissioners may by regulation prescribe, operating, maintaining, renting or otherwise dealing with, selling or disposing of, real property acquired by foreclosure, sale, or by agreement in lieu thereof: *Provided,* That if, upon the expiration of the period prescribed by the Commissioners, such property has not been sold or otherwise disposed of, such foreign corporation shall be subject to tax on all of the income derived by the corporation arising out of its ownership of such property, but such liability shall not be construed as affecting the exclusion from gross income of income from other loans made or acquired by it in accordance with this paragraph (17).

“Income derived from the ownership of real property and not excludible from gross income as provided in this paragraph (17) shall

be reported to the Commissioners by the person servicing the corporation's loans in the District of Columbia or by a participating bank in the District of Columbia at such times and in such manner, together with such information, as the Commissioners may by regulation require, and if there be no such person servicing loans or participating bank, then the corporation shall itself make such report of income including any other income derived from District of Columbia sources which is includible in gross income under this article. Any person or corporation who shall fail to report such income to the Commissioners, as herein provided, shall be guilty of a misdemeanor and shall be fined not more than \$500.

Penalty.

"As used herein, the term 'liaison employee' shall mean a person who does not engage in or make, maintain, or liquidate any investment of the foreign corporation and who is engaged by the foreign corporation solely for the purpose of establishing and maintaining contacts with governments and international bodies and agencies thereof; arranging conferences for, receiving and furnishing legislative publications and other information or material of interest to, transmitting information for, and arranging transportation or other accommodations for, officers or other personnel of such foreign corporation within, or to and from, the District of Columbia."

"Liaison employee."

SEC. 2. Section 99 of the District of Columbia Business Corporation Act (68 Stat. 219, ch. 269, sec. 99; D.C. Code 29-933) is amended by adding at the end thereof the following new subsections:

"(c) No foreign corporation having income from loans excluded from gross income under section 2(b)(17) of title III of the District of Columbia Income and Franchise Tax Act of 1947, as amended, shall be subject to the provisions of this Act.

Ante, p. 812.

"(d) Nothing in subsection (c) of this section shall be construed as affecting the amenability of a foreign corporation to the service of any process, notice, or demand to which such corporation would be amenable without reference to the provisions of such subsection (c).

"(e) (1) Any foreign corporation having income from loans excluded from gross income under section 2(b)(17) of title III of the District of Columbia Income and Franchise Tax Act of 1947, as amended, shall be deemed to have waived any immunity to service of process and suit in the courts of the District of Columbia. Any such foreign corporation shall appoint and maintain in the District of Columbia an agent for service of process, and shall register with the Commissioners of the District of Columbia the address of its principal office and the name and address of its agent for service of process in the District of Columbia, including any changes in such addresses.

"(2) Whenever any such foreign corporation does not have an agent for service of process or such agent cannot be found with reasonable diligence at his registered address, then the Commissioners of the District of Columbia shall be the agent for service of process for such corporation. Service of process on the Commissioners shall be made by delivery to, and leaving with them, or with any person having charge of their office, duplicate copies of the process, together with a fee, the amount of which shall be fixed from time to time by the Commissioners but not in excess of \$5. In the event of such service the Commissioners shall immediately cause one of such copies to be forwarded by certified or registered mail, addressed to such foreign corporation at its principal office as it appears on the records of the Commissioners. Any such service shall be returnable in not less than thirty days, unless the rules of the court issuing such process prescribe another period, in which case such prescribed period shall govern.

"(3) Nothing contained in this subsection shall limit or affect the right to serve any process, notice of demand required or permitted

by law to be served on a foreign corporation in any other manner now or hereafter permitted by law.

Penalty.

“(4) Any foreign corporation which fails to comply with the requirements of paragraph (1) of this subsection shall be guilty of a misdemeanor and shall be fined not more than \$500.

“(5) The Commissioners of the District of Columbia are authorized to make such rules and regulations as may be necessary to carry out the purpose of this subsection.

“Foreign corporation.”

“(f) As used herein, the term ‘foreign corporation’ having income from loans excluded from gross income under section 2(b)(17) of title III of the District of Columbia Income and Franchise Tax Act of 1947, as amended, shall include any foreign corporation subject to a tax only as a result of activities contemplated by subparagraph (G) of section 2(b)(17) of title III of such Act.”

Ante, p. 812.

Effective date.

SEC. 3. This Act shall take effect on the date of its enactment.  
Approved September 19, 1966.

Public Law 89-592

AN ACT

September 19, 1966  
[S. 3354]

To amend the law establishing the revolving fund for expert assistance loans to Indian tribes.

Indians.  
Loans.

25 USC 70n-1.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the appropriation authorization in section 1 of the Act of November 4, 1963 (77 Stat. 301), is hereby amended by changing “\$900,000” to “\$1,800,000”.  
Approved September 19, 1966.

Public Law 89-593

AN ACT

September 20, 1966  
[H. R. 14904]

To revise postal rates on certain fourth-class mail, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 67 of title 39, United States Code, is amended by adding at the end thereof the following new sections:

Postal rates on certain fourth-class mail.  
74 Stat. 673.

“§ 4556. Postage rates on parcel post

“(a) Except as otherwise provided in this section and subject to section 4558 of this title, the rates of postage on fourth-class parcel post are based on the zones described in section 4553 of this title in accordance with the following table:

Post, p. 816.

[Cents per parcel]

Pounds	Local delivery	Zones						
		1st and 2d	3d	4th	5th	6th	7th	8th
2	40	50	50	55	60	70	75	80
3	40	55	60	65	75	85	95	105
4	45	60	65	75	85	100	110	125
5	45	65	70	80	95	110	130	145
6	45	70	80	90	105	125	145	165
7	50	80	85	100	115	140	160	185
8	50	85	90	105	130	150	175	200
9	55	90	95	115	140	165	190	220
10	55	95	105	120	150	175	210	240
11	55	100	110	130	160	190	225	260
12	60	105	115	135	170	200	240	275
13	60	110	120	145	180	210	255	295
14	65	115	130	150	190	225	270	310
15	65	120	135	160	200	235	285	330
16	65	125	140	165	210	245	300	345
17	70	130	145	175	220	260	315	365
18	70	135	150	180	230	270	330	380
19	75	140	160	190	240	285	345	400
20	75	140	165	195	250	295	360	415
21	75	145	170	205	260	305	375	435
22	80	150	175	210	265	315	390	450
23	80	155	180	215	275	330	405	465
24	85	160	185	220	285	340	415	485
25	85	160	190	230	290	350	430	500
26	85	165	195	235	300	360	445	520
27	90	170	195	240	310	370	460	535
28	90	175	200	250	320	385	475	550
29	95	180	205	255	325	395	485	570
30	95	180	210	260	335	405	500	585
31	95	185	215	265	345	415	515	605
32	100	190	220	275	350	425	530	620
33	100	195	225	280	360	440	545	635
34	100	195	230	285	370	450	555	655
35	105	200	235	290	375	460	570	670
36	105	205	240	300	385	470	585	690
37	110	210	245	305	395	480	600	705
38	110	215	250	310	405	495	615	720
39	110	215	255	320	410	505	625	740
40	115	220	260	325	420	515	640	755
41	115	225	265	330	430	525	655	770
42	115	230	270	335	435	535	670	790
43	120	230	275	345	445	550	685	805
44	120	235	275	350	455	560	695	820
45	125	240	280	355	460	570	710	835
46	125	245	285	365	470	580	725	850
47	125	250	290	370	480	590	740	870
48	130	250	295	375	490	605	755	885
49	130	255	300	380	495	615	765	900
50	130	260	305	390	505	625	780	915
51	135	265	310	395	515	635	795	930
52	135	265	315	400	520	645	805	950
53	140	270	320	405	530	660	820	965
54	140	270	325	410	535	670	835	980
55	140	275	330	420	545	680	845	995
56	145	280	335	425	555	690	860	1,010
57	145	280	340	430	560	700	870	1,030
58	150	285	345	435	570	715	885	1,045
59	150	290	350	440	575	725	900	1,060
60	150	290	350	450	585	735	910	1,075
61	155	295	355	455	595	745	925	1,090
62	155	300	360	460	600	755	935	1,110
63	155	300	365	465	610	770	950	1,125
64	160	305	370	470	615	780	965	1,140
65	160	305	375	480	625	790	975	1,155
66	165	310	380	485	635	800	990	1,170
67	165	315	385	490	640	810	1,000	1,190
68	165	315	390	495	650	825	1,015	1,205
69	170	320	395	500	655	835	1,030	1,220
70	170	325	400	510	665	845	1,040	1,235

“(b) Subject to section 4558 of this title, parcels weighing less than ten pounds and measuring more than eighty-four inches but not more than one hundred inches in length and girth combined are subject to a minimum postage rate equal to the postage rate for a ten-pound parcel for the zone to which the parcel is addressed.

“(c) Subject to section 4558 of this title, the postage rate on gold mailed within Alaska or from Alaska to other States and possessions of the United States, including the Canal Zone and the Trust Territory of the Pacific Islands, and the Commonwealth of Puerto Rico is 2 cents for each ounce or fraction thereof regardless of zones.

“§ 4557. Postage rates on catalogs

“(a) Subject to section 4558 of this title, the rates of postage on fourth-class catalogs, having twenty-four or more pages at least twenty-two of which are printed and weighing sixteen ounces or more but not exceeding ten pounds, are based on the zones described in section 4553 of this title in accordance with the following table:

“CATALOGS

“Weight (pounds)	Zones							
	Local	1 and 2	3	4	5	6	7	8
1.5.....	<i>Cents</i> 23	<i>Cents</i> 29	<i>Cents</i> 30	<i>Cents</i> 31	<i>Cents</i> 33	<i>Cents</i> 35	<i>Cents</i> 38	<i>Cents</i> 41
2.....	24	30	32	33	36	39	42	46
2.5.....	25	32	33	36	39	42	46	51
3.....	26	33	35	38	42	46	51	57
3.5.....	27	35	37	40	44	49	55	62
4.....	28	36	39	42	47	53	59	67
4.5.....	29	38	41	45	50	56	64	72
5.....	30	39	42	46	53	60	68	77
6.....	32	42	46	51	59	67	77	88
7.....	34	45	50	56	64	74	85	98
8.....	36	48	53	60	70	81	94	109
9.....	38	51	57	65	76	88	104	119
10.....	39	54	60	69	81	95	112	129

“(b) Subject to section 4558 of this title, the rates of postage on catalogs conforming to subsection (a) of this section, when mailed in quantities of not less than three hundred individually addressed pieces at one time and when prepared and mailed in accordance with conditions established by the Postmaster General, consist of a piece rate in addition to a bulk rate per pound, based on the zones described in section 4553 of this title, in accordance with the following table:

“Zone	Piece rate	Bulk pound rate
	<i>Cents</i>	<i>Cents</i>
Local.....	17	1.9
1 and 2.....	21	3.0
3.....	21	3.6
4.....	21	4.6
5.....	21	5.7
6.....	21	7.1
7.....	21	8.7
8.....	22	10.4

“§ 4558. Reformation of conditions of mailability

“(a) Whenever the Postmaster General finds that, as a continuing situation,—

“(1) the acceptance, as fourth-class mail, of mail matter otherwise legally acceptable in the mails is being prevented, or

“(2) the revenue from the fourth-class mail service is less than the cost of such service or that the revenue from such service is greater than the cost thereof, or

“(3) any other condition exists with respect to the fourth-class mail service which is impairing the efficient and economical operation of such service,

by reason of—

“(A) the rates of postage on fourth-class mail (other than the rates prescribed by sections 4422, 4554, and 4651 to 4654, inclusive, of this title), or

“(B) the classification of articles mailable as fourth-class mail, or

“(C) the postal zone structure or the method used in establishing such structure, or

“(D) any other condition of mailability as fourth-class mail (other than size and weight limits),

he shall file with the Interstate Commerce Commission a request to—

“(i) increase or decrease, as he deems advisable, any rate or rates of postage on fourth-class mail (other than the rates prescribed by sections 4422, 4554, and 4651 to 4654, inclusive, of this title), or

“(ii) reform any condition or conditions of mailability within the purview of subparagraphs (B), (C), and (D) of this subsection, or

“(iii) take both such actions.

“(b) The request of the Postmaster General under subsection (a) of this section for an increase or decrease in any rate or rates of postage or for reformation of any other condition or conditions of mailability, or both, shall be deemed approved on the thirtieth day following the date on which the Postmaster General files such request with the Interstate Commerce Commission, and shall become effective in accordance with the terms of the request, unless, prior to the expiration of such thirtieth day—

“(1) such request is rejected by the Commission, or

“(2) the Commission orders an investigation of such request.

If final determination by the Commission, on the basis of such investigation, is not made prior to the expiration of the one hundred and eightieth day after the date of the filing of such request with the Commission, such request shall be deemed approved at the close of such one hundred and eightieth day and shall become effective in accordance with its terms.

#### “§ 4559. Certification on fourth-class mail revenue-cost relationship

“The Postmaster General shall not withdraw from the general fund of the Treasury any funds appropriated to the Department for any fiscal year, until he has certified in writing to the Secretary of the Treasury that—

“(1) he has reason to believe that the revenues from the rates of postage on fourth-class mail (other than fourth-class mail for which the rates are prescribed by sections 4422, 4554, and 4651 to 4654, inclusive, of this title) will not be greater than the costs thereof by more than 4 per centum and will not be less than the costs thereof by more than 4 per centum; or

“(2) he has filed with the Interstate Commerce Commission a request for the establishment or reformation of rates or other conditions of mailability, or both, in accordance with section 4558 of this title, with the objective that the revenues of such fourth-class mail will not be greater than the costs thereof by more than 4 per centum, or will not be less than the costs thereof by more than 4 per centum; or

"(3) the volume data published in the most recent Cost Ascertainment Report does not reflect increases in the volume of fourth-class mail from changes in law, including changes which have not become effective, which in the opinion of the Postmaster General would have resulted in revenues of fourth-class mail (other than that for which rates are prescribed by sections 4422, 4554 and 4651 to 4654 inclusive, of this title) not greater than the costs thereof by more than 4 per centum, or not less than the costs thereof by more than 4 per centum, had such changes in law been in effect for the period covered by such Cost Ascertainment Report.

Certificates required by this subsection shall be based on the volume data published in the most recent Cost Ascertainment Report of the Department."

(b) The table of contents of such chapter 67 is amended by adding at the end thereof the following:

"4556. Postage rates on parcel post.

"4557. Postage rates on catalogs.

"4558. Reformation of conditions of mailability.

"4559. Certification on fourth-class mail revenue-cost relationship."

Postal zones.  
74 Stat. 674.

SEC. 2. (a) Section 4553 of title 39, United States Code, is amended by adding at the end thereof the following new subsections:

"(c) The Postmaster General shall use units of area containing postal sectional center facilities as the basis of a postal zone as described in subsection (b) of this section. The zone shall be measured from the center of the unit of area containing the dispatching sectional center facility. A post office of mailing and a post office of delivery shall have the same zone relationship as their respective sectional center facilities, but this sentence shall not cause two post offices to be regarded as within the same local zone.

"(d) In addition to the eight zones described in subsections (b) and (c) of this section, there is a local zone as defined by the Postmaster General from time to time.

"(e) The foregoing provisions of this section are subject to section 4558 of this title."

Ante, p. 816.  
74 Stat. 665.

(b) Section 4303(d)(1) of title 39, United States Code, is amended by striking out "established for fourth class mail" and inserting in lieu thereof "described in section 4553, or prescribed pursuant to section 4558, of this title".

(c) Section 4359(e)(3) of title 39, United States Code, is amended by striking out "established for fourth class mail" and inserting in lieu thereof "described in section 4553, or prescribed pursuant to section 4558, of this title".

76 Stat. 445.

(d) Section 4554(a)(1) of title 39, United States Code, is amended to read as follows:

"(1) complete books consisting wholly of reading matter or scholarly bibliography or reading matter with incidental blank spaces for notations and containing no advertising matter other than incidental announcements of books except additions, supplements, fillers, or similar matter which are mailed thereafter and which are intended to replace or add to material in the complete book originally mailed;".

74 Stat. 674.

SEC. 3. Section 4552 of title 39, United States Code, is amended to read as follows:

"(a) Except as provided in subsection (c), the minimum weight of fourth class mail is sixteen ounces, and the maximum weight is forty pounds in the first and second zones and in any other zones—

"(1) twenty-five pounds on matter mailed on or after July 1, 1967, but before July 1, 1968;

“(2) thirty pounds on matter mailed on or after July 1, 1968, but before July 1, 1969; and

“(3) forty pounds on matter mailed on or after July 1, 1969.

“(b) Except as provided in subsection (c), the maximum size of fourth class mail is—

“(1) seventy-two inches in girth and length combined on matter mailed before July 1, 1970;

“(2) seventy-eight inches in girth and length combined on matter mailed on or after July 1, 1970, but before July 1, 1971; and

“(3) eighty-four inches in girth and length combined on matter mailed on or after July 1, 1971.

“(c) The maximum size on fourth class mail is one hundred inches in girth and length combined, and the maximum weight is seventy pounds for parcels—

“(1) mailed at, or addressed for delivery at, a second-, third-, or fourth-class post office or on a rural or star route;

“(2) containing baby fowl, live plants, trees, shrubs, or agricultural commodities but not the manufactured products of those commodities;

“(3) consisting of books, films, and other materials mailed under section 4554 of this title;

“(4) addressed to or mailed at any Armed Forces post office outside the fifty States;

“(5) addressed to or mailed in the Commonwealth of Puerto Rico, the States of Alaska and Hawaii, or a possession of the United States including the Canal Zone and the Trust Territory of the Pacific Islands; and

“(6) consisting of reproducers of sound reproduction records for the blind or parts thereof, and of braille writers and other appliances for the blind or parts thereof, mailed under section 4654 of this title.”

*Ante*, p. 818.

SEC. 4. (a) The paragraph under the heading “GENERAL PROVISIONS” under the appropriations for the Post Office Department contained in chapter IV of the Supplemental Appropriation Act, 1951 (64 Stat. 1050), as amended by section 213 of the Postal Rate Increase Act, 1958 (72 Stat. 143; 31 U.S.C. 695), is repealed effective as of July 1, 1966.

Repeals.

(b) Section 207 (b) of the Act of February 28, 1925 (43 Stat. 1067), as amended by section 7 of the Act of May 29, 1928 (45 Stat. 942), is repealed as of the effective date of the first section of this Act.

31 USC 695  
note.

SEC. 5. (a) There is hereby established a commission to be known as the Advisory Commission on Parcel Distribution Services (hereinafter referred to as the “Commission”).

Advisory Commission on Parcel Distribution Services.

(b) The Commission shall be composed of five members appointed by the President. Three members of the Commission shall constitute a quorum. The President shall designate one of the members to serve as Chairman of the Commission and one of the members to serve as Vice Chairman of the Commission.

(c) It shall be the duty of the Commission to make a full and complete study of small parcel distribution services, including parcel post, with a view to making recommendations with respect to—

Small parcel distribution services, study.

(1) the adequacy of existing services in terms of the needs of the consumer and the shipper;

(2) the feasibility of integrating private and public small parcel distribution services through cooperative ventures;

(3) methods of improving, coordinating, strengthening, expanding, and making more efficient the private distribution system;

(4) simplification of the rate structure applicable to the parcel post system;

(5) standardization of containers for parcel post shipments;

(6) improvement of service under the parcel post system in terms of reliability, delivery, and handling of parcels;

(7) the ability of the Post Office Department to handle parcels in excess of seventy-eight inches length and girth combined in an efficient, economical, and businesslike manner;

(8) the effect that the size increases effective on July 1, 1971, will have on the financial stability and continued operation of common carriers primarily engaged in express service, and on such carriers' ability to maintain existing employee rights, privileges, levels, and conditions of employment;

(9) the advisability in terms of the public interest and the needs of the consumer and the shipper generally to permit parcels in excess of seventy-eight inches in length and girth combined to be carried by parcel post;

(10) the necessity for and type of protection to be afforded common carriers primarily engaged in express service and their employees if the Commission finds that it is in the public interest to permit the carriage by parcel post of parcels in excess of seventy-eight inches length and girth combined;

(11) such other matters relating to small parcel distribution as the Commission may deem appropriate.

Report to President and Congress.

(d) On or before January 1, 1968, the Commission shall submit to the President and the Congress an interim report concerning its activities during the preceding year, including such recommendations as it may deem appropriate. On or before January 1, 1969, the Commission shall submit to the President and the Congress its final report and recommendations. Such report shall include specific recommendations on the matters contained in paragraphs (8), (9), and (10) of subsection (c) of this section. If such Commission finds that the increases in parcel post size and weight limits established by this Act will seriously endanger the ability of common carriers primarily engaged in the express service to continue operations and are not in the public interest, Congress shall during the 91st Congress consider the advisability of further legislation to eliminate the increase in size limitations on parcel post to take effect on July 1, 1971, established by this Act.

Ante, p. 288.

5 USC 55a.

Information from Federal agencies.

(e) The Commission shall have the power to appoint and fix the compensation of an executive director and such other personnel as it deems advisable, in accordance with the provisions of the civil service laws and the Classification Act of 1949, as amended. The Commission may also procure, without regard to the civil service laws and the Classification Act of 1949, as amended, temporary and intermittent services to the same extent as is authorized for the departments by section 15 of the Act of August 2, 1946 (60 Stat. 810), but at rates not to exceed \$100 per diem for individuals.

(f) The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Federal Government information for the purposes of this section; and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized and directed to furnish such information directly to the Commission upon request made by the Chairman of the Commission.

Compensation.

(g) Members of the Commission shall each receive \$100 per diem when engaged in the actual performance of duties vested in the Commission, including traveltime, and may receive travel expenses, includ-

ing per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

60 Stat. 808;  
75 Stat. 339, 340.

(h) There are hereby authorized to be appropriated to the Commission such sums, not to exceed \$100,000 for any year, as may be necessary to carry out the provisions of this section.

Appropriation.

(i) The Commission shall cease to exist thirty days after the submission of the final report provided for in subsection (d).

SEC. 6. This section and section 5 shall become effective on the date of enactment of this Act. The provisions of the first section and section 2 of this Act shall become effective on January 15, 1967. The provisions of section 3 of this Act shall become effective on July 1, 1967.

Effective dates.

Approved September 20, 1966.

## Public Law 89-594

### AN ACT

Relating to credit life insurance and credit health and accident insurance with respect to student loans.

September 20, 1966  
[H. R. 10823]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 10(2) (d) of chapter V of the Life Insurance Act (D.C. Code, sec. 35-710 (2) (d)) is amended to read as follows:

D.C.  
Student loans,  
insurance in-  
crease.  
64 Stat. 331.

“(d) The amount of insurance on the life of any debtor shall at no time exceed the amount owed by him which is repayable in installments to the creditor or \$10,000, whichever is less. Notwithstanding the immediately preceding provision, the amount of insurance with respect to a loan commitment incurred to defray educational costs of a student may be in an amount not exceeding the fixed amount committed to be loaned under the loan commitment less the amount of any repayments made on the loan.”

SEC. 2. Section 4 of the Act for the Regulation of Credit Life Insurance and Credit Accident and Health Insurance (D.C. Code, sec. 35-1604) is amended by adding at the end thereof the following new subsection:

76 Stat. 581.

“(c) Notwithstanding subsections (a) and (b), the amount of any credit life insurance or credit accident and health insurance with respect to indebtedness incurred to defray educational costs of a student may include the part of a commitment that has not been advanced by the creditor.”

Approved September 20, 1966.

## Public Law 89-595

### JOINT RESOLUTION

To delete the interest rate limitation on debentures issued by Federal intermediate credit banks.

September 20, 1966  
[S. J. Res. 178]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the second sentence of section 203(b) of the Federal Farm Loan Act, as amended (12 U.S.C. 1042), relating to debentures issued by Federal intermediate credit banks, is amended by deleting “, not exceeding 6 per centum per annum” therefrom.

Banks; debentures.  
Interest rate.  
50 Stat. 715.

Approved September 20, 1966.

## Public Law 89-596

## AN ACT

September 20, 1966  
[S. 254]

To authorize the Secretary of the Interior to construct, operate, and maintain the Tualatin Federal reclamation project, Oregon, and for other purposes.

Tualatin Federal reclamation project, Oreg.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to supply irrigation water to approximately seventeen thousand acres of land in the Tualatin River Valley, Oregon, to develop municipal and industrial water supplies, to provide facilities for river regulation and control of floods, to enhance recreation opportunities, to provide for the conservation and development of fish and wildlife resources, and for other purposes, the Secretary of the Interior is authorized to construct, operate, and maintain the Tualatin Federal reclamation project in accordance with the Federal reclamation laws (Act of June 17, 1902 (32 Stat. 388), and Acts amendatory thereof and supplementary thereto). The principal features of the said project shall be a dam and reservoir on Scoggin Creek, canals, pumping plants and water distribution facilities.

43 USC 391 note.

Repayment period.

SEC. 2. Irrigation repayment contracts shall provide, with respect to any contract unit, for repayment of the irrigation construction costs assigned for repayment to the irrigators over a period of not more than fifty years exclusive of any development period authorized by law. Construction costs allocated to irrigation beyond the ability of the irrigators to repay during the repayment period shall be returned to the reclamation fund within said repayment period from revenues derived by the Secretary from the disposition of power marketed through the Bonneville Power Administration. Power and energy required for irrigation water pumping for the Tualatin project shall be made available by the Secretary from the Federal Columbia River power system at charges determined by him.

16 USC 460L-12 note.

SEC. 3. The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the Tualatin project shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213).

43 USC 485a.

SEC. 4. (a) Costs of the project allocated to municipal water supply shall be repayable, with interest, by the municipal water users over a period of not more than fifty years from the date that water is first delivered for that purpose, pursuant to contracts with municipal corporations, or other organizations, as defined in section 2(g) of the Reclamation Project Act of 1939 (53 Stat. 1187). Contracts may be entered into with water users' organizations pursuant to the provisions of this Act without regard to the last sentence of subsection 9(c) of the Reclamation Project Act of 1939, supra.

43 USC 485h.

Interest rate, determination by Secretary.

(b) The interest rate used for computing interest during construction and interest on the unpaid balance of the costs of the project allocated to municipal water supply shall be determined by the Secretary of the Treasury, as of the beginning of the fiscal year in which construction is commenced, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations which are neither due nor callable for redemption for fifteen years from date of issue, and by adjusting such interest rate to the nearest multiple of one-eighth of 1 per centum if the computed average interest rate is not a multiple of one-eighth of 1 per centum.

33 USC 701r-1.

(c) Costs of the project allocated to highway transportation shall be nonreimbursable in accordance with section 208 of the Flood Control Act of 1962 (76 Stat. 1196).

SEC. 5. For a period of ten years from the date of enactment of this Act, no water shall be delivered to any water user on the Tualatin

project for the production on newly irrigated lands of any basic agricultural commodity, as defined in the Agricultural Act of 1949, or any amendment thereof, if the total supply of such commodity for the marketing year in which the bulk of the crop would normally be marketed is in excess of the normal supply as defined in section 301(b)(10) of the Agricultural Adjustment Act of 1938, as amended, unless the Secretary of Agriculture calls for an increase in production of such commodity in the interest of national security.

SEC. 6. There is hereby authorized to be appropriated for the construction of the Tualatin project the sum of \$20,900,000 (January 1965 prices) plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the types of construction involved therein, and, in addition thereto, such sums as may be required to operate and maintain said project.

Approved September 20, 1966.

63 Stat. 1051.  
7 USC 1471  
note.

62 Stat. 1251.  
7 USC 1301.

Appropriation.

## Public Law 89-597

### AN ACT

To provide for the more flexible regulation of maximum rates of interest or dividends payable by banks and certain other financial institutions on deposits or share accounts, to authorize higher reserve requirements on time deposits at member banks, to authorize open market operations in agency issues by the Federal Reserve banks, and for other purposes.

September 21, 1966  
[H. R. 14026]

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

SECTION 1. The Secretary of the Treasury, the Board of Governors of the Federal Reserve System, the Board of Directors of the Federal Deposit Insurance Corporation, and the Federal Home Loan Bank Board, in implementation of their respective powers under existing law and this Act, shall take action to bring about the reduction of interest rates to the maximum extent feasible in the light of prevailing money market and general economic conditions.

Banks.  
Interest rates,  
controls.

#### RESERVES AND RATE CEILINGS—MEMBER BANKS

SEC. 2. (a) Section 19 of the Federal Reserve Act is amended by striking the first six paragraphs (12 U.S.C. 461, 462, and 462b) and inserting:

40 Stat. 239.

“(a) The Board is authorized for the purposes of this section to define the terms used in this section, to determine what shall be deemed a payment of interest, and to prescribe such regulations as it may deem necessary to effectuate the purposes of this section and to prevent evasions thereof.

“(b) Every member bank shall maintain reserves against its deposits in such ratios as shall be determined by the affirmative vote of not less than four members of the Board within the following limitations:

“(1) In the case of any member bank in a reserve city, the minimum reserve ratio for any demand deposit shall be not less than 10 per centum and not more than 22 per centum, except that the Board, either in individual cases or by regulation, on such basis as it may deem reasonable and appropriate in view of the character of business transacted by such bank, may make applicable the reserve ratios prescribed for banks not in reserve cities.

“(2) In the case of any member bank not in a reserve city, the

minimum reserve ratio for any demand deposit shall be not less than 7 per centum and not more than 14 per centum.

“(3) In the case of any deposit other than a demand deposit, the minimum reserve ratio shall be not less than 3 per centum and not more than 10 per centum.

“(c) Reserves held by any member bank to meet the requirements imposed pursuant to subsection (b) of this section shall be in the form of—

“(1) balances maintained for such purpose by such bank in the Federal Reserve bank of which it is a member, and

“(2) the currency and coin held by such bank, or such part thereof as the Board may by regulation prescribe.”

(b) The paragraphs which, prior to the amendments made by this Act, were the seventh (12 U.S.C. 374a), eighth (12 U.S.C. 374, 463), ninth (12 U.S.C. 464), tenth (12 U.S.C. 465), eleventh (12 U.S.C. 466), twelfth (12 U.S.C. 371a), and thirteenth (12 U.S.C. 371b) paragraphs of section 19 of the Federal Reserve Act are respectively redesignated as subsections (d), (e), (f), (g), (h), (i), and (j) of that section.

(c) Such section is further amended by striking the first sentence of subsection (j) as redesignated (12 U.S.C. 371) and inserting: “The Board may from time to time, after consulting with the Board of Directors of the Federal Deposit Insurance Corporation and the Federal Home Loan Bank Board, limit by regulation the rates of interest which may be paid by member banks on time and savings deposits. The Board may prescribe different rate limitations for different classes of deposits, for deposits of different amounts or with different maturities or subject to different conditions regarding withdrawal or repayment, according to the nature or location of member banks or their depositors, or according to such other reasonable bases as the Board may deem desirable in the public interest.”

(d) The last paragraph of such section (12 U.S.C. 462a-1) and the proviso in section 8 of the Second Liberty Bond Act (31 U.S.C. 771) are repealed.

49 Stat. 715;  
12 USC 371b.

Repeal.  
49 Stat. 715.

40 Stat. 504.

#### RATE CEILINGS—INSURED NONMEMBER BANKS

SEC. 3. The second and third sentences of section 18(g) of the Federal Deposit Insurance Act (12 U.S.C. 1828(g)) are amended to read as follows: “The Board of Directors may from time to time, after consulting with the Board of Governors of the Federal Reserve System and the Federal Home Loan Bank Board, limit by regulation the rates of interest or dividends that may be paid by insured nonmember banks (including insured mutual savings banks) on time and savings deposits. The Board of Directors may prescribe different rate limitations for different classes of deposits, for deposits of different amounts or with different maturities or subject to different conditions regarding withdrawal or repayment, according to the nature or location of insured nonmember banks or their depositors, or according to such other reasonable bases as the Board of Directors may deem desirable in the public interest.”

64 Stat. 893.

#### RATE CEILINGS—SAVINGS AND LOAN ASSOCIATIONS

SEC. 4. The Federal Home Loan Bank Act is amended by adding after section 5A thereof (12 U.S.C. 1425a) the following new section: “SEC. 5B. The Board may from time to time, after consulting with the Board of Governors of the Federal Reserve System and the Board of Directors of the Federal Deposit Insurance Corporation, limit by

64 Stat. 257.

regulation the rates of interest or dividends on deposits, shares, or withdrawable accounts that may be paid by members, other than those the deposits of which are insured in accordance with the provisions of the Federal Deposit Insurance Act, and by institutions which are insured institutions as defined in section 401(a) of the National Housing Act. The Board may prescribe different rate limitations for different classes of deposits, shares, or withdrawable accounts, for deposits, shares, or withdrawable accounts of different amounts or with different maturities or subject to different conditions regarding withdrawal or repayment, according to the nature or location of such members or institutions or their depositors, shareholders, or withdrawable accountholders, or according to such other reasonable bases as the Board may deem desirable in the public interest."

64 Stat. 873.  
12 USC 1811  
note.

48 Stat. 1255.  
12 USC 1724.

#### OUTSTANDING RATE REGULATIONS

SEC. 5. Any regulation prescribed by the Board of Governors of the Federal Reserve System or the Board of Directors of the Federal Deposit Insurance Corporation with respect to the payment of deposits and interest thereon by members banks or insured nonmember banks which is in effect when this Act is enacted shall continue in effect unless and until it is modified or rescinded after consultation with the Board of Directors or the Board of Governors, as the case may be, and the Federal Home Loan Bank Board.

#### OPEN MARKET OPERATIONS

SEC. 6. Section 14(b) of the Federal Reserve Act (12 U.S.C. 355) is amended by inserting "(1)" immediately after "(b)" and by adding the following new paragraph at the end:

38 Stat. 265.

"(2) To buy and sell in the open market, under the direction and regulations of the Federal Open Market Committee, any obligation which is a direct obligation of, or fully guaranteed as to principal and interest by, any agency of the United States."

SEC. 7. The provisions of the preceding sections of this Act shall be effective only during the one-year period which begins on the date of enactment of this Act. Upon the expiration of such period, each provision of law amended by this Act is further amended to read as it did immediately prior to the enactment of this Act.

Approved September 21, 1966.

Public Law 89-598

#### AN ACT

Relating to the composition of the District of Columbia Court of General Sessions.

September 21, 1966  
[S. 2263]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 11-902 (a) of the District of Columbia Code is amended by striking out "fifteen" and inserting in lieu thereof "twenty".

D.C.  
Judges.  
77 Stat. 487.

Approved September 21, 1966.

## Public Law 89-599

September 21, 1966  
[S. 3051]

Missouri-  
Kansas interstate  
compact.

## AN ACT

Granting the consent of Congress to the compact between Missouri and Kansas creating the Kansas City Area Transportation District and the Kansas City Area Transportation Authority.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, subject to the provisions of section 2 of this Act, the Congress consents to the compact between the States of Missouri and Kansas which reads as follows:

**“COMPACT BETWEEN MISSOURI AND KANSAS CREATING THE KANSAS CITY AREA TRANSPORTATION DISTRICT AND THE KANSAS CITY AREA TRANSPORTATION AUTHORITY.**

“The States of Missouri and Kansas solemnly agree:

**“ARTICLE I.**

“They agree to and pledge, each to the other, faithful cooperation in the future planning and development of the Kansas City Area Transportation District, holding in high trust for the benefit of its people and of the Nation, the special blessings and natural advantages thereof.

**“ARTICLE II.**

“To that end, the two States create a district to be known as the Kansas City Area Transportation District (hereinafter referred to as ‘The District’), which shall embrace the following territory: The Counties of Cass, Clay, Jackson and Platte in Missouri, and the Counties of Johnson, Leavenworth and Wyandotte in Kansas.

**“ARTICLE III.**

“There is created the Kansas City Area Transportation Authority of the Kansas City Area Transportation District (hereinafter referred to as the ‘Authority’), which shall be a body corporate and politic and a political subdivision of the States of Missouri and Kansas.

“The Authority shall have the following powers:

“(1) To acquire by gift, purchase or lease and to plan, construct, operate and maintain, or to lease to others for operation and maintenance, passenger transportation systems and facilities, either upon, above or below the ground.

“(2) To charge and collect fees and rents for use of the facilities owned or operated by it.

“(3) To contract and to be contracted with, and to sue and to be sued.

“(4) To receive for its lawful activities any contributions or moneys appropriated by municipalities, counties, or by the Federal Government or any agency or officer thereof or from any other source.

“(5) To disburse funds for its lawful activities and fix salaries and wages of its officers and employees.

“(6) To borrow money for the acquisition, planning, construction, equipping, operation, maintenance, repair, extension, and improvement of any facility which it has the power to own or

to operate or to own and to operate, and to issue the negotiable notes, bonds or other instruments in writing of the Authority in evidence of the sum or sums to be borrowed.

“(7) To issue negotiable refunding notes, bonds or other instruments in writing for the purpose of refunding, extending or unifying the whole or any part of its valid indebtedness from time to time outstanding, whether evidenced by notes, bonds, or other instruments in writing, which refunding notes, bonds or other instruments in writing shall not exceed in amount the principal of the outstanding indebtedness to be refunded and the accrued interest thereon to the date of such refunding.

“(8) To provide that all negotiable notes, bonds and other instruments in writing issued either pursuant to subdivision (6) or pursuant to subdivision (7) hereof shall be payable, both as to principal and interest, out of the revenues collected for the use of any facility or combination of facilities owned or operated or owned and operated by the Authority, or out of any other resources of the Authority, and may be further secured by a mortgage or deed of trust upon any property owned by the Authority. All notes, bonds or other instruments in writing issued by the Authority as herein provided shall mature in not to exceed thirty years from the date thereof, shall bear interest at a rate not exceeding six percent per annum, and shall be sold for not less than ninety-five per cent of the par value thereof. The Authority shall have the power to prescribe the details of such notes, bonds or other instruments in writing, and of the issuance and sale thereof, and shall have the power to enter into covenants with the holders of such notes, bonds or other instruments in writing, not inconsistent with the powers herein granted to the Authority, without further legislative authority.

“(9) To condemn any and all rights or property, of any kind or character, necessary for the purposes of the Authority, subject, however, to the provisions of this compact: *Provided, however*, That no property now or hereafter vested in or held by either State or by any county, city, village, township or other political subdivision, shall be taken by the Authority without the authority or consent of such state, county, city, village, township or other political subdivision. If the property to be condemned be situated in the State of Kansas, the said Authority shall follow the procedure of the Act of the State of Kansas providing for the exercise of the right of eminent domain, and if the property to be condemned be situated in the State of Missouri, the said Authority shall follow the procedure provided by the laws of the State of Missouri for the appropriation of land or other property taken for telegraph, telephone or railroad right of ways.

“(10) To petition any interstate commerce commission (or like body), public service commission, public utilities commission (or like body), or any other Federal, municipal, state or local authority, administrative, judicial or legislative, having jurisdiction in the premises, for the adoption of plans for and execution of any physical improvements, change in methods, rate of transportation, which, in the opinion of the Authority, may be designed to improve or better the handling of commerce in and through the District, or improve terminal and transportation facilities therein. It may intervene in any proceeding affecting the commerce of the District.

“(11) To perform all other necessary and incidental functions; and to exercise such additional powers as shall be conferred on it by the Legislature of either State concurred in by the Legislature of the other and by Act of Congress.

## "ARTICLE IV.

"Nothing contained in this compact shall impair the powers of any county, municipality or other political subdivision to acquire, own, operate, develop or improve any facility which the Authority is given the right and power to own, operate, develop or improve.

"Nothing herein shall impair or invalidate in any way bonded indebtedness of either State or of any county, city, village, township or other political subdivision, nor impair the provisions of law regulating the payment into sinking funds of revenues derived from municipal property or dedicating the revenues derived from any municipal property to a specific purpose.

"Unless and until otherwise provided, the Authority shall make an annual report to the Governor of each State, setting forth in detail the operations and transactions conducted by it pursuant to this compact and any legislation thereunder.

## "ARTICLE V.

"The Authority shall consist of ten Commissioners, five of whom shall be resident voters of the State of Missouri and five of whom shall be resident voters of the State of Kansas. All Commissioners shall reside within the District, the Missouri members to be chosen by the State of Missouri and the Kansas members by the State of Kansas, in the manner and for the terms fixed by the Legislature of each State except as herein provided.

## "ARTICLE VI.

"The Authority shall elect from its number a chairman, a vice-chairman, and may appoint such officers and employees as it may require for the performance of its duties, and shall fix and determine their qualifications and duties.

"Until otherwise determined by the Legislature of the two States, no action of the Authority shall be binding unless taken at a meeting at which at least three members from each State are present, and unless a majority of the members from each State, present at such meeting, shall vote in favor thereof.

"The two States shall provide penalties for violations of any order, rule or regulation of the Authority, and for the manner of enforcing same.

## "ARTICLE VII.

"The Authority is authorized and directed to proceed to carry out its duties, functions and powers in accordance with the articles of this compact as rapidly as may be economically practicable and is vested with all necessary and appropriate powers not inconsistent with the Constitution or the Laws of the United States or of either State, to effectuate the same, except the power to levy taxes or assessments.

"IN WITNESS THEREOF, we have hereunder set our hands and seals under authority vested in us by law this twenty-eighth day of December, 1965.

"(Signed).

"In the Presence of:

"(Signed)."

SEC. 2. (a) Any obligations issued and outstanding including the income derived therefrom, under the terms of the compact consented to in this Act, and any amendments thereto, shall be subject to the tax laws of the United States.

(b) Nothing in such compact shall be construed to affect, impair, or diminish any right, power, or jurisdiction of the United States or of any court, department, board, bureau, officer or official of the United States, in, over, or in regard to the territory which is embraced in the Kansas City Area Transportation District, as defined in such compact, or any navigable waters, or any commerce between the States or with foreign countries, or any bridge, railroad, highway, pier, wharf, or other facility or improvement, or any other person, matter, or thing, forming the subject matter of such compact, or otherwise affected by the terms thereof, with the exception that the Kansas City Area Transportation Authority, as established in such compact, its affiliates and the transportation rendered by either, within such Kansas City Area Transportation District shall be exempt from the applicability of the provisions of the Interstate Commerce Act, as amended, and the rules, regulations, and orders promulgated thereunder, but such exception shall not affect the power or authority of the Interstate Commerce Commission to regulate and apply the provisions of the Interstate Commerce Act, as amended, to other persons engaged in the transportation of passengers or property in interstate or foreign commerce within such Kansas City Area Transportation District or the transportation rendered by such other persons.

(c) No additional power or powers shall be exercised by such Kansas City Area Transportation Authority under part (11) of article III of such compact unless and until such power or powers are conferred upon such Authority by the legislature of one of the States participating in the compact, agreed to by the legislature of the other participating State, and consented to by the Congress of the United States.

(d) Congress or any committee thereof shall have the right to require the disclosure and furnishing of such information by the Authority as they may deem appropriate and shall have access to all books, records, and papers of the Authority.

(e) The consent of Congress to this compact is granted subject to the further condition that the Kansas City Area Transportation District and the Kansas City Area Transportation Authority shall not acquire, construct, maintain, operate, or lease to others for maintenance and operation any interstate toll bridge or interstate toll tunnel without prior approval of the Secretary of Commerce.

(f) The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved September 21, 1966.

## Public Law 89-600

### AN ACT

To declare the Old Georgetown Market a historic landmark and to require its preservation and continued use as a public market, and for other purposes.

September 21, 1966  
[H. R. 14205]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the real property, together with all structures thereon on the date of enactment of this Act, described as lot 800, square 1186, of the District of Columbia, commonly known as the Old Georgetown Market, is hereby declared a historic landmark, and the Board of Commissioners of the District of Columbia are authorized and directed to preserve such property as a historic landmark and to operate and maintain it as a public market, except that the Board is authorized to enter into an agreement with

D. C.  
Old Georgetown  
Market.

the Secretary of the Interior to provide for the use of a portion of such property as a museum to be operated by the Secretary in connection with the Chesapeake and Ohio Canal. Such property shall not be used under authority of any provision of law for any purpose not provided in this Act, unless (1) such law is enacted after the date of enactment of this Act and (2) specifically authorizes such property to be used for such other purpose.

Appropriation.

SEC. 2. For the purpose of carrying out the provisions of this Act, there are authorized to be appropriated to the District of Columbia such sums as may be necessary, but not to exceed in the aggregate, \$150,000.

Approved September 21, 1966.

Public Law 89-601

AN ACT

September 23, 1966  
[H. R. 13712]

To amend the Fair Labor Standards Act of 1938 to extend its protection to additional employees, to raise the minimum wage, and for other purposes.

Fair Labor Standards Amendments of 1966.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Fair Labor Standards Amendments of 1966".

TITLE I—DEFINITIONS

TIPS

52 Stat. 1061;  
75 Stat. 65.  
29 USC 203.

SEC. 101. (a) Section 3(m) of the Fair Labor Standards Act of 1938 is amended by adding at the end thereof the following new sentence: "In determining the wage of a tipped employee, the amount paid such employee by his employer shall be deemed to be increased on account of tips by an amount determined by the employer, but not by an amount in excess of 50 per centum of the applicable minimum wage rate, except that in the case of an employee who (either himself or acting through his representative) shows to the satisfaction of the Secretary that the actual amount of tips received by him was less than the amount determined by the employer as the amount by which the wage paid him was deemed to be increased under this sentence, the amount paid such employee by his employer shall be deemed to have been increased by such lesser amount."

(b) Section 3 of such Act is amended by adding at the end thereof the following new subsection:

"Tipped employee."

"(t) 'Tipped employee' means any employee engaged in an occupation in which he customarily and regularly receives more than \$20 a month in tips."

## DEFINITION OF ENTERPRISE

SEC. 102. (a) Section 3(r) of such Act is amended by adding at the end thereof the following: "For purposes of this subsection, the activities performed by any person or persons—

"(1) in connection with the operation of a hospital, an institution primarily engaged in the care of the sick, the aged, the mentally ill or defective who reside on the premises of such institution, a school for mentally or physically handicapped or gifted children, an elementary or secondary school, or an institution of higher education (regardless of whether or not such hospital, institution, or school is public or private or operated for profit or not for profit), or

"(2) in connection with the operation of a street, suburban or interurban electric railway, or local trolley or motorbus carrier, if the rates and services of such railway or carrier are subject to regulation by a State or local agency (regardless of whether or not such railway or carrier is public or private or operated for profit or not for profit),

shall be deemed to be activities performed for a business purpose."

(b) Section 3(d) of such Act is amended by inserting after "of a State" the following: "(except with respect to employees of a State, or a political subdivision thereof, employed (1) in a hospital, institution, or school referred to in the last sentence of subsection (r) of this section, or (2) in the operation of a railway or carrier referred to in such sentence)".

(c) Section 3(s) of such Act is amended to read as follows:

"(s) 'Enterprise engaged in commerce or in the production of goods for commerce' means an enterprise which has employees engaged in commerce or in the production of goods for commerce, including employees handling, selling, or otherwise working on goods that have been moved in or produced for commerce by any person, and which—

"(1) during the period February 1, 1967, through January 31, 1969, is an enterprise whose annual gross volume of sales made or business done is not less than \$500,000 (exclusive of excise taxes at the retail level which are separately stated) or is a gasoline service establishment whose annual gross volume of sales is not less than \$250,000 (exclusive of excise taxes at the retail level which are separately stated), and beginning February 1, 1969, is an enterprise whose annual gross volume of sales made or business done is not less than \$250,000 (exclusive of excise taxes at the retail level which are separately stated);

"Enterprise engaged in commerce, etc."

“(2) is engaged in laundering, cleaning, or repairing clothing or fabrics;

“(3) is engaged in the business of construction or reconstruction, or both; or

“(4) is engaged in the operation of a hospital, an institution primarily engaged in the care of the sick, the aged, the mentally ill or defective who reside on the premises of such institution, a school for mentally or physically handicapped or gifted children, an elementary or secondary school, or an institution of higher education (regardless of whether or not such hospital, institution, or school is public or private or operated for profit or not for profit).

Any establishment which has as its only regular employees the owner thereof or the parent, spouse, child, or other member of the immediate family of such owner shall not be considered to be an enterprise engaged in commerce or in the production of goods for commerce or a part of such an enterprise, and the sales of such establishment shall not be included for the purpose of determining the annual gross volume of sales of any enterprise for the purpose of this subsection.”

(d) Section 3 of such Act is amended by adding after subsection (u) (added by section 103(b) of this Act) the following new subsections:

“(v) ‘Elementary school’ means a day or residential school which provides elementary education, as determined under State law.

“(w) ‘Secondary school’ means a day or residential school which provides secondary education, as determined under State law.”

“Elementary school.”

“Secondary school.”

#### AGRICULTURAL EMPLOYEES

52 Stat. 1060.  
29 USC 203.

“Employee.”

SEC. 103. (a) Section 3(e) of such Act is amended to read as follows:

“(e) ‘Employee’ includes any individual employed by an employer, except that such term shall not, for the purposes of section 3(u) include—

“(1) any individual employed by an employer engaged in agriculture if such individual is the parent, spouse, child, or other member of the employer’s immediate family, or

“(2) any individual who is employed by an employer engaged in agriculture if such individual (A) is employed as a hand harvest laborer and is paid on a piece rate basis in an operation which has been, and is customarily and generally recognized as having been, paid on a piece rate basis in the region of employment, (B) commutes daily from his permanent residence to the farm on which he is so employed, and (C) has been employed in agriculture less than thirteen weeks during the preceding calendar year.”

(b) Section 3 of such Act is further amended by adding after subsection (t) (added by section 101(b) of this Act) the following new subsection:

“(u) ‘Man-day’ means any day during which an employee performs any agricultural labor for not less than one hour.”

“Man-day.”

## TITLE II—REVISION OF EXEMPTIONS

### HOTEL, RESTAURANT, AND RECREATIONAL ESTABLISHMENTS; HOSPITALS AND RELATED INSTITUTIONS

SEC. 201. (a) Section 13(a)(2) of such Act is amended by striking out everything preceding “A retail or service establishment,” and inserting in lieu thereof the following:

75 Stat. 71.  
29 USC 213.

“(2) any employee employed by any retail or service establishment (except an establishment or employee engaged in laundering, cleaning, or repairing clothing or fabrics or an establishment engaged in the operation of a hospital, institution, or school described in section 3(s)(4)), if more than 50 per centum of such establishment’s annual dollar volume of sales of goods or services is made within the State in which the establishment is located, and such establishment is not in an enterprise described in section 3(s) or such establishment has an annual dollar volume of sales which is less than \$250,000 (exclusive of excise taxes at the retail level which are separately stated).”

Ante, p. 831.

(b)(1) Section 13(b) of such Act is amended by inserting after paragraph (7) the following new paragraph in lieu of the paragraph repealed by section 211 of this Act:

“(8) any employee employed by an establishment which is a hotel, motel, or restaurant; or any employee who (A) is employed by an establishment which is an institution (other than a hospital) primarily engaged in the care of the sick, the aged, or the mentally ill or defective who reside on the premises, and (B) receives compensation for employment in excess of forty-eight hours in any workweek at a rate not less than one and one-half times the regular rate at which he is employed; or”.

(2) Section 13(a) of such Act is amended by inserting after paragraph (2) the following new paragraph in lieu of the paragraph repealed by section 202 of this Act:

“(3) any employee employed by an establishment which is an amusement or recreational establishment, if (A) it does not operate for more than seven months in any calendar year, or (B) during the preceding calendar year, its average receipts for any six months of such year were not more than  $33\frac{1}{3}$  per centum of its average receipts for the other six months of such year; or”.

### LAUNDRY AND CLEANING ESTABLISHMENTS

SEC. 202. Section 13(a)(3) of such Act is repealed.

Repeal.

### AGRICULTURAL EMPLOYEES

SEC. 203. (a) Section 13(a)(6) of such Act is amended to read as follows:

“(6) any employee employed in agriculture (A) if such employee is employed by an employer who did not, during any calendar quarter during the preceding calendar year, use more than five hundred man-days of agricultural labor, (B) if such employee is the parent, spouse, child, or other member of his

employer's immediate family, (C) if such employee (i) is employed as a hand harvest laborer and is paid on a piece rate basis in an operation which has been, and is customarily and generally recognized as having been, paid on a piece rate basis in the region of employment, (ii) commutes daily from his permanent residence to the farm on which he is so employed, and (iii) has been employed in agriculture less than thirteen weeks during the preceding calendar year, (D) if such employee (other than an employee described in clause (C) of this subsection) (i) is sixteen years of age or under and is employed as a hand harvest laborer, is paid on a piece rate basis in an operation which has been, and is customarily and generally recognized as having been, paid on a piece rate basis in the region of employment, (ii) is employed on the same farm as his parent or person standing in the place of his parent, and (iii) is paid at the same piece rate as employees over age sixteen are paid on the same farm, or (E) if such employee is principally engaged in the range production of livestock; or”.

Repeal.  
75 Stat. 72.  
29 USC 213.

(b) Section 13(a)(16) of such Act (agricultural employees employed in livestock auctions) is repealed.

(c) Section 13(b) of such Act is amended—

(A) by striking out the period at the end of paragraph (11) and inserting in lieu thereof “; or”, and

(B) by adding at the end of paragraph (11) the following new paragraphs:

“(12) any employee employed in agriculture or in connection with the operation or maintenance of ditches, canals, reservoirs, or waterways, not owned or operated for profit, or operated on a sharecrop basis, and which are used exclusively for supply and storing of water for agricultural purposes; or

“(13) any employee with respect to his employment in agriculture by a farmer, notwithstanding other employment of such employee in connection with livestock auction operations in which such farmer is engaged as an adjunct to the raising of livestock, either on his own account or in conjunction with other farmers, if such employee (A) is primarily employed during his workweek in agriculture by such farmer, and (B) is paid for his employment in connection with such livestock auction operations at a wage rate not less than that prescribed by section 6(a)(1); or”.

(d) Section 13(c) of such Act is amended to read as follows:

“(c) (1) Except as provided in paragraph (2), the provisions of section 12 relating to child labor shall not apply with respect to any employee employed in agriculture outside of school hours for the school district where such employee is living while he is so employed.

“(2) The provisions of section 12 relating to child labor shall apply to an employee below the age of sixteen employed in agriculture in an occupation that the Secretary of Labor finds and declares to be particularly hazardous for the employment of children below the age of sixteen, except where such employee is employed by his parent or by a person standing in the place of his parent on a farm owned or operated by such parent or person.

“(3) The provisions of section 12 relating to child labor shall not apply to any child employed as an actor or performer in motion pictures or theatrical productions, or in radio or television productions.”

Post, p. 838.  
63 Stat. 918.

29 USC 212.

#### AGRICULTURAL PROCESSING EMPLOYEES

Repeals.

SEC. 204. (a) Sections 13 (a)(10) (employees engaged in handling and processing of agricultural, horticultural, and dairy prod-

ucts); 13(a)(17) (country elevator employees); 13(a)(18) (cotton ginning employees); and 13(a)(22) (fruit and vegetable transportation employees) of such Act are repealed.

(b) Section 13(b) of such Act is amended by adding after paragraph (13) (added by section 203(c) of this Act) the following new paragraphs:

“(14) any employee employed within the area of production (as defined by the Secretary) by an establishment commonly recognized as a country elevator, including such an establishment which sells products and services used in the operation of a farm, if no more than five employees are employed in the establishment in such operations; or

“(15) any employee engaged in ginning of cotton for market, in any place of employment located in a county where cotton is grown in commercial quantities, or in the processing of sugar beets, sugar-beet molasses, sugarcane, or maple sap, into sugar (other than refined sugar) or syrup; or

“(16) any employee engaged (A) in the transportation and preparation for transportation of fruits or vegetables, whether or not performed by the farmer, from the farm to a place of first processing or first marketing within the same State, or (B) in transportation, whether or not performed by the farmer, between the farm and any point within the same State of persons employed or to be employed in the harvesting of fruits or vegetables; or”.

(c) Subsection (c) of section 7 of such Act is amended to read as follows:

63 Stat. 913.  
29 USC 207.

“(c) For a period or periods of not more than ten workweeks in the aggregate in any calendar year, or fourteen workweeks in the aggregate in the case of an employer who does not qualify for the exemption in subsection (d) of this section, any employer may employ any employee for a workweek in excess of that specified in subsection (a) without paying the compensation for overtime employment prescribed in such subsection if such employee (1) is employed by such employer in an industry found by the Secretary to be of a seasonal nature, and (2) receives compensation for employment by such employer in excess of ten hours in any workday, or for employment by such employer in excess of fifty hours in any workweek, as the case may be, at a rate not less than one and one-half times the regular rate at which he is employed.

“(d) For a period or periods of not more than ten workweeks in the aggregate in any calendar year, or fourteen workweeks in the aggregate in the case of an employer who does not qualify for the exemption in subsection (c) of this section, any employer may employ any employee for a workweek in excess of that specified in subsection (a) without paying the compensation for overtime employment prescribed in such subsection, if such employee—

“(1) is employed by such employer in an enterprise which is in an industry found by the Secretary—

“(A) to be characterized by marked annually recurring seasonal peaks of operation at the places of first marketing or first processing of agricultural or horticultural commodities from farms if such industry is engaged in the handling, packing, preparing, storing, first processing, or canning of any perishable agricultural or horticultural commodities in their raw or natural state, or

“(B) to be of a seasonal nature and engaged in the handling, packing, storing, preparing, first processing, or canning of any perishable agricultural or horticultural commodities in their raw or natural state, and

“(2) receives compensation for employment by such employer in excess of ten hours in any workday, or for employment in excess of forty-eight hours in any workweek, as the case may be, at a rate not less than one and one-half times the regular rate at which he is employed.”

63 Stat. 913;  
75 Stat. 70.  
29 USC 207.

(d) (1) Subsections (d), (e), (f), (g), and (h) of section 7 of such Act are redesignated as subsections (e), (f), (g), (h), and (i), respectively.

(2) Subsections (g) and (h) of such section 7 (as so redesignated by paragraph (1) of this subsection) are each amended by striking out “subsection (d)” and inserting in lieu thereof “subsection (e)”.

#### SMALL NEWSPAPERS

75 Stat. 72.  
29 USC 213.

SEC. 205. Section 13(a) (8) of such Act is amended by striking out “where printed and published” and inserting in lieu thereof “where published”.

#### TRANSPORTATION COMPANIES

Repeals.

SEC. 206. (a) Section 13(a) (9) of such Act is repealed.

(b) (1) Section 13(a) (12) of such Act is repealed.

(2) Section 13(b) of such Act is amended by adding after paragraph (16) (added by section 204(b) of this Act) the following new paragraph:

“(17) any driver employed by an employer engaged in the business of operating taxicabs; or”.

(c) Section 13(b) (7) of such Act is amended to read as follows:

“(7) any driver, operator, or conductor employed by an employer engaged in the business of operating a street, suburban or interurban electric railway, or local trolley or motorbus carrier, if the rates and services of such railway or carrier are subject to regulation by a State or local agency; or”.

#### MOTION PICTURE THEATER EMPLOYEES

SEC. 207. Section 13(a) of such Act is amended by inserting after paragraph (8) the following new paragraph in lieu of the paragraph repealed by section 206(a) of this Act:

“(9) any employee employed by an establishment which is a motion picture theater; or”.

#### LOGGING CREWS

Post, p. 838.

SEC. 208. Section 13(a) (15) of such Act is amended by striking out “twelve” and inserting in lieu thereof “eight”.

#### AUTOMOBILE, AIRCRAFT, AND FARM IMPLEMENT SALES ESTABLISHMENTS

Repeal.

SEC. 209. (a) Section 13(a) (19) of such Act is repealed.

(b) Section 13(b) of such Act is amended by inserting after paragraph (9) the following new paragraph in lieu of the paragraph repealed by section 212(a) of this Act:

“(10) any salesman, partsman, or mechanic primarily engaged in selling or servicing automobiles, trailers, trucks, farm implements, or aircraft if employed by a nonmanufacturing establishment primarily engaged in the business of selling such vehicles to ultimate purchasers; or”.

## FOOD SERVICE AND BOWLING ESTABLISHMENT EMPLOYEES

SEC. 210. (a) Section 13(a)(20) of such Act is repealed.

(b) Section 13(b) of such Act is amended by adding after paragraph (17) (added by section 206(b)(2) of this Act) the following new paragraphs:

“(18) any employee of a retail or service establishment who is employed primarily in connection with the preparation or offering of food or beverages for human consumption, either on the premises, or by such services as catering, banquet, box lunch, or curb or counter service, to the public, to employees, or to members or guests of members of clubs; or

“(19) any employee of a bowling establishment if such employee receives compensation for employment in excess of forty-eight hours in any workweek at a rate not less than one and one-half times the regular rate at which he is employed.”

Repeal.  
75 Stat. 73.  
29 USC 213.

## GASOLINE SERVICE STATIONS

SEC. 211. Section 13(b)(8) of such Act is repealed.

Repeal.

## PETROLEUM DISTRIBUTION EMPLOYEES

SEC. 212. (a) Section 13(b)(10) of such Act is repealed.

(b) Section 7(b)(3) of such Act is amended to read as follows:

“(3) by an independently owned and controlled local enterprise (including an enterprise with more than one bulk storage establishment) engaged in the wholesale or bulk distribution of petroleum products if—

“(A) the annual gross volume of sales of such enterprise is less than \$1,000,000 exclusive of excise taxes,

“(B) more than 75 per centum of such enterprise's annual dollar volume of sales is made within the State in which such enterprise is located, and

“(C) not more than 25 per centum of the annual dollar volume of sales of such enterprise is to customers who are engaged in the bulk distribution of such products for resale, and such employee receives compensation for employment in excess of forty hours in any workweek at a rate not less than one and one-half times the minimum wage rate applicable to him under section 6.”

Repeal.  
63 Stat. 913.  
29 USC 207.

Post, p. 838.

## ENIWETOK AND KWAJALEIN ATOLLS AND JOHNSTON ISLAND

SEC. 213. Section 13(f) of such Act is amended by striking out “and the Canal Zone” and inserting in lieu thereof “Eniwetok Atoll; Kwajalein Atoll; Johnston Island; and the Canal Zone”.

71 Stat. 514.  
29 USC 213.

## ELEMENTARY AND SECONDARY SCHOOL TEACHERS AND SCHOOL ADMINISTRATIVE PERSONNEL

SEC. 214. Section 13(a)(1) of such Act is amended by inserting after “professional capacity” the following: “(including any employee employed in the capacity of academic administrative personnel or teacher in elementary or secondary schools)”.

75 Stat. 71.

## TECHNICAL AND CONFORMING AMENDMENTS

SEC. 215. (a) Section 3(n) of such Act is amended by striking out “, except as used in subsection (s)(1),”.

29 USC 203.  
Ante, p. 831.

75 Stat. 72.  
29 USC 213.

(b) Section 13(a) of such Act is amended—

(1) by redesignating paragraphs (11), (13), (14), (15), and (21) as paragraphs (10), (11), (12), (13), and (14), respectively, and

(2) by striking out “; or” at the end of paragraph (14) (as so redesignated in this subsection) and inserting in lieu thereof a period.

(c) Paragraph (7) of section 13(a) of such Act is amended by striking out “or order” and inserting in lieu thereof “, order, or certificate”.

### TITLE III—INCREASE IN MINIMUM WAGE

#### PRESENTLY COVERED EMPLOYEES

52 Stat. 1062;  
75 Stat. 67.  
29 USC 206.

SEC. 301. (a) Section 6(a) of such Act is amended by amending that portion of the section preceding paragraph (2) to read as follows:

“(a) Every employer shall pay to each of his employees who in any workweek is engaged in commerce or in the production of goods for commerce, or is employed in an enterprise engaged in commerce or in the production of goods for commerce, wages at the following rates:

“(1) not less than \$1.40 an hour during the first year from the effective date of the Fair Labor Standards Amendments of 1966 and not less than \$1.60 an hour thereafter, except as otherwise provided in this section;”

(b) Such section is amended by striking out the period at the end of paragraph (3) and inserting a semicolon, and by adding the following new paragraph:

“(4) if such employee is employed as a seaman on an American vessel, not less than the rate which will provide to the employee, for the period covered by the wage payment, wages equal to compensation at the hourly rate prescribed by paragraph (1) of this subsection for all hours during such period when he was actually on duty (including periods aboard ship when the employee was on watch or was, at the direction of a superior officer, performing work or standing by, but not including off-duty periods which are provided pursuant to the employment agreement); or”.

#### AGRICULTURAL EMPLOYEES

SEC. 302. Section 6(a) of such Act is amended by adding after paragraph (4) (added by section 301(b) of this Act) the following new paragraph:

“(5) if such employee is employed in agriculture, not less than \$1 an hour during the first year from the effective date of the Fair Labor Standards Amendments of 1966, not less than \$1.15 an hour during the second year from such date, and not less than \$1.30 an hour thereafter.”

#### NEWLY COVERED EMPLOYEES

SEC. 303. Section 6(b) of such Act is amended to read as follows:

“(b) Every employer shall pay to each of his employees (other than an employee to whom subsection (a) (5) applies) who in any workweek is engaged in commerce or in the production of goods for commerce, or is employed in an enterprise engaged in commerce or in the production of goods for commerce, and who in such workweek is brought within the purview of this section by the amendments made to this Act by

the Fair Labor Standards Amendments of 1966, wages at the following rates:

- “(1) not less than \$1 an hour during the first year from the effective date of such amendments,
- “(2) not less than \$1.15 an hour during the second year from such date,
- “(3) not less than \$1.30 an hour during the third year from such date,
- “(4) not less than \$1.45 an hour during the fourth year from such date, and
- “(5) not less than \$1.60 an hour thereafter.”

EMPLOYEES IN PUERTO RICO AND THE VIRGIN ISLANDS

SEC. 304. Section 6(c) of such Act is amended to read as follows:

“(c) (1) The rate or rates provided by subsections (a) and (b) of this section shall be superseded in the case of any employee in Puerto Rico or the Virgin Islands only for so long as and insofar as such employee is covered by a wage order heretofore or hereafter issued by the Secretary pursuant to the recommendations of a special industry committee appointed pursuant to section 5.

“(2) In the case of any such employee who is covered by such a wage order and to whom the rate or rates prescribed by subsection (a) would otherwise apply, the following rates shall apply:

“(A) The rate or rates applicable under the most recent wage order issued by the Secretary prior to the effective date of the Fair Labor Standards Amendments of 1966, increased by 12 per centum, unless such rate or rates are superseded by the rate or rates prescribed in a wage order issued by the Secretary pursuant to the recommendations of a review committee appointed under paragraph (C). Such rate or rates shall become effective sixty days after the effective date of the Fair Labor Standards Amendments of 1966 or one year from the effective date of the most recent wage order applicable to such employee theretofore issued by the Secretary pursuant to the recommendations of a special industry committee appointed under section 5, whichever is later.

“(B) Beginning one year after the applicable effective date under paragraph (A), not less than the rate or rates prescribed by paragraph (A), increased by an amount equal to 16 per centum of the rate or rates applicable under the most recent wage order issued by the Secretary prior to the effective date of the Fair Labor Standards Amendments of 1966, unless such rate or rates are superseded by the rate or rates prescribed in a wage order issued by the Secretary pursuant to the recommendations of a review committee appointed under paragraph (C).

“(C) Any employer, or group of employers, employing a majority of the employees in an industry in Puerto Rico or the Virgin Islands, may apply to the Secretary in writing for the appointment of a review committee to recommend the minimum rate or rates to be paid such employees in lieu of the rate or rates provided by paragraph (A) or (B). Any such application with respect to any rate or rates provided for under paragraph (A) shall be filed within sixty days following the enactment of the Fair Labor Standards Amendments of 1966 and any such application with respect to any rate or rates provided for under paragraph (B) shall be filed not more than one hundred and twenty days and not less than sixty days prior to the effective date of the applicable rate or rates under paragraph (B). The Secretary shall promptly consider such application and may appoint a

75 Stat. 67.  
29 USC 206.  
*Ante*, p. 838.

63 Stat. 911.  
29 USC 205.

review committee if he has reasonable cause to believe, on the basis of financial and other information contained in the application, that compliance with any applicable rate or rates prescribed by paragraph (A) or (B) will substantially curtail employment in such industry. The Secretary's decision upon any such application shall be final. Any wage order issued pursuant to the recommendations of a review committee appointed under this paragraph shall take effect on the applicable effective date provided in paragraph (A) or (B).

“(D) In the event a wage order has not been issued pursuant to the recommendation of a review committee prior to the applicable effective date under paragraph (A) or (B), the applicable percentage increase provided by any such paragraph shall take effect on the effective date prescribed therein, except with respect to the employees of an employer who filed an application under paragraph (C) and who files with the Secretary an undertaking with a surety or sureties satisfactory to the Secretary for payment to his employees of an amount sufficient to compensate such employees for the difference between the wages they actually receive and the wages to which they are entitled under this subsection. The Secretary shall be empowered to enforce such undertaking and any sums recovered by him shall be held in a special deposit account and shall be paid, on order of the Secretary, directly to the employee or employees affected. Any such sum not paid to an employee because of inability to do so within a period of three years shall be covered into the Treasury of the United States as miscellaneous receipts.

“(3) In the case of any such employee to whom subsection (a) (5) or subsection (b) would otherwise apply, the Secretary shall within sixty days after the effective date of the Fair Labor Standards Amendments of 1966 appoint a special industry committee in accordance with section 5 to recommend the highest minimum wage rate or rates in accordance with the standards prescribed by section 8, but not in excess of the applicable rate provided by subsection (a) (5) or subsection (b), to be applicable to such employee in lieu of the rate or rates prescribed by subsection (a) (5) or subsection (b), as the case may be. The rate or rates recommended by the special industry committee shall be effective with respect to such employee upon the effective date of the wage order issued pursuant to such recommendation but not before sixty days after the effective date of the Fair Labor Standards Amendments of 1966.

“(4) The provisions of section 5 and section 8, relating to special industry committees, shall be applicable to review committees appointed under this subsection. The appointment of a review committee shall be in addition to and not in lieu of any special industry committee required to be appointed pursuant to the provisions of subsection (a) of section 8, except that no special industry committee shall hold any hearing within one year after a minimum wage rate or rates for such industry shall have been recommended to the Secretary by a review committee to be paid in lieu of the rate or rates provided for under paragraph (A) or (B). The minimum wage rate or rates prescribed by this subsection shall be in effect only for so long as and insofar as such minimum wage rate or rates have not been superseded by a wage order fixing a higher minimum wage rate or rates (but not in excess of the applicable rate prescribed in subsection (a) or subsection (b)) hereafter issued by the Secretary pursuant to the recommendation of a special industry committee.”

Ante, p. 838.

63 Stat. 911,  
915.  
29 USC 205,  
208.

## CONTRACT SERVICES TO FEDERAL GOVERNMENT

SEC. 305. Section 6 of such Act is amended by adding at the end thereof the following new subsection:

*Ante*, pp. 838-840.

“(e) (1) Notwithstanding the provisions of section 13 of this Act (except subsections (a) (1) and (f) thereof), every employer providing any contract services (other than linen supply services) under a contract with the United States or any subcontract thereunder shall pay to each of his employees whose rate of pay is not governed by the Service Contract Act of 1965 (41 U.S.C. 351-357) or to whom subsection (a) (1) of this section is not applicable, wages at rates not less than the rates provided for in subsection (b) of this section.

79 Stat. 1034.  
*Ante*, p. 838.

“(2) Notwithstanding the provisions of section 13 of this Act (except subsections (a) (1) and (f) thereof) and the provisions of the Service Contract Act of 1965, every employer in an establishment providing linen supply services to the United States under a contract with the United States or any subcontract thereunder shall pay to each of his employees in such establishment wages at rates not less than those prescribed in subsection (b), except that if more than 50 per centum of the gross annual dollar volume of sales made or business done by such establishment is derived from providing such linen supply services under any such contracts or subcontracts, such employer shall pay to each of his employees in such establishment wages at rates not less than those prescribed in subsection (a) (1) of this section.”

*Ante*, pp. 833, 838.

## FEDERAL EMPLOYEES

SEC. 306. Section 18 of such Act is amended by inserting “(a)” immediately after “SEC. 18.” and by adding at the end thereof the following new subsection:

52 Stat. 1069.  
29 USC 218.

“(b) Notwithstanding any other provision of this Act (other than section 13(f)) or any other law, any employee—

*Ante*, p. 837.

“(1) described in paragraph (7) of section 202 of the Classification Act of 1949 (5 U.S.C. 1082(7)) whose compensation is required to be fixed and adjusted from time to time as nearly as is consistent with the public interest in accordance with prevailing rates, and any Federal employee in the Canal Zone engaged in employment of the kind described in such paragraph (7), or

68 Stat. 1106.

“(2) described in section 7474 of title 10, United States Code, whose rates of wages are established to conform, as nearly as is consistent with the public interest, with those of private establishments in the immediate vicinity, or

70A Stat. 463.

“(3) employed in a nonappropriated fund instrumentality under the jurisdiction of the Armed Forces,

shall have his basic compensation fixed or adjusted at a wage rate which is not less than the appropriate wage rate provided for in section 6(a) (1) of this Act (except that the wage rate provided for in section 6(b) shall apply to any employee who performed services during the workweek in a work place within the Canal Zone), and shall have his overtime compensation set at an hourly rate not less than the overtime rate provided for in section 7(a) (1) of this Act.”

*Infra*

## TITLE IV—APPLICATION OF MAXIMUM HOURS PROVISIONS

## PRESENTLY AND NEWLY COVERED EMPLOYEES

SEC. 401. Section 7(a) of such Act is amended to read as follows:

“(a) (1) Except as otherwise provided in this section, no employer shall employ any of his employees who in any workweek is engaged in

63 Stat. 912;  
75 Stat. 69.  
29 USC 207.

commerce or in the production of goods for commerce, or is employed in an enterprise engaged in commerce or in the production of goods for commerce, for a workweek longer than forty hours unless such employee receives compensation for his employment in excess of the hours above specified at a rate not less than one and one-half times the regular rate at which he is employed.

"(2) No employer shall employ any of his employees who in any workweek is engaged in commerce or in the production of goods for commerce, or is employed in an enterprise engaged in commerce or in the production of goods for commerce, and who in such workweek is brought within the purview of this subsection by the amendments made to this Act by the Fair Labor Standards Amendments of 1966—

"(A) for a workweek longer than forty-four hours during the first year from the effective date of the Fair Labor Standards Amendments of 1966,

"(B) for a workweek longer than forty-two hours during the second year from such date, or

"(C) for a workweek longer than forty hours after the expiration of the second year from such date, unless such employee receives compensation for his employment in excess of the hours above specified at a rate not less than one and one-half times the regular rate at which he is employed."

#### COMMISSION SALESMAN

SEC. 402. Subsection (i) of section 7 of such Act (as so redesignated by section 204(d) of this Act) is amended by adding at the end thereof the following new sentence: "In determining the proportion of compensation representing commissions, all earnings resulting from the application of a bona fide commission rate shall be deemed commissions on goods or services without regard to whether the computed commissions exceed the draw or guarantee."

#### HOSPITAL EMPLOYEES

SEC. 403. Section 7 of such Act is amended by adding after subsection (i) of such section (as so redesignated by section 204(d) (1) of this Act) the following new subsection:

"(j) No employer engaged in the operation of a hospital shall be deemed to have violated subsection (a) if, pursuant to an agreement or understanding arrived at between the employer and the employee before performance of the work, a work period of fourteen consecutive days is accepted in lieu of the workweek of seven consecutive days for purposes of overtime computation and if, for his employment in excess of eight hours in any workday and in excess of eighty hours in such fourteen-day period, the employee receives compensation at a rate not less than one and one-half times the regular rate at which he is employed."

### TITLE V—STUDENTS AND HANDICAPPED WORKERS

#### STUDENTS AND HANDICAPPED WORKERS

SEC. 501. Section 14 of such Act is amended to read as follows:

#### "LEARNERS, APPRENTICES, STUDENTS, AND HANDICAPPED WORKERS

"SEC. 14. (a) The Secretary of Labor, to the extent necessary in order to prevent curtailment of opportunities for employment, shall by regulations or by orders provide for the employment of learners, of apprentices, and of messengers employed primarily in delivering

letters and messages, under special certificates issued pursuant to regulations of the Secretary, at such wages lower than the minimum wage applicable under section 6 and subject to such limitations as to time, number, proportion, and length of service as the Secretary shall prescribe.

*Ante*, pp. 838,  
841.

“(b) The Secretary, to the extent necessary in order to prevent curtailment of opportunities for employment, shall by regulation or order provide for the employment of full-time students, regardless of age but in compliance with applicable child labor laws, on a part-time basis in retail or service establishments (not to exceed twenty hours in any workweek) or on a part-time or a full-time basis in such establishments during school vacations, under special certificates issued pursuant to regulations of the Secretary, at a wage rate not less than 85 per centum of the minimum wage applicable under section 6, except that the proportion of student hours of employment to total hours of employment of all employees in any establishment may not exceed (1) such proportion for the corresponding month of the twelve-month period preceding May 1, 1961, (2) in the case of a retail or service establishment whose employees (other than employees engaged in commerce or in the production of goods for commerce) are covered by this Act for the first time on or after the effective date of the Fair Labor Standards Amendments of 1966, such proportion for the corresponding month of the twelve-month period immediately prior to such date, or (3) in the case of a retail or service establishment coming into existence after May 1, 1961, or a retail or service establishment for which records of student hours worked are not available, a proportion of student hours of employment to total hours of employment of all employees based on the practice during the twelve-month period preceding May 1, 1961, in (A) similar establishments of the same employer in the same general metropolitan area in which the new establishment is located, (B) similar establishments of the same employer in the same or nearby counties if the new establishment is not in a metropolitan area, or (C) other establishments of the same general character operating in the community or the nearest comparable community. Before the Secretary may issue a certificate under this subsection he must find that such employment will not create a substantial probability of reducing the full-time employment opportunities of persons other than those employed under this subsection.

“(c) The Secretary, to the extent necessary in order to prevent curtailment of opportunities for employment, shall by certificate or order provide for the employment of full-time students, regardless of age but in compliance with applicable child labor laws, on a part-time basis in agriculture (not to exceed twenty hours in any workweek) or on a part-time or a full-time basis in agriculture during school vacations, at a wage rate not less than 85 per centum of the minimum wage applicable under section 6. Before the Secretary may issue a certificate or order under this subsection he must find that such employment will not create a substantial probability of reducing the full-time employment opportunities of persons other than those employed under this subsection.

“(d) (1) Except as otherwise provided in paragraphs (2) and (3) of this subsection, the Secretary of Labor, to the extent necessary in order to prevent curtailment of opportunities for employment, shall by regulation or order provide for the employment under special certificates of individuals (including individuals employed in agriculture) whose earning or productive capacity is impaired by age or physical or mental deficiency or injury, at wages which are lower than the minimum wage applicable under section 6 of this Act but not less

than 50 per centum of such wage and which are commensurate with those paid nonhandicapped workers in industry in the vicinity for essentially the same type, quality, and quantity of work.

“(2) The Secretary, pursuant to such regulations as he shall prescribe and upon certification of the State agency administering or supervising the administration of vocational rehabilitation services, may issue special certificates for the employment of—

“(A) handicapped workers engaged in work which is incidental to training or evaluation programs, and

“(B) multihandicapped individuals and other individuals whose earning capacity is so severely impaired that they are unable to engage in competitive employment, at wages which are less than those required by this subsection and which are related to the worker's productivity.

“(3) (A) The Secretary may by regulation or order provide for the employment of handicapped clients in work activities centers under special certificates at wages which are less than the minimums applicable under section 6 of this Act or prescribed by paragraph (1) of this subsection and which constitute equitable compensation for such clients in work activities centers.

“(B) For purposes of this section, the term ‘work activities centers’ shall mean centers planned and designed exclusively to provide therapeutic activities for handicapped clients whose physical or mental impairment is so severe as to make their productive capacity inconsequential.”

Ante, pp. 838,  
841.

“Work activities centers.”

## TITLE VI—MISCELLANEOUS

### STATUTE OF LIMITATIONS

SEC. 601. (a) Section 16(c) of such Act is amended by striking out “two-year statute” and by inserting in lieu thereof “statutes”.

(b) Section 6(a) of the Portal-to-Portal Act of 1947 (Public Law 49, Eightieth Congress) is amended by inserting before the semicolon at the end thereof the following: “, except that a cause of action arising out of a willful violation may be commenced within three years after the cause of action accrued”.

63 Stat. 919.  
29 USC 216.

61 Stat. 87.  
29 USC 255.

### EFFECTIVE DATE

SEC. 602. Except as otherwise provided in this Act, the amendments made by this Act shall take effect on February 1, 1967. On and after the date of the enactment of this Act the Secretary is authorized to promulgate necessary rules, regulations, or orders with regard to the amendments made by this Act.

### STUDY OF EXCESSIVE OVERTIME

SEC. 603. The Secretary of Labor is hereby instructed to commence immediately a complete study of present practices dealing with overtime payments for work in excess of forty hours per week and the extent to which such overtime work impedes the creation of new job opportunities in American industry. The Secretary is further instructed to report to the Congress by July 1, 1967, the findings of such survey with appropriate recommendations.

Report to  
Congress.

### CANAL ZONE EMPLOYEES AND PANAMA CANAL STUDY

SEC. 604. The Secretary of Labor, in cooperation with the Secretary of Defense and the Secretary of State, shall (1) undertake a study

with respect to (A) wage rates payable to Federal employees in the Canal Zone engaged in employment of the kind described in paragraph (7) of section 202 of the Classification Act of 1949 (5 U.S.C. 1082(7)) and (B) the requirements of an effective and economical operation of the Panama Canal, and (2) report to the Congress not later than July 1, 1968, the results of his study together with such recommendations as he may deem appropriate.

68 Stat. 1106.  
Report to  
Congress.

#### STUDY OF WAGES PAID HANDICAPPED CLIENTS IN SHELTERED WORKSHOPS

SEC. 605. The Secretary of Labor is hereby instructed to commence immediately a complete study of wage payments to handicapped clients of sheltered workshops and of the feasibility of raising existing wage standards in such workshops. The Secretary is further instructed to report to the Congress by July 1, 1967, the findings of such study with appropriate recommendations.

Report to  
Congress.

#### PREVENTION OF DISCRIMINATION BECAUSE OF AGE

SEC. 606. The Secretary of Labor is hereby directed to submit to the Congress not later than January 1, 1967 his specific legislative recommendations for implementing the conclusions and recommendations contained in his report on age discrimination in employment made pursuant to section 715 of Public Law 88-352. Such legislative recommendations shall include, without limitation, provisions specifying appropriate enforcement procedures, a particular administering agency, and the standards, coverage, and exemptions, if any, to be included in the proposed enactment.

Recommendations to Congress.

78 Stat. 265.  
42 USC 2000e-14.

Approved September 23, 1966.

### Public Law 89-602

#### AN ACT

To designate the dam being constructed on the Allegheny River, Pennsylvania, as the "Kinzua Dam", and the lake to be formed by such dam in Pennsylvania and New York as the "Allegheny Reservoir".

September 24, 1966  
[S. 3625]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the dam being constructed by the Corps of Engineers, United States Army, on the Allegheny River in Warren County, Pennsylvania, authorized by the Flood Control Act of June 22, 1936 (Public Law 74-738), shall be known and designated hereafter as the "Kinzua Dam", and the lake formed by such dam in Warren and McKean Counties, Pennsylvania, and Cattaraugus County, New York, shall be known and designated as "Allegheny Reservoir".

Kinzua Dam.  
Allegheny Reservoir.  
Designation.  
49 Stat. 1570.

SEC. 2. Any law, regulation, document, or record of the United States in which such dam and reservoir are designated or referred to shall be held to refer to such dam and reservoir under and by the names of "Kinzua Dam", and "Allegheny Reservoir".

Approved September 24, 1966.

## Public Law 89-603

September 24, 1966  
[H. R. 11488]

## AN ACT

To authorize the grade of brigadier general in the Medical Service Corps of the Regular Army, and for other purposes.

Medical Service  
Corps.  
Brigadier gen-  
eral, authoriza-  
tion.  
70A Stat. 168.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That title 10, United States Code, is amended as follows:

(1) By striking out section 3068 and inserting the following new section in place thereof:

**“§ 3068. Medical Service Corps: organization; Chief and assistant chiefs**

“There is a Medical Service Corps in the Army. The Medical Service Corps consists of—

“(1) the Chief of the Medical Service Corps, who shall be appointed by the Secretary of the Army from among the officers of the Medical Service Corps whose regular grade is above captain;

“(2) the assistant chiefs of the Medical Service Corps, who shall be designated by the Surgeon General from officers in that Corps and who shall be his consultants on activities relating to their sections;

“(3) commissioned officers of the Regular Army appointed therein;

“(4) other members of the Army assigned thereto by the Secretary of the Army; and

“(5) the following sections—

“(a) the Pharmacy, Supply, and Administration Section;

“(b) the Medical Allied Sciences Section;

“(c) the Sanitary Engineering Section;

“(d) the Optometry Section; and

“(e) other sections considered necessary by the Secretary of the Army.”

(2) Section 3210 is amended by adding the following new subsection at the end thereof:

“(e) The authorized strength of the Medical Service Corps in general officers on the active list of the Regular Army is one commissioned officer in the regular grade of brigadier general.”

Approved September 24, 1966.

## Public Law 89-604

September 26, 1966  
[H. R. 6686]

## AN ACT

To amend the Civil Service Retirement Act in order to correct an inequity in the application of such Act with respect to the United States Botanic Garden, and for other purposes.

U.S. Botanic  
Garden.  
Retirement of  
employees.  
70 Stat. 743;  
78 Stat. 8.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) section 1(c) of the Civil Service Retirement Act, as amended (5 U.S.C. 2251(c)), is amended by inserting “an officer or employee of the United States Botanic Garden,” immediately following “the Architect of the Capitol and the employees of the Architect of the Capitol,”

(b) Section 2(c) of such Act, as amended (5 U.S.C. 2252(c)), is amended by inserting “and officers and employees of the United States

Coverage.

Botanic Garden" immediately following "the employees of the Architect of the Capitol".

(c) Section 2(f) of such Act, as amended (5 U.S.C. 2252(f)), is amended by striking out "; and the Architect of the Capitol and the Librarian of Congress are authorized to exclude from the operation of this Act any employees under the office of the Architect of the Capitol and the Library of Congress, respectively, whose tenure of employment is temporary or of uncertain duration." and inserting in lieu thereof "; and the Architect of the Capitol, the Librarian of Congress, and the Director or Acting Director of the United States Botanic Garden are authorized to exclude from the operation of this Act any employees under the office of the Architect of the Capitol, the Library of Congress, and the United States Botanic Garden, respectively, whose tenure of employment is temporary or of uncertain duration."

SEC. 2. The provisions under the heading "CIVIL SERVICE RETIREMENT AND DISABILITY FUND" in title I of the Independent Offices Appropriation Act, 1959 (72 Stat. 1064; Public Law 85-844), shall not apply with respect to benefits resulting from the enactment of this Act.

Limitation not applicable.

5 USC 2257 note.

SEC. 3. The amendments made by the first section of this Act shall not apply in the case of officers and employees retired or otherwise separated prior to the date of enactment of this Act. The rights of such persons and their survivors shall continue in the same manner and to the same extent as if such amendments had not been enacted.

Approved September 26, 1966.

Public Law 89-605

AN ACT

September 26, 1966  
[H. R. 13508]

To direct the Secretary of Interior to cooperate with the States of New York and New Jersey on a program to develop, preserve, and restore the resources of the Hudson River and its shores and to authorize certain necessary steps to be taken to protect those resources from adverse Federal actions until the States and Congress shall have had an opportunity to act on that program.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Congress hereby finds and declares that the Hudson River Basin contains resources of immense economic, natural, scenic, historic, and recreation value to all the citizens of the United States; that the States of New York and New Jersey (hereinafter referred to as the "States") are now working toward a joint program to develop, preserve, and restore the resources of the Hudson River and have requested the aid and participation of the Federal Government; that it is in the best interests of the citizens of the United States that the Federal Government lend aid and assistance to the States, their political subdivisions, and agencies in developing a compact to assure the development, preservation, and restoration of the natural, scenic, historic, and recreational resources of the Hudson River Basin; and that it is the sense of the Congress that Federal departments and agencies should, insofar as possible, consider the effect of projects or actions upon achievement of the objectives of this Act until the compact has been acted upon by the States and the Federal Government.

Hudson River Basin Compact.

SEC. 2. As used in this Act, the term—

Definitions.

(a) "The Hudson River" means the Hudson River and its tributaries from their source to the mouth of the Lower Bay.

(b) "The Hudson River Basin" means the Hudson River and those parts of the States of New York, New Jersey, Vermont, Massachusetts, and Connecticut within and from which water naturally drains into the Hudson River.

(c) "The Hudson Riverway" means the Hudson River and related land.

SEC. 3. The consent of the Congress is hereby given to the States of New York and New Jersey and, if they or any of them wish to participate, the States of Vermont, Massachusetts and Connecticut to negotiate with each other and with the United States for the purpose of entering into a compact relating to the preservation, restoration, utilization and development of the natural, scenic, historic, and recreational resources of those portions of the Hudson River Basin which lie within the boundaries of the participating States. The Secretary of the Interior shall serve as the representative of the United States in such negotiations, shall consult with the heads of other Federal agencies concerned, and shall make a report to the President on the negotiations and on such terms of a compact as may have been agreed to by the negotiators not later than July 1, 1968, and may include in said report his recommendations concerning the matters covered therein or omitted therefrom. The Secretary's report shall include his recommendations concerning the need for and the preparation of a comprehensive plan and standards for carrying out the purposes of this Act and for enforcement of the terms of the compact. The President shall transmit the report to the Congress together with such recommendations as he may deem appropriate. No compact negotiated pursuant to this Act shall be binding or obligatory upon any of the parties thereto unless and until the same shall have been ratified by the States of New York and New Jersey and by any other State to which its terms apply and consented to or approved by an Act of Congress.

SEC. 4. In the negotiation of the compact consideration shall be given to:

(a) the need to encourage all beneficial uses of the lands and waters of the Hudson Riverway including, but not limited to, commercial, industrial, and other economic development consistent with the preservation and rehabilitation of the natural, scenic, historical, and recreational resources of the Hudson Riverway;

(b) the need to encourage and support local and State autonomy and initiative in planning and action to develop, preserve, and restore the land and waters of the Hudson Riverway, insofar as such planning and action is consistent with comprehensive development, preservation, and restoration of the natural, scenic, historic, and recreation resources of the Hudson Riverway;

(c) the need to abate water pollution, protect clean water, and develop the water resources of the Hudson Riverway for beneficial use;

(d) the need to preserve, enhance, and rehabilitate the scenic beauty of the Hudson Riverway;

(e) the need to preserve, enhance, and develop archeological and historic sites, shrines, or structures along the Hudson Riverway; and

(f) the need to protect and enhance the fish and wildlife and other natural resources of the Hudson Riverway.

SEC. 5. In order to avoid, insofar as possible, decisions or actions by any department, agency, or instrumentality of the United States which could unfavorably affect or alter any resource of the Hudson Riverway having substantial natural, scenic, historic, or recreational

Report to  
President.

Report to  
Congress.

Consultations.

value until such time as the States and the United States shall have had an opportunity to negotiate a compact, all departments, agencies, and instrumentalities of the United States shall consult with the Secretary concerning any plans, programs, projects, and grants under their jurisdiction within or affecting the Hudson Riverway. Any Federal department, agency, or instrumentality before which there is pending an application for a license for an activity which may affect the resources of the Hudson Riverway shall notify the Secretary and, before taking final action on such application, shall allow the Secretary ninety days to present his views on the matter. These requirements shall not apply to any applicant for a license which was pending and being actively pursued on July 1, 1966, and shall cease to apply three years after the date of this Act, or whenever a compact has been consented to or approved by the Congress, whichever occurs first.

Approved September 26, 1966.

Public Law 89-606

AN ACT

September 26, 1966  
[H. R. 15005]

To amend title 10, United States Code, to increase the authorized numbers for the grade of major, lieutenant colonel, and colonel in the Air Force in order to provide active duty promotion opportunities for certain officers, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, beginning with the date of enactment of this Act through June 30, 1972, the columns under the headings "For colonels" and "For lieutenant colonels" contained in the table in section 8202(a) of title 10, United States Code, are suspended. For such period such columns shall read as follows:

Armed Forces.  
Air Force officers, increase.

70 A Stat. 498.

"For colonels	For lieutenant colonels
3,500	6,500
3,859	7,706
4,218	8,911
4,577	10,116
4,936	11,321
5,295	12,527
5,654	13,732
6,013	14,937
6,372	16,142
6,730	17,348
7,089	18,553
7,449	19,758
7,807	20,963
8,166	22,169".

SEC. 2. For a period of six years after the effective date of this Act, the authorized strengths prescribed by section 8202 of title 10, United States Code, may be exceeded (1) by 1,000 for the grade of lieutenant colonel; and (2) by the following numbers for the grade of major:

Fiscal years following enactment:	Number to exceed authorized strength
First.....	9,500
Second.....	7,917
Third.....	6,334
Fourth.....	4,751
Fifth.....	3,168
Sixth.....	1,585

However, the authority to exceed the authorized strengths by 1,000 for the grade of lieutenant colonel, and 1,500 for the grade of major authorized by this section may be used only in the event that drastic reductions or increases in the authorized strength of the commissioned

Notice to  
Congress.

officers on active duty in the Air Force occur within a short period of time and that such changes seriously impede promotions to the grade of major and lieutenant colonel as determined by the Secretary of the Air Force, who shall notify the Committees on Armed Services of the Senate and of the House of Representatives not later than 60 days following the utilization of any of the numbers covered in this sentence.

Approved September 26, 1966.

Public Law 89-607

AN ACT

September 27, 1966  
[H. R. 3041]

To amend title 10, United States Code, to exempt certain contracts with foreign contractors from the requirement for an examination-of-records clause.

Certain con-  
tracts.  
Examination-of-  
records clause,  
exemption.  
70A Stat. 127.  
70A Stat. 132;  
72 Stat. 967;  
76 Stat. 529.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That chapter 137 of title 10, United States Code, is amended as follows:

(1) Section 2310(b) is amended—

(A) by striking out the words “or section 2307(c)” and inserting the words “section 2307(c), or section 2313(c)” in place thereof; and

(B) by striking out the words “or (4)” and inserting the words “(4) clearly indicate why the application of section 2313(b) to a contract or subcontract with a foreign contractor or foreign subcontractor would not be in the public interest, or (5)”.

(2) Section 2313 is amended—

(A) by striking out the word “Each” in subsection (b) and inserting the words “Except as provided in subsection (c), each” in place thereof; and

(B) by adding the following new subsection at the end thereof:

“(c) Subsection (b) does not apply to a contract or subcontract with a foreign contractor or foreign subcontractor if the head of the agency determines, with the concurrence of the Comptroller General or his designee, that the application of that subsection to the contract or subcontract would not be in the public interest. However, the concurrence of the Comptroller General or his designee is not required—

“(1) where the contractor or subcontractor is a foreign government or agency thereof or is precluded by the laws of the country involved from making its books, documents, papers, or records available for examination; and

“(2) where the head of the agency determines, after taking into account the price and availability of the property or services from United States sources, that the public interest would be best served by not applying subsection (b).”

Exceptional  
conditions.

Report to  
Congress.

If subsection (b) is not applied to a contract or subcontract based on a determination under clause (2), a written report shall be furnished to the Congress.”

65 Stat. 700.

SEC. 2. Section 304(c) of the Federal Property and Administrative Services Act of 1949, as added by the Act of October 31, 1951, chapter 652 (41 U.S.C. 254(c)), is amended by adding the following new sentences at the end thereof: “Under regulations to be prescribed by the Administrator, however, such clause may be omitted from contracts with foreign contractors or foreign subcontractors if the agency

head determines, with the concurrence of the Comptroller General of the United States or his designee, that the omission will serve the best interests of the United States. However, the concurrence of the Comptroller General of the United States or his designee is not required for the omission of such clause—

Exceptional conditions.

“(1) where the contractor or subcontractor is a foreign government or agency thereof or is precluded by the laws of the country involved from making its books, documents, papers, or records available for examination; and

“(2) where the agency head determines, after taking into account the price and availability of the property or services from United States sources, that the public interest would be best served by the omission of the clause.

If the clause is omitted based on a determination under clause (2) a written report shall be furnished to the Congress. The power of the agency head to make the determination specified in the preceding sentences shall not be delegable.”

Report to Congress.

SEC. 3. Section 3(b) of the Act of August 28, 1958 (50 U.S.C. 1433(b)) is amended by adding the following new sentences at the end thereof: “Under regulations to be prescribed by the President, however, such clause may be omitted from contracts with foreign contractors or foreign subcontractors if the agency head determines, with the concurrence of the Comptroller General of the United States or his designee, that the omission will serve the best interests of the United States. However, the concurrence of the Comptroller General of the United States or his designee is not required for the omission of such clause—

72 Stat. 972.

(1) where the contractor or subcontractor is a foreign government or agency thereof or is precluded by the laws of the country involved from making its books, documents, papers, or records available for examination; and

(2) where the agency head determines, after taking into account the price and availability of the property or services from United States sources, that the public interest would be best served by the omission of the clause.

Exceptional conditions.

If the clause is omitted based on a determination under clause (2), a written report shall be furnished to the Congress.”

Report to Congress.

Approved September 27, 1966.

Public Law 89-608

AN ACT

September 30, 1966  
[H. R. 11979]

To extend the authority for the payment of special allowances to evacuated dependents of members of the uniformed services, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act of May 22, 1965, 79 Stat. 117, is amended by striking out “June 30, 1966” and substituting in lieu thereof “June 30, 1971”.

Uniformed services.  
37 USC 405a note.

SEC. 2. Section 405a(a) of title 37, United States Code, is amended by striking out “from places outside the United States to places inside the United States”.

Approved September 30, 1966.

## Public Law 89-609

September 30, 1966  
[H. R. 420]

## AN ACT

To amend title 10, United States Code, to authorize the commissioning of male persons in the Regular Army in the Army Nurse Corps, the Army Medical Specialist Corps, the Regular Navy in the Nurse Corps and the Regular Air Force with a view to designation as Air Force nurses and medical specialists, and for other purposes.

Armed Forces.  
Male nurses,  
commissions.  
71 Stat. 375.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That title 10, United States Code, is amended as follows:

## (1) Section 3069 is amended—

(A) by striking out the period at the end of the third sentence and the word “She” at the beginning of the fourth sentence and inserting “, and” in place thereof; and

(B) by striking out “her regular grade, she” in the fifth sentence and inserting the words “the regular grade held, the Chief” in place thereof.

## (2) Section 3070(b) is amended—

(A) by striking out the period at the end of the second sentence and the word “She” at the beginning of the third sentence and inserting “, and” in place thereof; and

(B) by striking out the words “her regular grade, she” in the fourth sentence and inserting the words “the regular grade held, the Chief” in place thereof.

## (3) Section 3070(c) is amended—

(A) by striking out the period at the end of the second sentence and the word “She” at the beginning of the third sentence and inserting “, and” in place thereof;

(B) by striking out the word “She” at the beginning of the fourth sentence and inserting the words “An assistant chief” in place thereof; and

(C) by amending the fifth sentence to read as follows: “Without vacating the regular grade held, each assistant chief is entitled to the temporary grade of a lieutenant colonel while so serving and ranks above all other lieutenant colonels in the section.”

71 Stat. 376.

## (4) Section 3291 is amended—

(A) by striking out the word “women” wherever it appears in subsection (a) and inserting the word “persons” in place thereof;

(B) by striking out the word “woman” in subsection (b) and inserting the word “person” in place thereof; and

(C) by striking out the word “her” wherever it appears, and the words “that she”, in subsection (c).

71 Stat. 379.

## (5) Section 3915(b) is amended to read as follows:

“(b) Unless retired or separated at an earlier date, each officer of the Army Nurse Corps and the Army Medical Specialist Corps whose regular grade is major shall be retired, except as provided by section 47a of title 5, on the thirtieth day after completion of 25 years of service computed under section 3927(a) of this title. However, if the officer’s name is carried on a list of officers recommended for appointment to the regular grade of lieutenant colonel, the officer shall be retained on the active list while the name is so carried. In addition, if the authorized strength of the corps concerned in officers on the active list is not exceeded, the Secretary of the Army may retain the officer on the active list until completion of 28 years of service computed under section 3927(a) of this title, in which case the officer

70 Stat. 933;  
72 Stat. 1570.  
72 Stat. 1488.

shall be retired, except as provided by section 47a of title 5, on the thirtieth day after completion of that service.”

70 Stat. 933;  
72 Stat. 1570.

(6) Section 5140(a) is amended—

70A Stat. 287.

(A) by striking out the word “she” in the third sentence and inserting the words “the Director” in place thereof;

(B) by striking out the word “Her” at the beginning of the fourth sentence and inserting the words “The Director’s” in place thereof; and

(C) by striking out the word “her” near the end of the fourth sentence.

(7) Section 5580(a) is amended by striking out the word “female” at the beginning of the first sentence.

(8) Section 5580(b) (1) is amended to read as follows:

“(1) ensign, if the person has not reached the age of 27 on the date of nomination by the President and is not qualified for appointment as a lieutenant (junior grade) under clause (2); or”

(9) Section 5580(b) (2) is amended to read as follows: “(2) lieutenant (junior grade), if the person is qualified under regulations prescribed by the Secretary and has not reached the age of 30 on the date of nomination by the President.”

(10) Section 5601 is repealed.

72 Stat. 1495.

(11) Section 5773(c) is amended by striking out the word “her” in the first sentence and inserting the words “the person” in place thereof.

71 Stat. 383.

(12) Section 5776(d) is amended by striking out the word “she” and inserting the words “the person” in place thereof.

(13) Section 5782(d) is amended by striking out the word “her” and inserting the words “the person” in place thereof.

(14) Section 5899(e) is amended by striking out the word “she” and inserting the words “the person” in place thereof.

72 Stat. 1503.

(15) Section 6324 is amended by striking out the word “her” wherever it appears and inserting the words “the person’s” in place thereof.

70A Stat. 394.

(16) Section 6377(c) is amended by striking out the word “she” and inserting the words “the person” in place thereof.

71 Stat. 384.

(17) Section 6377(d) is amended by striking out the word “she” and inserting the words “the person” in place thereof.

(18) Section 6384(c) (3) is amended by striking out the word “her” and inserting the words “the Person’s” in place thereof.

70A Stat. 407.

(19) Section 6384(c) (4) is amended by striking out the word “her” and inserting the words “the person’s” in place thereof.

(20) Section 6388(d) (1) is amended by striking out the word “her” and inserting the words “the person’s” in place thereof.

(21) Section 6388(d) (2) is amended by striking out the word “her” and inserting the words “the person’s” in place thereof.

(22) Section 6395(h) (3) is amended by striking out the word “her” and inserting the words “the person’s” in place thereof.

(23) Section 6396(a) is amended by striking out the word “she” and inserting the words “the person” in place thereof.

71 Stat. 385.

(24) Section 6396(b) is amended by striking out the word “she” and inserting the words “the person” in place thereof.

70A Stat. 413;  
71 Stat. 385.

(25) Section 6396(c) (1) is amended—

(a) by striking out the words “by her” near the beginning of the sentence; and

(b) by striking out the word “her” near the end of the sentence and inserting the words “the person’s” in place thereof.

77 Stat. 214.

(26) Section 6396(c) (2) is amended—

(a) by striking out the words “she would be” near the beginning of the sentence; and

(b) by striking out the words “to him” near the middle of the sentence.

72 Stat. 1511.

(27) Section 6397(b) is amended by striking out the word “he” wherever it appears and inserting the words “the person” in place thereof.

71 Stat. 386.

(28) Section 8287(b) is amended by striking out the word “her” wherever it appears and the words “that she”.

71 Stat. 387.

(29) Section 8299(g) is amended by striking out the words “with which she is entitled to be credited” and inserting the word “creditable” in place thereof.

70A Stat. 547;  
71 Stat. 388.

(30) Section 8888(2) (D) is amended to read as follows:

“(D) For an Air Force nurse or medical specialist, the period of service credited under the Army-Navy Nurses Act of 1947, as amended, or credited under section 8287(b) of this title at the time of appointment, plus the years of active commissioned service in the Regular Air Force after appointment in the Regular Air Force.”

61 Stat. 41.

(31) Section 8915 is amended—

(A) by amending the catchline to read as follows:

“§ 8915. Twenty-five years: female majors except those designated under section 8067 (a)-(d) or (g)-(i) of this title; male majors designated under section 8067 (e) or (f) of this title”;

70A Stat. 494.

(B) by inserting the words “and each male officer of the Air Force, designated under section 8067 (e) or (f) of this title, whose regular grade is major,” before the word “shall” in subsection (a); and

(C) by striking out the word “she” in subsections (a) and

(b) and inserting the words “that officer” in place thereof.

(32) The analysis of chapter 867 is amended by striking out the following item:

“8915. Twenty-five years: female majors except those designated under section 8067 (a)-(d) or (g)-(i) of this title.”

and inserting the following item in place thereof:

“8915. Twenty-five years: female majors except those designated under section 8067 (a)-(d) or (g)-(i) of this title; male majors designated under section 8067 (e) or (f) of this title.”

72 Stat. 1540.

(33) Section 8927(a) (4) is amended to read as follows:

“(4) For an Air Force nurse or medical specialist, the period of service credited under the Army-Navy Nurses Act of 1947, as amended, or credited under section 8287 (b) of this title at the time of appointment, plus the years of active commissioned service in the Regular Air Force after appointment in the Regular Air Force.”

Age limitations,  
waiver authority.

71 Stat. 376.

SEC. 2. For two years following the effective date of this Act the Secretary of the Army may waive the provisions of section 3291(a), title 10, United States Code, which establish maximum ages for appointment in the Regular Army in the Army Nurse Corps or Army Medical Specialist Corps, with respect to male persons who are otherwise qualified for appointment.

Approved September 30, 1966.

## Public Law 89-610

## AN ACT

To provide revenue for the District of Columbia, and for other purposes.

September 30, 1966  
[H. R. 11487]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "District of Columbia Revenue Act of 1966".*

District of  
Columbia Revenue  
Act of 1966.

## TITLE I—AMENDMENTS TO THE DISTRICT OF COLUMBIA ALCOHOLIC BEVERAGE CONTROL ACT

SEC. 101. (a) Clauses (4) and (5) of section 23(a) of the District of Columbia Alcoholic Beverage Control Act (D.C. Code, sec. 25-124 (a)) are each amended by striking out "\$1.50" and inserting in lieu thereof "\$1.75".

70 Stat. 81;  
76 Stat. 17.

(b) Section 40(a) of such Act (D.C. Code, sec. 25-138(a)) is amended by striking out "\$1.50" and inserting in lieu thereof "\$2.00".

52 Stat. 376;  
70 Stat. 83.

SEC. 102. (a) Except as otherwise provided in this title, the amendments made by section 101 shall apply with respect to—

(1) alcohol and spirits imported or brought into the District of Columbia or manufactured, and

(2) beer sold or purchased for resale,

on and after the effective date of this title which shall be the first day of the first month which begins on or after the thirtieth day after the date of the enactment of this Act.

Effective date.

(b) In the case of alcohol, spirits, and beer which have been purchased prior to the effective date of this title and which on such date are held by a holder of a retailer's license, issued under the District of Columbia Alcoholic Beverage Control Act, such licensee shall pay to the Commissioners (in accordance with subsection (c)) an amount equal to the difference between the amount of tax imposed by such Act immediately prior to the effective date of this Act on the amount of alcohol, spirits, and beer so held by him, and the amount of tax which would be imposed by the District of Columbia Alcoholic Beverage Control Act on such effective date on an equivalent amount of alcohol, spirits, and beer.

48 Stat. 319.  
D.C. Code 25-  
102.

(c) Within twenty days after the effective date of this title, each such licensee shall (1) file with the Commissioners a sworn statement (on a form to be prescribed by the Commissioners) showing the quantity of alcohol, spirits, and beer held by him as of the beginning of the day on which this title becomes effective or, if such day is a Sunday, as of the beginning of the following day, and (2) within twenty days after the effective date of this title, pay to the Commissioners the amount specified in subsection (b).

(d) Each such licensee shall keep and preserve for the period of twelve months immediately following the effective date of this title the inventories and other records made which form the basis for the information furnished to the Commissioners on the sworn statement required to be filed under this section.

(e) For purposes of this section, alcohol, spirits, and beer shall be considered as held by a holder of a retailer's license if title thereto has passed to such holder (whether or not delivery to him has been made) and if title has not at any time been transferred to any person other than such holder.

(f) A violation of the provisions of subsections (b), (c), or (d) of this section shall be punishable as provided in section 33 of the District of Columbia Alcoholic Beverage Control Act (D.C. Code, sec. 25-132).

48 Stat. 336.

## TITLE II—AMENDMENT TO THE DISTRICT OF COLUMBIA TRAFFIC ACT, 1925

63 Stat. 128.

SEC. 201. Subsection (j) of section 6 of the District of Columbia Traffic Act, 1925 (D.C. Code, sec. 40-603(j)), is amended by striking out "2 per centum" and inserting in lieu thereof "3 per centum".

Effective date.

SEC. 202. The amendment made by this title shall take effect on the first day of the first month which begins on or after the thirtieth day after the date of enactment of this Act.

## TITLE III—AMENDMENTS TO THE DISTRICT OF COLUMBIA SALES TAX ACT

68 Stat. 117;  
76 Stat. 10.

SEC. 301. (a) Section 125 of the District of Columbia Sales Tax Act (D.C. Code, sec. 47-2602) is amended by striking out "4 per centum" and inserting in lieu thereof "5 per centum".

(b) Subsection (c) of section 127 of such Act (D.C. Code, sec. 47-2604(c)), is amended by striking out the "4 per centum" and inserting in lieu thereof "5 per centum".

Repeal.

63 Stat. 115.

Effective date.

SEC. 302. Paragraph (q) of section 128 of such Act (D.C. Code, sec. 47-2605(q)), is repealed.

SEC. 303. The amendments made by this title shall take effect on the first day of the first month which begins on or after the thirtieth day after the date of enactment of this Act.

## TITLE IV—AMENDMENTS TO DISTRICT OF COLUMBIA CIGARETTE TAX ACT

68 Stat. 115.

SEC. 401. Subsection (a) of section 603 of the District of Columbia Cigarette Tax Act (D.C. Code, sec. 47-2802(a)), is amended by striking out "2 cents" and inserting in lieu thereof "3 cents".

SEC. 402. (a) Except as otherwise provided, the amendment made by section 401 shall apply with respect to cigarette tax stamps purchased on and after the effective date of this title which shall be the first day of the first month which begins on or after the thirtieth day after the date of the enactment of this Act.

(b) In the case of cigarette tax stamps which have been purchased prior to the effective date of this title and which on such date are held (affixed to a cigarette package or otherwise) by a wholesaler, retailer, or vending machine operator, licensed under the District of Columbia Cigarette Tax Act, such licensee shall pay to the Commissioner (in accordance with subsection (c)) an amount equal to the difference between the amount of tax represented by such tax stamps on the date of their purchase and the amount of tax which an equal number of cigarette tax stamps would represent if purchased on the effective date of this title.

63 Stat. 136.  
D.C. Code 47-  
2801 note.

(c) Within twenty days after the effective date of this title, each such licensee shall (1) file with the Commissioners a sworn statement (on a form to be prescribed by the Commissioners) showing the number of such cigarette tax stamps held by him as of the beginning of the day on which this title becomes effective or, if such day is a Sunday, as of the beginning of the following day, and (2) within twenty days after the effective date of this title, pay to the Commissioners the amount specified in subsection (b).

(d) Each such licensee shall keep and preserve for the period of twelve months immediately following the effective date of this title the inventories and other records made which form the basis for the information furnished to the Commissioners on the sworn statement required to be filed under this section.

(e) For purposes of this section, a tax stamp shall be considered as held by a wholesaler, retailer, or vending machine operator if title thereto has passed to such wholesaler, retailer, or operator (whether or not delivery to him has been made) and if title to such stamp has not at any time been transferred to any person other than such wholesaler, retailer, or operator.

(f) A violation of the provisions of subsections (b), (c), or (d) of this section shall be punishable as provided in section 611 of the District of Columbia Cigarette Tax Act (D.C. Code, sec. 47-2810).

63 Stat. 139.

#### TITLE V—FEDERAL PAYMENT

SEC. 501. Article VI of the District of Columbia Revenue Act of 1947 (D.C. Code, secs. 47-2501a, 47-2501b) is amended to read as follows:

61 Stat. 361;  
77 Stat. 130.

#### “ARTICLE VI—FEDERAL PAYMENT

“SEC. 1. For the fiscal year ending June 30, 1967, and for each fiscal year thereafter, there is authorized to be appropriated, as the annual payment by the United States toward defraying the expenses of the government of the District of Columbia, the sum of \$60,000,000 which shall be credited to the general fund of the District of Columbia.

“SEC. 2. If in any fiscal year or years a deficiency exists between the amount appropriated and the amount authorized by this article to be appropriated, additional appropriations are hereby authorized for subsequent fiscal years to pay such deficiency or deficiencies.”

SEC. 502. Title I of the District of Columbia Revenue Act of 1939 (D.C. Code, sec. 47-134) is repealed.

Repeal.  
53 Stat. 1085.

SEC. 503. The fourth sentence of section 106(a) of the Act of May 18, 1954 (D.C. Code, sec. 43-1541(a)) is repealed.

Repeal.  
68 Stat. 102.

#### TITLE VI—AUTHORIZATION FOR LOANS FROM THE UNITED STATES TREASURY

Sec. 601. Subsection (b) of the first section of the Act approved June 6, 1958 (D.C. Code, sec. 9-220(b)) is amended to read as follows:

72 Stat. 183.

“(b) To assist in financing the cost of constructing facilities required for activities financed by the general fund of the District, the Commissioners are hereby authorized to accept loans for the District from the United States Treasury and the Secretary of the Treasury is hereby authorized to lend to the Commissioners such sums as may hereafter be appropriated, except that (1) the total principal amount of loans advanced pursuant to this section shall not exceed \$250,000,000 and (2) \$50,000,000 of the principal amount of loans authorized to be advanced pursuant to this subsection shall be utilized to carry out the purposes of the National Capital Transportation Act of 1965. Any loan for use in any fiscal year must first be specifically requested of the Congress in connection with the budgets submitted for the District, with a full statement of the work contemplated to be done and the need thereof, and such work must be approved by the Congress. Such approval shall not be construed to alter or to eliminate the procedures for consultation, advice, and recommendation provided in the National Capital Planning Act of 1952 (D.C. Code, sec. 1-1001 et seq.). Such loans shall be in addition to any other loans heretofore or hereafter made to the Commissioners for any other purpose, and when advanced shall be deposited in the Treasury of the United States to the credit of the general fund of the District.”

79 Stat. 663.  
40 USC 681  
note.

66 Stat. 781.

TITLE VII—AMENDMENTS TO THE DISTRICT OF COLUMBIA INCOME AND FRANCHISE TAX ACT OF 1947

70 Stat. 70.

SEC. 701. Section 3 of title VI of the District of Columbia Income and Franchise Tax Act of 1947 (D.C. Code, sec. 47-1567b(a)), is amended to read as follows:

“SEC. 3. IMPOSITION AND RATES OF TAX.—There is hereby annually levied and imposed for each taxable year upon the taxable income of every resident a tax at the following rates:

“Two and one-half per centum on the first \$2,000 of taxable income.

“Three per centum on the next \$2,000 of taxable income.

“Three and one-half per centum on the next \$2,000 of taxable income.

“Four per centum on the next \$2,000 of taxable income.

“Four and one-half per centum on the next \$2,000 of taxable income.

“Five per centum on the taxable income in excess of \$10,000.”

SEC. 702. The amendment made by section 701 of this title shall be applicable to taxable years beginning after December 31, 1965.

61 Stat. 332;  
70 Stat. 68.

SEC. 703. Effective with respect to taxable years ending after December 31, 1961, section 4 of the District of Columbia Income and Franchise Tax Act of 1947 (D.C. Code, sec. 47-1551c) is amended by adding at the end thereof the following new subsection:

78 Stat. 114.

“(aa) Notwithstanding subsection (m), any distribution in liquidation of a regulated public utility (as defined in section 7701(a)(33)(A)(iii) of the Internal Revenue Code of 1954) which, for purposes of the Internal Revenue Code of 1954, is treated as in part or full payment in exchange for the stock in such utility, shall, if for purposes of this article the stock is a capital asset, be treated as in part or full payment in exchange for the stock.”

TITLE VIII—AMENDMENTS TO THE MOTOR VEHICLE FUEL TAX

50 Stat. 676;  
68 Stat. 117.

SEC. 801. The first section of the Act entitled “An Act to provide for a tax on motor vehicle fuels sold within the District of Columbia, and for other purposes”, approved April 23, 1924 (43 Stat. 106; D.C. Code, sec. 47-1901), as amended, is amended by striking “6” and inserting in lieu thereof “7”.

SEC. 802. Section 14 of such Act approved April 23, 1924 (D.C. Code, sec. 47-1912), as amended, is amended by striking out “6” and inserting in lieu thereof “7”.

SEC. 803. The amendments made by section 801 and 802 of this title shall take effect on the first day of the first month which begins more than thirty days after the date of approval of this Act.

TITLE IX—ABATEMENT OF TAXES

SEC. 901. The Commissioners are authorized to abate the unpaid portion of the assessment of any tax, or any liability in respect thereof, other than taxes on real property, if the Commissioners determine under uniform rules prescribed by them that the administration and collection costs involved would not warrant collection of the amount due.

TITLE X—GENERAL PROVISIONS

SEC. 1001. Subsection (a) of section 402 of the District of Columbia Public Works Act of 1954 (68 Stat. 110; D.C. Code, sec. 7-133(a)) is amended by striking “\$50,250,000” and inserting in lieu thereof “\$85,250,000”.

SEC. 1002. As used in this Act, unless the context requires otherwise, the word "Commissioners" shall mean the Board of Commissioners of the District of Columbia, or its designated agent.

SEC. 1003. Any word or term used in any title of this Act, unless the context requires otherwise, shall have the same meaning as that applicable to such word or term in the Act to which such title applies.

SEC. 1004. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

SEC. 1005. The Commissioners are authorized to make rules and regulations to carry out the provisions of this Act.

SEC. 1006. The Commissioners are authorized to enter into such agreements with the States of Maryland and Virginia and with political subdivisions of such States as may be necessary to develop a continuing comprehensive transportation planning process for the National Capital region for the purpose of complying with the requirements of section 134 of title 23, United States Code, except that no such agreement shall require the District of Columbia to pay more than its pro rata share of the costs of such planning process. In developing such transportation planning process the Commissioners shall consult and cooperate with the National Capital Planning Commission and the National Capital Regional Planning Council. For the purpose of this section, the term "National Capital region" shall have the same meaning as is given it in section 103 of the National Capital Transportation Act of 1960 (74 Stat. 537; D.C. Code, sec. 1-1401).

Approved September 30, 1966, 3:36 p.m.

76 Stat. 1148.

D.C. Code  
1-1402.

## Public Law 89-611

### JOINT RESOLUTION

Making continuing appropriations for the fiscal year 1967, and for other purposes.

September 30, 1966  
[H. J. Res. 1308]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution of August 31, 1966 (Public Law 89-549), is hereby amended by striking out "September 30, 1966" and inserting in lieu thereof "October 22, 1966".*

Continuing ap-  
propriations, 1967.  
Ante, pp. 234,  
371.

Approved September 30, 1966.

## Public Law 89-612

### AN ACT

To provide for extension and expansion of the program of grants-in-aid to the Republic of the Philippines for the hospitalization of certain veterans, and for other purposes.

September 30, 1966  
[H. R. 16330]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 622 of title 38, United States Code, is amended by striking "and" and inserting "and section 632 (b)" after "section 624 (c)".*

SEC. 2. Section 632 of title 38, United States Code, is hereby amended as follows:

- (1) Insert "(a)" before "The President".
- (2) Insert before the period at the end of the first sentence in paragraph (2) the words "subject to necessary provisions for veterans

Philippine  
veterans.  
Hospitalization.  
72 Stat. 1144.  
72 Stat. 1145;  
77 Stat. 66.

covered by any modified agreement which may be made pursuant to subsection (b) of this section”.

(3) Add at the end the following new subsections:

“(b) Subject to the conditions set forth in subsection (c) of this section, such agreement may be further modified after the effective date of this amendment to authorize extension of the contract specified in paragraph (1) of subsection (a) for an additional period ending June 30, 1973, and may authorize expansion of such contract to include payments for hospital care at the Veterans Memorial Hospital of Commonwealth Army veterans determined by the Administrator to need such care for non-service-connected disabilities if they are unable to defray the expenses of necessary hospital care. Such modified agreement may also provide for payments for hospital care, determined by the Administrator to be necessary, at the Veterans Memorial Hospital of new Philippine Scouts for service-connected disabilities, and for non-service-connected disabilities if they enlisted before July 4, 1946, and if they qualify as veterans of a war unable to defray the expenses of necessary hospital care. The total of such payments plus any payments for authorized travel expenses in connection with hospital care pursuant to any such modified agreement shall not exceed \$1,200,000 for fiscal year 1967, including payments for any period in that year prior to the modified agreement, nor \$2,000,000 for any one fiscal year thereafter. Such modified agreement may also provide that during the period covered by such contract medical services shall be continued as provided by the last sentence of paragraph (1) of subsection (a) for Commonwealth Army veterans for service-connected disabilities and medical services for new Philippine Scouts determined by the Administrator to be in need thereof for service-connected disabilities shall be provided as authorized for Commonwealth Army veterans.

Limitation.

“(c) Any agreement or contract extended and modified pursuant to subsection (b) shall be conditioned on a commitment by the Republic of the Philippines and the Veterans Memorial Hospital that the equipment of such hospital will be replaced and upgraded as needed and that the existing physical plant and facilities of such hospital will be rehabilitated as soon as practicable to place the hospital on a sound and effective operating basis. It shall provide that failure to fulfill such commitment or to maintain the hospital in a well-equipped and effective operating condition, as determined by the Administrator, shall be a ground for stopping payments under the agreement upon reasonable notice as stipulated by the contract.

Appropriations.

“(d) To assist the Republic of the Philippines in replacement and upgrading of equipment and in rehabilitating the physical plant and facilities of the Veterans Memorial Hospital, there is hereby authorized to be appropriated the sum of \$500,000 to be used by the Administrator for making grants to the Veterans Memorial Hospital for this purpose on such terms and conditions as the Administrator may prescribe. Any such appropriation shall remain available until expended.

“(e) To further assure the effective care and treatment of patients in the Veterans Memorial Hospital, and having due regard for the special kinds of diseases from which these patients frequently suffer, there is hereby authorized to be appropriated for each fiscal year during the six years beginning with fiscal year 1967 the sum of \$100,000 to be used by the Administrator for making grants to the Veterans Memorial Hospital for medical research and the training of health service personnel at the hospital. Such grants shall be made on terms and conditions prescribed by the Administrator, including approval by him of all research protocols, principal investigators, and training programs.”

SEC. 3. Paragraph (1) of section 634 of title 38, United States Code, is amended to add at the end thereof the following sentence: "The term 'new Philippine Scouts' means persons who served in the Philippine Scouts under section 14 of the Armed Forces Voluntary Recruitment Act of 1945, and who were discharged or released from such service under conditions other than dishonorable."

Approved September 30, 1966.

"New Philippine Scouts."  
59 Stat. 543.

Public Law 89-613

AN ACT

September 30, 1966  
[H. R. 16367]

To extend the benefits of the War Orphans' Educational Assistance program to the children of those veterans of the Philippine Commonwealth Army who died or have become permanently and totally disabled by reason of their service during World War II, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That chapter 35 of title 38, United States Code, is amended by adding at the end thereof a new subchapter as follows:

Philippine veterans.  
War orphans educational assistance.  
72 Stat. 1192;  
Ante, pp. 19-21.  
38 USC 1701-1762.

**"Subchapter VII—Philippine Commonwealth Army and Philippine Scouts**

**"§ 1765. Children of certain Philippine veterans**

**"BASIC ELIGIBILITY**

"(a) The term 'eligible person' as used in section 1701(a)(1) of this title includes the children of those Commonwealth Army veterans and 'New' Philippine Scouts who meet the requirements of service-connected disability or death, based on service as defined in section 1766.

"Eligible person."  
38 USC 1701.

*Infra*

**"ADMINISTRATIVE PROVISIONS**

"(b) The provisions of this chapter and chapter 36 shall apply to the educational assistance for children of Commonwealth Army veterans and 'New' Philippine Scouts, except that—

77 Stat. 158;  
Ante, pp. 20-23.  
38 USC 1770-1790.

"(1) educational assistance allowances authorized by section 1732 of this title and the special training allowance authorized by section 1742 of this title shall be paid at a rate in Philippine pesos equivalent to \$0.50 for each dollar, and

72 Stat. 1198,  
1200; 79 Stat. 896.  
38 USC 1732,  
1742.

"(2) any reference to a State approving agency shall be deemed to refer to the Administrator.

**"DELIMITING DATES**

"(c) In the case of any individual who is an 'eligible person' solely by virtue of subsection (a) of this section, and who is above the age of seventeen years and below the age of twenty-three years on the date of enactment of this section, the period referred to in section 1712 of this title shall not end until the expiration of the five-year period which begins on the date of enactment of such section.

38 USC 1712.

**"§ 1766. Definitions**

"(a) The term 'Commonwealth Army veterans' means persons who served before July 1, 1946, in the organized military forces of the Government of the Philippines, while such forces were in the service of the Armed Forces pursuant to the military order of the Presi-

"Commonwealth Army veterans."

dent dated July 26, 1941, including among such military forces organized guerrilla forces under commanders appointed, designated, or subsequently recognized by the Commander-in-Chief, Southwest Pacific Area, or other competent authority in the Army of the United States, and who were discharged or released from such service under conditions other than dishonorable.

“‘New’ Philippine Scouts.”

59 Stat. 543.

“(b) The term ‘‘New’’ Philippine Scouts’ means Philippine Scouts who served under section 14 of the Armed Forces Voluntary Recruitment Act of 1945, and who were discharged or released from such service under conditions other than dishonorable.”

SEC. 2. The table of sections of chapter 35 of title 38, United States Code, is amended by adding at the end thereof the following:

“SUBCHAPTER VII—PHILIPPINE COMMONWEALTH ARMY AND  
PHILIPPINE SCOUTS

“1765. Children of certain Philippine veterans.

“1766. Definitions.”

Approved September 30, 1966.

Public Law 89-614

AN ACT

September 30, 1966  
[H. R. 14088]

To amend chapter 55 of title 10, United States Code, to authorize an improved health benefits program for retired members of the uniformed services and their dependents, and the dependents of active duty members of the uniformed services, and for other purposes.

Military Medical  
Benefits Amend-  
ments of 1966.  
72 Stat. 1445.  
10 USC 1071.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the “Military Medical Benefits Amendments of 1966”.

SEC. 2. Chapter 55 of title 10, United States Code, is amended as follows:

(1) Sections 1071, 1072, 1073, and 1084 are each amended by striking out “1085” wherever it appears (in catchline or text) and by inserting in place thereof “1087”.

(2) Section 1074(b) is amended to read as follows:

“(b) Under joint regulations to be prescribed by the Secretary of Defense and the Secretary of Health, Education, and Welfare, a member or former member of a uniformed service who is entitled to retired or retainer pay, or equivalent pay may, upon request, be given medical and dental care in any facility of any uniformed service, subject to the availability of space and facilities and the capabilities of the medical and dental staff. The Secretary of Defense and the Secretary of Health, Education, and Welfare may, with the agreement of the Administrator of Veterans’ Affairs, provide care to persons covered by this subsection in facilities operated by the Administrator and determined by him to be available for this purpose on a reimbursable basis at rates approved by the Bureau of the Budget.”

(3) Section 1076(b) is amended to read as follows:

“(b) Under joint regulations to be prescribed by the Secretary of Defense and the Secretary of Health, Education, and Welfare, a dependent of a member or former member who is, or was at the time of his death, entitled to retired or retainer pay, or equivalent pay, may, upon request, be given the medical and dental care prescribed by section 1077 of this title in facilities of the uniformed services, subject to the availability of space and facilities and the capabilities of the medical and dental staff.”

(4) Section 1077 is amended to read as follows:

**“§ 1077. Medical care for dependents; authorized care in facilities of uniformed services**

“(a) Only the following types of health care may be provided under section 1076 of this title:

- “(1) Hospitalization.
- “(2) Outpatient care.
- “(3) Drugs.
- “(4) Treatment of medical and surgical conditions.
- “(5) Treatment of nervous, mental, and chronic conditions.
- “(6) Treatment of contagious diseases.
- “(7) Physical examinations, including eye examinations, and immunizations.
- “(8) Maternity and infant care.
- “(9) Diagnostic tests and services, including laboratory and X-ray examinations.
- “(10) Emergency dental care worldwide.
- “(11) Routine dental care outside the United States and at stations in the United States where adequate civilian facilities are unavailable.
- “(12) Dental care worldwide as a necessary adjunct of medical, surgical, or preventive treatment.
- “(13) Ambulance service and home calls when medically necessary.
- “(14) Durable equipment, such as wheelchairs, iron lungs, and hospital beds may be provided on a loan basis.

“(b) The following types of health care may not be provided under section 1076 of this title:

- “(1) Domiciliary or custodial care.
- “(2) Prosthetic devices, hearing aids, orthopedic footwear, and spectacles except that—
  - “(A) outside the United States and at stations inside the United States where adequate civilian facilities are unavailable, such items may be sold to dependents at cost to the United States, and
  - “(B) artificial limbs and artificial eyes may be provided.”

(5) Section 1078(a) is amended by deleting the last sentence and adding the following sentence at the end thereof: “The charge or charges prescribed shall be applied equally to all classes of dependents.”

(6) Section 1079 is amended to read as follows:

“(a) To assure that medical care is available for spouses and children of members of the uniformed services who are on active duty for a period of more than thirty days, the Secretary of Defense, after consulting with the Secretary of Health, Education, and Welfare, shall contract, under the authority of this section, for medical care for those persons under such insurance, medical service, or health plans as he considers appropriate. The types of health care authorized under this section shall be the same as those provided under section 1076 of this title, except that:

- “(1) with respect to dental care, only that care required as a necessary adjunct to medical or surgical treatment may be provided;
- “(2) routine physical examinations and immunizations may only be provided when required in the case of dependents who are traveling outside the United States as a result of a member's duty assignment and such travel is being performed under orders issued by a uniformed service;

72 Stat. 1447.

Medical contracts for spouses and children.

Exceptional provisions.

“(3) routine care of the newborn, well-baby care, and eye examinations may not be provided;

“(4) under joint regulations to be prescribed by the Secretary of Defense and the Secretary of Health, Education, and Welfare, the services of Christian Science practitioners and nurses and services obtained in Christian Science sanatoriums may be provided;

“(5) durable equipment, such as wheelchairs, iron lungs and hospital beds may be provided on a rental basis.

Charges.

“(b) Plans covered by subsection (a) shall include provisions for payment by the patient of the following amounts:

“(1) \$25 for each admission to a hospital, or the amount the patient would have been charged under section 1078 (a) of this title had the care being paid for been obtained in a hospital of the uniformed services, whichever amount is the greater.

“(2) Except as provided in clause (3), the first \$50 each fiscal year of the charges for all types of care authorized by subsection (a) and received while in an outpatient status and 20 per centum of all subsequent charges for such care during a fiscal year.

“(3) A family group of two or more persons covered by this section shall not be required to pay collectively more than the first \$100 each fiscal year of the charges for all types of care authorized by subsection (a) and received while in an outpatient status and 20 per centum of the additional charges for such care during a fiscal year.

Payment regulations.

“(c) The methods for making payment under subsection (b) shall be prescribed under joint regulations issued by the Secretary of Defense and the Secretary of Health, Education, and Welfare.

“(d) Under joint regulations to be prescribed by the Secretary of Defense and the Secretary of Health, Education, and Welfare, in the case of a dependent, as defined in section 1072(2) (A), (C), or (E) of this title, of a member of the uniformed services on active duty for a period of more than thirty days, who is moderately or severely mentally retarded or who has a serious physical handicap, the plans covered by subsection (a) shall, with respect to the retardation or handicap of such dependent, include the following:

72 Stat. 1446.

Retarded or handicapped individuals.

“(1) Diagnosis.

“(2) Inpatient, outpatient, and home treatment.

“(3) Training, rehabilitation, and special education.

“(4) Institutional care in private nonprofit, public and State institutions and facilities and, when appropriate, transportation to and from such institutions and facilities.

“(e) Members shall be required to share in the cost of any benefits provided their dependents under subsection (d).

Exceptional provisions.

“(1) Except as provided in clause (3), members in the lowest enlisted pay grade shall be required to pay the first \$25 incurred each month and members in the highest commissioned pay grade shall similarly be required to pay \$250 per month. The amounts to be similarly paid by members in all other pay grades shall be determined under joint regulations to be prescribed by the Secretary of Defense and the Secretary of Health, Education, and Welfare.

“(2) Except as provided in clause (4), the Government’s share of the cost of any benefits provided in a particular case under subsection (d) shall not exceed \$350 per month.

“(3) Members shall also be required to pay each month that amount, if any, remaining after the Government’s maximum share has been reached.

“(4) A member who has more than one dependent incurring expenses in a given month under a plan covered by subsection (d) shall not be required to pay an amount greater than he would be required to pay if he had but one such dependent.

“(f) To qualify for the benefits provided by subsection (d), members shall be required to use public facilities to the extent they are available and adequate as determined under joint regulations of the Secretary of Defense and the Secretary of Health, Education, and Welfare.”

Use of public facilities.

(7) The following new sections are added after section 1085:

**“§ 1086. Contracts for health benefits for certain members, former members, and their dependents**

“(a) To assure that health benefits are available for the persons covered by subsection (c), the Secretary of Defense, after consulting with the Secretary of Health, Education, and Welfare, shall contract under the authority of this section for health benefits for those persons under the same insurance, medical service, or health plans he contracts for under section 1079(a) of this title.

Ante, p. 863.

“(b) For persons covered by this section the plans contracted for under section 1079(a) of this title shall contain the following provisions for payment by the patient:

“(1) Except as provided in clause (2), the first \$50 each fiscal year of the charges for all types of care authorized by this section and received while in an outpatient status and 25 per centum of all subsequent charges for such care during a fiscal year.

Payment provisions.

“(2) A family group of two or more persons covered by this section shall not be required to pay collectively more than the first \$100 each fiscal year of the charges for all types of care authorized by this section and received while in an outpatient status and 25 per centum of the additional charges for such care during a fiscal year.

“(3) 25 per centum of the charges for inpatient care.

“(c) The following persons are eligible for health benefits under this section:

Eligibility for health benefits.

“(1) Those covered by sections 1074(b) and 1076(b) of this title, except those covered by section 1072(2) (F) of this title.

Ante, p. 862;  
72 Stat. 1446.

“(2) A dependent of a member of a uniformed service who died while on active duty for a period of more than thirty days, except a dependent covered by section 1072(2) (F) of this title.

However, a person who is entitled to hospital insurance benefits under title I of the Social Security Amendments of 1965 (79 Stat. 286) is not eligible for health benefits under this section.

“(d) No benefits shall be payable under any plan covered by this section in the case of a person enrolled in any other insurance, medical service, or health plan provided by law or through employment unless that person certifies that the particular benefit he is claiming is not payable under the other plan.

“(e) A person covered by this section may elect to receive benefits either in (1) Government facilities, under the conditions prescribed in sections 1074 and 1076-1078 of this title, or (2) the facilities provided under a plan contracted for under this section. However, under joint regulations issued by the Secretary of Defense and the Secretary of Health, Education, and Welfare, the right to make this election may be limited for those persons residing in an area where adequate facilities of the uniformed service are available.

**“§ 1087. Programing facilities for certain members, former members, and their dependents in construction projects of the uniformed services**

“Space for inpatient and outpatient care may be programed in facilities of the uniformed services for persons covered by sections 1074(b) and 1076(b) of this title. The amount of space so programed shall be limited to that amount determined by the Secretary concerned to be necessary to support teaching and training requirements in uniformed services facilities, except that space may be programed in areas having a large concentration of retired members and their dependents where there is also a projected critical shortage of community facilities.”

(8) Section 1082 is amended by inserting “and 1086” immediately after “1081” and by amending the catchline to read as follows:

**“§ 1082. Contracts for health care: advisory committees”.**

(9) The analysis is amended by striking out the following items:

“1071. Purpose of sections 1071–1085 of this title.”

“1073. Administration of sections 1071–1085 of this title.”

“1077. Medical and dental care for dependents: specific inclusions and exclusions.”

“1082. Contracts for medical care for spouses and children: advisory committees.”  
and inserting the following items:

“1071. Purpose of sections 1071–1087 of this title.”

“1073. Administration of sections 1071–1087 of this title.”

“1077. Medical care for dependents: authorized care in facilities of uniformed services.”

“1082. Contracts for health care: advisory committees.”

“1086. Contracts for health care for certain members, former members, and their dependents.”

“1087. Programing facilities for certain members, former members, and their dependents in construction projects of the uniformed services.”

Effective dates.

SEC. 3. The amendments made by this Act shall become effective January 1, 1967, except that those amendments relating to outpatient care in civilian facilities for spouses and children of members of the uniformed services who are on active duty for a period of more than 30 days shall become effective on October 1, 1966.

Approved September 30, 1966.

Public Law 89-615

AN ACT

To authorize the Secretary of the Interior to convey certain lands in the State of Maine to the Mount Desert Island Regional School District.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior may convey to the Mount Desert Island Regional School District in the State of Maine a portion of the Acadia National Park, formerly owned by John D. Rockefeller, Junior, comprising approximately sixty-six acres (lot 354), and in exchange therefor the Secretary may accept from said school district any property which in his judgment is suitable for addition to the park. The values of

October 3, 1966  
[S. 3261]

Mount Desert  
Island Regional  
School District,  
Maine.  
Conveyance.

the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require. Any cash payment received by the Secretary shall be credited to the Land and Water Conservation Fund in the Treasury of the United States. A conveyance of the federally owned lot shall eliminate it from the park.

Approved October 3, 1966.

## Public Law 89-616

### AN ACT

To authorize the Secretary of the Interior to study the feasibility and desirability of a Connecticut River National Recreation Area, in the States of Connecticut, Massachusetts, Vermont, and New Hampshire, and for other purposes.

October 3, 1966  
[S. 3510]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in order to consider preserving the Connecticut River area and appropriate segments of adjoining land in their natural condition for public outdoor recreation, and preserving the priceless natural beauty and historic heritage of the river valley, the Secretary of the Interior shall study, investigate, and formulate recommendations on the feasibility and desirability of establishing all or parts of the Connecticut River Valley from its source to its mouth, in the States of Connecticut, Massachusetts, Vermont, and New Hampshire, as a Connecticut River National Recreation Area. The Secretary shall consult with other interested Federal agencies, and the State and local bodies and officials involved, and shall coordinate his study with applicable highway plans and other planning activities relating to the region. In conducting the study, the Secretary shall hold public hearings within any State involved, upon the request of the Governor thereof, for the purpose of receiving views and recommendations on the establishment of a national recreation area.

Connecticut  
River National  
Recreation Area.  
Feasibility  
study.

SEC. 2. The Secretary of the Interior shall submit to the President, within two years after the date of this Act, a report of his findings and recommendations. The President shall submit to the Congress such recommendations, including legislation, as he deems appropriate. The Secretary's report shall contain, but not be limited to, findings with respect to—

Report to President and Congress.

(a) the scenic, scientific, historic, outdoor recreation, and the natural values of the water and related land resources involved, including driving for pleasure, walking, hiking, riding, boating, bicycling, swimming, picnicking, camping, forest management, fish and wildlife management, scenic and historic site preservation, hunting, fishing, and winter sports;

(b) the potential alternative beneficial uses of the water and related land resources involved, taking into consideration appropriate uses of the land for residential, commercial, industrial, agricultural, and transportation purposes, and for public services; and

(c) the type of Federal program that is feasible and desirable in the public interest to preserve, develop, and make accessible the values set forth in subsection (a), including the consideration of scenic roads or parkways, and that also will have a minimum impact on other essential operations and activities in the area, and on private property owners.

SEC. 3. There is authorized to be appropriated \$100,000 or such part of said sum as may be necessary to carry out the provisions of this Act.

Appropriation.

Approved October 3, 1966.

## Public Law 89-617

October 3, 1966  
[S. 1474]

## AN ACT

To create a bipartisan commission to study Federal laws limiting political activity by officers and employees of Government.

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

Federal employees.  
Political activity, study.

## ESTABLISHMENT OF COMMISSION

SECTION 1. There is hereby established a commission to be known as the Commission on Political Activity of Government Personnel (in this Act referred to as the "Commission").

## MEMBERSHIP OF THE COMMISSION

SEC. 2. (a) NUMBER AND APPOINTMENT.—The Commission shall be composed of twelve members as follows:

(1) Four appointed by the President of the United States, two from the executive branch of the Government and two from private life;

(2) Four appointed by the President of the Senate, two from the Senate and two from private life; and

(3) Four appointed by the Speaker of the House of Representatives, two from the House of Representatives and two from private life.

(b) POLITICAL AFFILIATION.—Of each class of two members appointed under subsection (a), not more than one member shall be from each of the two major political parties.

(c) VACANCIES.—Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

## ORGANIZATION OF THE COMMISSION

SEC. 3. The Commission shall elect a Chairman and a Vice Chairman from among its members.

## QUORUM

SEC. 4. Seven members of the Commission shall constitute a quorum.

## COMPENSATION OF MEMBERS OF THE COMMISSION

SEC. 5. (a) MEMBERS OF CONGRESS.—Members of Congress who are members of the Commission shall serve without compensation in addition to that received for their services as Members of Congress; but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(b) MEMBERS FROM THE EXECUTIVE BRANCH.—The members of the Commission who are in the executive branch of the Government shall serve without compensation in addition to that received for their services in the executive branch, but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(c) MEMBERS FROM PRIVATE LIFE.—The members from private life 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 necessary expenses incurred by them in the performance of such duties.

## STAFF OF THE COMMISSION

SEC. 6. (a) The Commission shall have power to appoint and fix the compensation of such personnel as it deems advisable, without regard to the provisions of the civil service laws and the Classification Act of 1949, as amended.

(b) The Commission may procure, without regard to the civil service laws and the Classification Act of 1949, as amended, temporary and intermittent services to the same extent as is authorized for the departments by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a), but at rates not to exceed \$50 per diem for individuals.

63 Stat. 954.  
5 USC 1071  
note.

60 Stat. 810.

## DUTIES OF THE COMMISSION

SEC. 7. (a) **STUDY AND INVESTIGATION.**—The Commission shall make a full and complete investigation and study of the Federal laws which limit or discourage the participation of Federal and State officers and employees in political activity with a view to determining the effect of such laws, the need for their revision or elimination, and an appraisal of the extent to which undesirable results might accrue from their repeal.

(b) **REPORTS.**—The Commission shall submit a comprehensive report of its activities and the results of its studies to the President and to the Congress within one year after the date of enactment of this Act at which date the Commission shall cease to exist. The final report of the Commission shall contain such proposed legislative enactments as, in the judgment of the Commission, are necessary to carry out its recommendations.

Report to President and Congress.

## POWERS OF THE COMMISSION

SEC. 8. (a) **HEARINGS AND SESSIONS.**—The Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this Act, hold such hearings and sit and act at such times and places, administer such oaths, and require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as the Commission or such subcommittee or member may deem advisable. Subpoenas may be issued under the signature of the Chairman of the Commission, of such subcommittee, or any duly designated member, and may be served by any person designated by such Chairman or member. The provisions of section 102 to 104, inclusive, of the Revised Statutes of the United States (2 U.S.C. secs. 192-194, inclusive), shall apply in the case of failure of any witness to comply with a subpoena or to testify when summoned under authority of this section.

(b) **OBTAINING OFFICIAL DATA.**—The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality information, suggestions, estimates, and statistics for the purpose of this Act; and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized and directed to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

Approved October 3, 1966.

Public Law 89-618

AN ACT

October 4, 1966  
[S. 2287]

To authorize a five-year hydrologic study and investigation of the Delmarva Peninsula.

Delmarva Peninsula. Hydrologic study.

Duties of Secretary.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized and directed to make a comprehensive study and investigation of the water resources of the Delmarva Peninsula with a view to determining the availability of fresh water supplies needed to meet the anticipated future water requirements of the Delmarva Peninsula area, and with a view to determining the most effective means from the standpoint of hydrologic feasibility of protecting and developing fresh water sources so as to insure, insofar as practicable, the availability of adequate water supplies in the future. In carrying out such study and investigation with respect to the Delmarva Peninsula, the Secretary shall—

- (1) appraise the water use, requirements, and trends, and determine the availability of water in the streams and underground sources for the entire peninsula;
- (2) determine the depths, thicknesses, and permeabilities, the perennial yield, and the recharge characteristics of major aquifers, and the quality characteristics to be expected from each such major aquifer;
- (3) determine with respect to ground water resources the continuity and extent of important water-bearing formations;
- (4) determine the yield from stream systems under natural flow conditions and under varying degrees of storage and the amounts and quality of waters available from such systems during drought, flood, and intermediate conditions;
- (5) determine whether sea water has moved inland into heavily pumped coastal aquifers;
- (6) give special consideration to conditions which may invite the invasion of sea water into fresh-water supplies;
- (7) compile and make available to appropriate State and local officials any results of this study and investigation that would be appropriate for their use in long-range planning, development, and management of water supplies;
- (8) cooperate with State and local agencies for the purpose of using any information and data available to carry out the purposes of this study; and
- (9) consider such other matters as the Secretary may deem appropriate to the study and investigation herein authorized.

Reports to President and Congress.

SEC. 2. During the course of the study and investigation authorized by this Act, the Secretary may submit to the President for transmission to the Congress such interim reports as the Secretary may consider desirable. The Secretary shall submit a final report to the President for transmission to the Congress not more than six years after the date of enactment of this Act.

Information from Federal agencies.

SEC. 3. The Secretary is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Federal Government, information, suggestions, estimates, and statistics for the purpose of this Act, and each department, bureau, agency, board, commission, office, independent establishment, or instrumentality is authorized and

directed to furnish such information, suggestions, estimates, and statistics, to the Secretary upon his or his designee's request.

SEC. 4. In carrying out the study and investigation authorized by this Act, the Secretary is authorized to cooperate with other Federal, State, and local agencies now engaged in comprehensive planning for water resource use and development in the Delmarva Peninsula area by making available to those agencies his findings and to cooperate with those agencies in the Northeastern United States Water Supply Study as authorized by the Act of October 27, 1965 (79 Stat. 1073).

Cooperation with  
other agencies.

SEC. 5. There is hereby authorized to be appropriated the sum of \$500,000 to carry out the provisions of this Act: *Provided*, That nothing in this Act shall prevent the expenditure of other funds appropriated to the Geological Survey for studies and activities performed under its general authority.

42 USC 1962d-4.  
Appropriation.

Approved October 4, 1966.

## Public Law 89-619

### AN ACT

October 4, 1966  
[S. 3353]

To amend the Trading With the Enemy Act to provide for the transfer of three paintings to the Federal Republic of Germany in trust for the Weimar Museum.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 39 of the Trading With the Enemy Act, as amended (62 Stat. 1246; 50 U.S.C. App., sec. 39), is amended by adding at the end thereof the following subsection:

German paint-  
ings.  
Transfer to  
Federal Republic  
of Germany.

“(e) Notwithstanding any of the provisions of subsections (a) through (d) of this section, the Attorney General is hereby authorized to transfer the three paintings vested under Vesting Order Numbered 8107, dated January 28, 1947, to the Federal Republic of Germany, to be held in trust for eventual transfer to the Weimar Museum, Weimar, State of Thuringia, Germany, in accord with the terms of an agreement to be made between the United States and the Federal Republic of Germany.”

Approved October 4, 1966.

## Public Law 89-620

### AN ACT

October 4, 1966  
[S. 3421]

To authorize the Secretary of Agriculture to convey certain lands and improvements thereon to the University of Alaska.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, notwithstanding any other provisions of law, the Secretary of Agriculture is authorized to determine and to convey by quitclaim deed and without consideration to the University of Alaska for public purposes all the right, title, and interest of the United States in and to the lands of the Alaska Agricultural Experiment Station, including improvements thereon, and such personal property as may be designated, located at Palmer and Matanuska, Alaska.

Alaska Agricultural  
Experiment  
Station.  
Conveyance.

Approved October 4, 1966.

## Public Law 89-621

## AN ACT

October 4, 1966  
[H. R. 483]

To amend section 2056 of the Internal Revenue Code of 1954 relating to the effect of disclaimers on the allowance of the marital deduction for estate tax purposes, and for other purposes.

Estate tax.

68A Stat. 395.  
26 USC 2056.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) section 2056(d)(2) of the Internal Revenue Code of 1954 (relating to the treatment of disclaimers in computing the marital deduction for estate tax purposes) is amended to read as follows:

“(2) BY ANY OTHER PERSON.—If under this section an interest would, in the absence of a disclaimer by any person other than the surviving spouse, be considered as passing from the decedent to such person, and if a disclaimer of such interest is made by such person and as a result of such disclaimer the surviving spouse is entitled to receive such interest, then—

“(A) if the disclaimer of such interest is made by such person before the date prescribed for the filing of the estate tax return and if such person does not accept such interest before making the disclaimer, such interest shall, for purposes of this section, be considered as passing from the decedent to the surviving spouse, and

“(B) if subparagraph (A) does not apply, such interest shall, for purposes of this section, be considered as passing, not to the surviving spouse, but to the person who made the disclaimer, in the same manner as if the disclaimer had not been made.”

Applicability.

(b) The amendment made by subsection (a) shall apply with respect to estates of decedents dying on or after the date of the enactment of this Act.

(c) In the case of the estate of a decedent dying before the date of the enactment of this Act for which the date prescribed for the filing of the estate tax return (determined without regard to any extension of time for filing) occurs on or after January 1, 1965, if, under section 2056 of the Internal Revenue Code of 1954, an interest would, in the absence of a disclaimer by any person other than the surviving spouse, be considered as passing from the decedent to such person, and if a disclaimer of such interest is made by such person and as a result of such disclaimer the surviving spouse is entitled to receive such interest, then such interest shall, for purposes of such section, be considered as passing from the decedent to the surviving spouse, if—

(1) the interest disclaimed was bequeathed or devised to such person,

(2) before the date prescribed for the filing of the estate tax return such person disclaimed all bequests and devices under such will, and

(3) such person did not accept any property under any such bequest or devise before making the disclaimer.

The amount of the deductions allowable under section 2056 of such Code by reason of this subsection, when added to the amount of the deductions allowable under such section without regard to this subsection, shall not exceed the greater of (A) the amount of the deductions which would be allowable under such section without regard to the disclaimer if the surviving spouse elected to take against the will, or (B) an amount equal to one-third of the adjusted gross estate (within the meaning of subsection (c)(2) of such section).

SEC. 2. (a) Section 642(g) of the Internal Revenue Code of 1954 (relating to disallowance of double deductions) is amended by insert-

68A Stat. 217.  
26 USC 642.

ing "or of any other person" after "shall not be allowed as a deduction in computing the taxable income of the estate".

(b) The amendment made by subsection (a) shall apply to taxable years ending after the date of the enactment of this Act, but only with respect to amounts paid or incurred, and losses sustained, after such date.

Approved October 4, 1966.

Applicability.

### Public Law 89-622

#### AN ACT

October 4, 1966  
[H. R. 5852]

To amend title 38 of the United States Code with respect to the basis on which certain dependency and indemnity compensation will be computed.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the first sentence of subsection (d) of section 402 of title 38, United States Code, is amended by striking out "was so serving in such rank within one hundred and twenty days before death in the active military, naval, or air service or before last discharge or release from active duty under conditions other than dishonorable" and inserting in lieu thereof "any subsequent discharge or release from active duty was under conditions other than dishonorable".

SEC. 2. The amendment made by this Act shall take effect on the first day of the second calendar month after the date of enactment of this Act.

Approved October 4, 1966.

Deceased veterans.  
Basic pay computation.  
74 Stat. 161.

### Public Law 89-623

#### AN ACT

October 4, 1966  
[H. R. 7850]

To amend section 1822 (a) of title 38, United States Code, to extend the provisions for treble-damage actions to direct loan and insured loan cases.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 1822 (a), title 38, United States Code, is amended by inserting immediately after "title," the following: "or made under section 1811 or 1818 of this title, or insured under section 1815 of this title,".

SEC. 2. The amendment made by this Act shall be applicable only to cases in which the offense occurs after date of enactment of this Act.

Approved October 4, 1966.

Veterans.  
Loans.  
72 Stat. 1214.  
72 Stat. 1208;  
Ante, p. 25;  
72 Stat. 1212.

### Public Law 89-624

#### AN ACT

October 4, 1966  
[H. R. 9976]

To amend the Act of September 2, 1964.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act of September 2, 1964 (78 Stat. 808; 43 U.S.C. 945(a)), is amended to read "Notwithstanding the existence of any reservation of right-of-way to the United States for canals under the Act of August 30, 1890 (26 Stat. 371, 391; 43 U.S.C. 945), or any State statute, the Secretary of the Interior shall pay just compensation, including severance dam-

Reclamation projects.  
Rights-of-way, compensation.  
43 USC 945a.

ages, to the owners of private land utilized for ditches or canals in connection with any reclamation project, or any unit or any division of a reclamation project, provided the construction of said ditches or canals commenced after January 1, 1961, and such compensation shall be paid notwithstanding the execution of any agreements or any judgments entered in any condemnation proceeding, prior to the effective date of this Act.

"SEC. 2. Jurisdiction of an action brought by the United States or the landowner for the determination of just compensation pursuant to this Act is hereby conferred on the United States district court in the district in which any such land is situated, without limitation to the amount of compensation sought by such suit. The procedure for such an action shall be governed by the Federal Rules of Civil Procedure for the condemnation of real and personal property.

"SEC. 3. The amendment made by this Act shall apply to any condemnation action pending in any district court of the United States on the date of enactment of this Act and to any such action instituted after that date."

Approved October 4, 1966.

28 USC app.

### Public Law 89-625

#### AN ACT

October 4, 1966  
[H. R. 11927]

To authorize the Administrator of Veterans' Affairs to permit deduction by brokers of certain costs and expenses from rental collections on properties acquired under the veterans' loan programs.

Veterans Ad-  
ministration.  
Brokers' fees.  
72 Stat. 1213.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That paragraph (6) of section 1820(a) of title 38, United States Code, is amended by adding at the end thereof the following new sentence: "Without regard to section 3617, Revised Statutes (31 U.S.C. 484), or any other provision of law not expressly in limitation of this paragraph, the Administrator may permit brokers utilized by him in connection with such properties to deduct from rental collections amounts covering authorized fees, costs, and expenses incurred in connection with the management, repair, sale, or lease of any such properties and remit the net balances to the Administrator."

Approved October 4, 1966.

### Public Law 89-626

#### AN ACT

October 4, 1966  
[H. R. 12664]

To retrocede to the State of Colorado exclusive jurisdiction held by the United States over the real property comprising the Fort Lyon Veterans Hospital reservation.

Fort Lyon Vet-  
erans Hospital,  
Colo.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby retroceded to the State of Colorado the exclusive jurisdiction heretofore acquired from such State by the United States over the real property comprising the Fort Lyon Veterans Hospital reservation, Las Animas, Colorado.

SEC. 2. This retrocession of jurisdiction shall take effect upon acceptance by the State of Colorado.

Approved October 4, 1966.

## Public Law 89-627

## AN ACT

To authorize the Commissioners of the District of Columbia to replace the existing Fourteenth Street Bridge, also known as the Highway Bridge, across the Potomac River, and for other purposes.

October 4, 1966  
[H. R. 12119]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That notwithstanding any other provision of law, the Commissioners of the District of Columbia are authorized to remove the existing Fourteenth Street Bridge structure, also known as the Highway Bridge, across the Potomac River, and to construct on the general alinement of such structure a highway bridge of at least six lanes.

D.C.  
Fourteenth St.  
Bridge replace-  
ment.

SEC. 2. The Commissioners of the District of Columbia are hereby authorized to construct bridge approaches and roads connecting such bridge and approaches with streets and park roads in the District of Columbia and with roads and park roads on the Virginia side of the Potomac River: *Provided,* That the authorization contained in this section shall not apply to any bridge approaches and connecting roads extending beyond the boundary line between the District of Columbia and the Commonwealth of Virginia, as defined in section 101 of Public Law 208, Seventy-ninth Congress, approved October 31, 1945.

59 Stat. 552.  
D.C. Code 1-  
101 note.  
Appropriation.

SEC. 3. There are hereby authorized to be appropriated such District of Columbia funds as may be necessary to carry out the provisions of this Act.

Approved October 4, 1966.

## Public Law 89-628

## AN ACT

To amend the provisions of the Act of April 8, 1935, relating to the Board of Trustees of Trinity College of Washington, District of Columbia.

October 4, 1966  
[H. R. 16940]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 2 of the Act entitled "An Act relating to the incorporation of Trinity College of Washington, District of Columbia, organized under and by virtue of a certificate of incorporation pursuant to the incorporation laws of the District of Columbia, as provided in subchapter 1 of chapter 18 of the Code of Laws of the District of Columbia", approved April 8, 1935 (49 Stat. 113), is amended to read as follows:

D.C.  
Trinity College.  
Trustees.

"SEC. 2. The trustees constituting and managing the said corporation shall number not less than eight nor more than fifteen. The board of trustees shall, at suitable intervals, elect their successors in accordance with the bylaws of the corporation now or hereafter established and obtaining. A majority of the board of trustees shall constitute a quorum for the transaction of business and for all other purposes. The board of trustees shall elect from among themselves one member to be president, one member to be vice president, one member to be treasurer, and one member to be secretary; shall fix the term for which the officers shall serve, their duties and authority; and shall elect their successors at such regular intervals thereafter as they may determine. The board of trustees may elect, appoint, or employ such further minor or assistant officers and agents as they may deem necessary and expedient for the purposes of the corporation, it not being necessary that such officers or agents be members of the board."

Approved October 4, 1966.

## Public Law 89-629

October 4, 1966  
[H. R. 13012]

## AN ACT

To provide for the conveyance of certain real property to the city of Biloxi, Mississippi.

Land conveyance, Miss.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Administrator of Veterans' Affairs shall convey, without monetary consideration therefor, to the city of Biloxi, Mississippi, all right, title, and interest of the United States in and to a portion of the real property of the Veterans' Administration Center, Biloxi, Mississippi, approximating seventy-five and eighty-two one-hundredths acres, more or less, on condition that such real property shall be used for a public park or other public purpose. The exact legal description of such real property shall be determined by the Administrator of Veterans' Affairs, and in the event a survey is required the city of Biloxi shall bear the expense thereof.

SEC. 2. Any deed of conveyance made pursuant to this Act shall contain such additional terms, conditions, reservations, and restrictions as may be determined by the Administrator of Veterans' Affairs to be necessary to protect the interests of the United States.

Approved October 4, 1966.

## Public Law 89-630

October 4, 1966  
[H. R. 12352]

## AN ACT

Authorizing the conveyance of certain property to Pinellas County, Florida.

Land conveyance, Fla.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, subject to the provisions of section 2 of this Act, the Administrator of General Services shall convey by quitclaim deed, without monetary consideration, to the county of Pinellas, Florida, all right, title, and interest of the United States in and to a tract of land, containing approximately one hundred and forty-five acres of upland and two hundred and twenty-five acres of submerged land, more or less, which was heretofore conveyed to the United States without consideration, and which has been determined to be in excess of the needs of the Veterans' Administration and surplus to all Federal needs. In the event a further survey is required in order to determine the legal description of such tract of land, such county of Pinellas shall bear the expense thereof.

SEC. 2. (a) No conveyance shall be made under the provisions of this Act unless assurances satisfactory to the Administrator of Veterans' Affairs are received from the county of Pinellas, Florida, that—

(1) a suitable fence will be erected without cost to the United States between any land conveyed pursuant to this Act and adjacent real property retained by the United States, and

(2) such county of Pinellas will provide to the satisfaction of and without cost to the Veterans' Administration an incinerator and a sewage disposal plant (or equivalent sewage treatment) on such adjacent real property retained by the United States.

(b) Any deed of conveyance made under this Act shall—

(1) provide that title to the land covered by such conveyance shall revert to the United States if such land is used (A) for other than park, recreational, health, or educational purposes, or (B) in a manner that, in the judgment of the Administrator of Veterans' Affairs, or his designee, interferes with the care and treat-

ment of patients in the Veterans' Administration Center, Bay Pines, Florida, or otherwise with the operation of such Center,

(2) specifically reserve from such conveyance property rights in and easement rights to a storm drainage ditch and a sewer line which traverse such land; and

(3) contain such additional terms, conditions, reservations, easements, and restrictions as may be determined by the Administrator of General Services to be necessary to protect the interest of the United States.

SEC. 3. If a park is established with any land conveyed pursuant to this Act, such park shall be known as the "War Veterans' Memorial Park".

"War Veterans'  
Memorial Park."

Approved October 4, 1966.

Public Law 89-631

AN ACT

October 4, 1966  
[H. R. 16863]

To amend the Act of June 10, 1844, in order to clarify the corporate name of Georgetown University, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the first section of the Act entitled "An Act to incorporate Georgetown College in the District of Columbia", approved June 10, 1844 (6 Stat. 912), is amended by striking out "College," and inserting in lieu thereof "College' or 'Georgetown University'."

D. C.  
Georgetown Uni-  
versity charter.

SEC. 2. Section 2 of the Act of June 10, 1844 (6 Stat. 912), is amended (1) by striking out "College," by which name and title" and inserting in lieu thereof "College' or 'Georgetown University', by either which name, style, and title" and (2) by striking out " : *Provided*" and all that follows through the end thereof and by inserting in lieu thereof the following: " ; to encumber property by deed of trust, pledge, or otherwise; to borrow money and secure payment of same by lien or liens on the realty or personal property of the corporation (including but not limited to student fees, building fees, or other types of fees or charges) ; and to lease for any term, to build, erect, remodel, repair, construct, and/or reconstruct any and all buildings, houses, or other structures necessary, proper, or incident to the needs and purposes of a college, university, or institution of higher learning. In addition the corporation shall have and may exercise all such powers conferred upon nonprofit corporations by the District of Columbia Nonprofit Corporation Act (as now enacted or hereafter amended) as are not conferred herein and not inconsistent with the powers included herein."

76 Stat. 265.  
D. C. Code 29-  
1001.

SEC. 3. Section 3 of the Act of June 10, 1844 (6 Stat. 912), is amended by adding at the end thereof the following: "The corporation shall have one class of members who are the successors of James Ryder, Thomas Lilly, Samuel Barber, James Curley, and Anthony Rey. The number, qualification, and rights, including the right to vote, of said members shall be as provided in the bylaws of the corporation. The powers of the corporation shall be exercised by a board of directors whose number and the manner of whose election or appointment shall be as provided in the bylaws. The bylaws shall be adopted by the members and may be amended from time to time as provided therein."

SEC. 4. Except as specifically provided therein, the amendments made by this Act shall not affect any obligations, rights, or privileges of Georgetown University.

Approved October 4, 1966.

## Public Law 89-632

## AN ACT

October 8, 1966  
[S. 2393]

To provide for additional positions in certain departments and agencies, and for other purposes.

Federal employ-  
ees.  
Additional  
supergrades.  
*Ante*, p. 453.

*Ante*, p. 415.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That (a) section 5108(a) of title 5, United States Code, is amended to read as follows:

"(a) A majority of the Civil Service Commissioners may establish, and from time to time revise, the maximum numbers of positions (not to exceed an aggregate of 2,577, in addition to any professional engineering positions primarily concerned with research and development and professional positions in the physical and natural sciences and medicine which may be placed in these grades, and in addition to 240 hearing examiner positions under section 3105 of this title which may be placed in GS-16 and 9 such positions which may be placed in GS-17) which may be placed in GS-16, 17, and 18 at any one time. However, under this authority, not to exceed 25 percent of the aggregate number may be placed in GS-17 and not to exceed 12 percent of the aggregate number may be placed in GS-18. A position may be placed in GS-16, 17, or 18 only by action of, or after prior approval by, a majority of the Civil Service Commissioners."

(b) Section 5108(b) of such title is amended by inserting "(1)" immediately following the subsection designation, and by adding the following new paragraph:

"(2) In addition to the number of positions authorized by subsection (a) of this section and positions referred to in paragraph (1) of this subsection, the Librarian of Congress, subject to the procedures prescribed by this section, may place a total of 28 positions in the Library of Congress in GS-16, 17, and 18."

(c) Section 5108(c) (1), relating to positions in GS-16, 17, and 18 for the General Accounting Office, is amended by striking out "39" and inserting in lieu thereof "64".

(d) Section 5108(c) (2), relating to positions in GS-16, 17, and 18 for the Federal Bureau of Investigation, is amended by striking out "75" and inserting in lieu thereof "110".

(e) The Act entitled "An Act to provide certain administrative authorities for the National Security Agency, and for other purposes", approved May 29, 1959 (50 U.S.C. 402, note), as amended, is amended—

(1) by striking out, in section 2 thereof, "sixty-five such officers and employees" and inserting in lieu thereof "seventy such officers and employees"; and

(2) by striking out, in section 4 thereof, "sixty civilian positions" and inserting in lieu thereof "ninety civilian positions".

(f) Section 3301 of title 39, United States Code, relating to personnel requirements of the postal field service, is amended by striking out "70 employees assigned to salary levels 18, 19, and 20" and inserting in lieu thereof "55 employees assigned to salary levels 19 and 20".

Approved October 8, 1966.

75 Stat. 789.

75 Stat. 791.

76 Stat. 858.

## Public Law 89-633

## AN ACT

To amend the Consolidated Farmers Home Administration Act of 1961 to authorize the Secretary of Agriculture to hold prepayments made to the Secretary by insured loan borrowers and transmit them to the holder of the note in installments as they become due.

October 8, 1966  
[H. R. 15510]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That paragraph (2) of subsection 309(f) of the Consolidated Farmers Home Administration Act of 1961 is amended by striking out the words "the due date of the annual installment" and inserting in lieu thereof the word "due".

Farmers Home  
Administration  
insured loans.  
Prepayment.  
75 Stat. 310.  
7 USC 1929.

Approved October 8, 1966.

## Public Law 89-634

## JOINT RESOLUTION

To give effect to the Agreement for Facilitating the International Circulation of Visual and Auditory Materials of an Educational, Scientific, and Cultural Character, approved at Beirut in 1948.

October 8, 1966  
[H. J. Res. 688]

Whereas the Congress and the President have repeatedly declared it to be a national policy to promote a better understanding of the United States in other countries, and to increase mutual understanding between the people of the United States and the people of other countries; and

Whereas the General Conference of the United Nations Educational, Scientific, and Cultural Organization of its third session at Beirut, Lebanon, in 1948, approved and recommended to member states for signature an Agreement for Facilitating the International Circulation of Visual and Auditory Materials of an Educational, Scientific, and Cultural Character, which Agreement has been signed by twenty-one nations, including the United States; and

Whereas the Senate has given its advice and consent to the ratification of the Agreement; and

Whereas the Congress does hereby determine that mutual understanding between peoples will be augmented by the measures provided for in said Agreement: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States is authorized to designate a Federal agency or agencies which shall be responsible for carrying out the provisions of the Agreement for Facilitating the International Circulation of Visual and Auditory Materials of an Educational, Scientific, and Cultural Character and a related protocol of signature, opened for signature at Lake Success on July 15, 1949 (hereinafter in this Act referred to as the "Agreement"). It shall be the duty of the Federal agency or agencies so designated to take appropriate measures for the carrying out of the provisions of the Agreement including the issuance of regulations.

Beirut Agreement,  
implementation.

SEC. 2. Agencies of the Federal Government are authorized to furnish facilities and personnel for the purpose of assisting the agency or agencies designated by the President in carrying out the provisions of the Agreement.

SEC. 3. (a) (1) Part 6 of schedule 8 of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by inserting after the

77A Stat. 427.

heading to such part 6 the following: "Part 6 headnote:

"1. No article shall be exempted from duty under item 870.30 unless a Federal agency or agencies designated by the President determines that such article is visual or auditory material of an educational, scientific, or cultural character within the meaning of the Agreement for Facilitating the International Circulation of Visual and Auditory Materials of an Educational, Scientific, and Cultural Character. Whenever the President determines that there is or may be profit-making exhibition or use of articles described in item 870.30 which interferes significantly (or threatens to interfere significantly) with domestic production of similar articles, he may prescribe regulations imposing restrictions on the entry of such foreign articles to insure that they will be exhibited or used only for nonprofitmaking purposes."

(2) Such part 6 is amended by adding at the end thereof the following new item:

870.30	Developed photographic film, including motion-picture film on which pictures or sound and pictures have been recorded; photographic slides; transparencies; sound recordings; recorded video-tape; models; charts; maps; globes; and posters; all of the foregoing which are determined to be visual or auditory materials in accordance with headnote 1 of this part.....	Free	Free
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(b) The amendments made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption, on or after the date proclaimed by the President pursuant to this subsection, which date shall be within the period of six months which begins with the day after the day on which the United States instrument of acceptance of the Agreement is deposited with the Secretary General of the United Nations.

Approved October 8, 1966.

Public Law 89-635

AN ACT

October 10, 1966  
[S. 1356]

To amend the Judicial Code to permit Indian tribes to maintain civil actions in Federal district courts without regard to the \$10,000 limitation, and for other purposes.

U.S. Courts.  
Indians, civil  
jurisdiction.  
62 Stat. 930.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That title 28, United States Code, is hereby amended by inserting in chapter 85 thereof immediately after section 1361, a new section to be designated section 1362, as follows:

"§ 1362. Indian tribes

"The district courts shall have original jurisdiction of all civil actions, brought by any Indian tribe or band with a governing body duly recognized by the Secretary of the Interior, wherein the matter in controversy arises under the Constitution, laws, or treaties of the United States."

SEC. 2. The chapter analysis of chapter 85 of title 28 of the United States Code is amended by adding at the end thereof the following new item:

"1362. Indian tribes."

Approved October 10, 1966.

## Public Law 89-636

## AN ACT

To amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations, and for other purposes.

October 10, 1966  
[H. R. 14019]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 4 of the Foreign Service Buildings Act, 1926 (22 U.S.C. 295), is amended—

Foreign Service Buildings Act, 1926, amendment.  
77 Stat. 121;  
78 Stat. 387;  
79 Stat. 112.

- (1) by striking out the last three sentences of subsection (d);
- (2) by striking out "\$1,000,000" in subsection (e) and inserting in lieu thereof "\$2,600,000"; and
- (3) by adding at the end of such section the following new subsections:

"(f) In addition to amounts authorized before the date of enactment of this subsection, there is hereby authorized to be appropriated to the Secretary of State—

"(1) for acquisition by purchase or construction (including acquisition of leaseholds) of sites and buildings in foreign countries under this Act, and for major alterations of buildings acquired under this Act, the following sums—

"(A) for use in Africa, not to exceed \$5,485,000, of which not to exceed \$1,885,000 may be appropriated for the fiscal year 1967;

"(B) for use in the American Republics, not to exceed \$7,920,000, of which not to exceed \$3,585,000 may be appropriated for the fiscal year 1967;

"(C) for use in Europe, not to exceed \$3,310,000, of which not to exceed \$785,000 may be appropriated for the fiscal year 1967;

"(D) for use in the Far East, not to exceed \$3,150,000, of which not to exceed \$560,000 may be appropriated for the fiscal year 1967;

"(E) for use in the Near East, not to exceed \$6,930,000, of which not to exceed \$1,890,000 may be appropriated for the fiscal year 1967;

"(F) for facilities for the United States Information Agency, not to exceed \$615,000, of which not to exceed \$430,000 may be appropriated for the fiscal year 1967;

"(G) for facilities for agricultural and defense attaché housing, not to exceed \$800,000, of which not to exceed \$400,000 may be appropriated for the fiscal year 1967;

"(2) for use to carry out the other purposes of this Act, not to exceed \$12,600,000 for the fiscal year 1968 and not to exceed \$12,750,000 for the fiscal year 1969.

"(g) (1) Sums appropriated under authority of this Act shall remain available until expended. To the maximum extent feasible, expenditures under this Act shall be made out of foreign currencies owned by or owed to the United States.

"(2) Beginning with the fiscal year 1966, not to exceed 10 per centum of the funds authorized by any subparagraph under either paragraph (1) of subsection (d), or paragraph (1) of subsection (f), of this section may be used for any of the purposes for which funds are authorized under any other subparagraph of either of such paragraphs (1)."

SEC. 2. The first section of the Foreign Service Buildings Act, 1926 (22 U.S.C. 292), is amended by inserting "(a)" immediately after "That" and by adding at the end thereof the following:

"(b) Payments made for rent or otherwise by the United States from funds other than appropriations made under authority of this

Act may be credited toward the acquisition of property under this Act without regard to limitations of amounts imposed by this Act."

SEC. 3. Section 9 of the Foreign Service Buildings Act, 1926 (22 U.S.C. 300), is amended to read as follows:

"SEC. 9. (a) The Secretary of State is authorized—

"(1) to sell, exchange, lease, or license any property or property interest acquired under this Act, or under other authority, for use of diplomatic and consular establishments in foreign countries,

"(2) to receive payment in whatever form, or in kind, he determines to be in the interest of the United States for damage to or destruction of property acquired for use of diplomatic and consular establishments abroad, and the contents of such buildings, and

"(3) to accept on behalf of the United States gifts of property or services of any kind made by will or otherwise for the purposes of this Act.

"(b) Proceeds derived from dispositions, payments, or gifts under subsection (a) shall, notwithstanding the provisions of any other law, be applied toward acquisition, construction, or other purposes authorized by this Act or held in the Foreign Service Buildings Fund, as in the judgment of the Secretary may best serve the Government's interest: *Provided*, That the Secretary shall report all such transactions annually to the Congress with the budget estimates of the Department of State."

SEC. 4. The Foreign Service Buildings Act, 1926, is amended by adding at the end thereof the following new section:

"SEC. 10. Notwithstanding the provisions of this or any other Act, no lease or other rental arrangement for a period of less than ten years, and requiring an annual payment in excess of \$25,000, shall be entered into by the Secretary of State for the purpose of renting or leasing offices, buildings, grounds, or living quarters for the use of the Foreign Service abroad, unless such lease or other rental arrangement is approved by the Secretary. The Secretary may delegate his authority under this section only to the Deputy Under Secretary of State for Administration or to the Director of the Office of Foreign Buildings. The Secretary shall keep the Congress fully and currently informed with respect to leases or other rental arrangements approved under this section."

Approved October 10, 1966.

### Public Law 89-637

#### JOINT RESOLUTION

To extend the authority of the Postmaster General to enter into leases of real property for periods not exceeding thirty years, and for other purposes.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 2109 of title 39, United States Code, is amended to read as follows:

#### "§ 2109. Time limitations on agreements

"Agreements may not be entered into under sections 2104 and 2105 of this title after July 22, 1964, and under section 2103 after April 30, 1967."

Approved October 10, 1966.

59 Stat. 53.  
Property sales,  
etc.

Proceeds, dispo-  
sition.

Report to Con-  
gress.

44 Stat. 403.  
22 USC 299.

Lease or rental  
arrangements.

Information to  
Congress.

October 10, 1966  
[S. J. Res. 197]

Postmaster  
General.  
Leasing author-  
ity, extension.  
78 Stat. 593.

74 Stat. 590.

## Public Law 89-638

## AN ACT

To provide for holding terms of the United States District Court for the District of South Dakota at Rapid City.

October 10, 1966  
[S. 2070]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the last sentence of section 122 of title 28, United States Code, is amended to read as follows:

U.S. Courts,  
Rapid City,  
S. Dak.  
62 Stat. 889.

“Court for the Western Division shall be held at Deadwood and Rapid City.”

Approved October 10, 1966.

## Public Law 89-639

## AN ACT

To amend the charter of Southeastern University of the District of Columbia.

October 10, 1966  
[H. R. 16608]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 3 of the Act entitled “An Act for the relief of the Southeastern University of the Young Men’s Christian Association of the District of Columbia”, approved August 19, 1937 (50 Stat. 697), is amended to read as follows:

D.C.  
Southeastern  
University.  
Charter amend-  
ment.

“SEC. 3. The management of the said corporation shall be vested in a board of trustees consisting of not less than nine nor more than thirty in number as determined from time to time by said board of trustees, one-third of whom, at all times, shall be graduates of said university, of the qualifications prescribed by said board of trustees, nominated by the alumni of said university in the manner prescribed by said board of trustees, and all of whom shall be elected by said board of trustees. Each trustee shall be elected for a term of office of three years from the date of expiration of the term for which his predecessor was elected; except that (1) in expanding or reducing the number of trustees under this Act, the board of trustees shall have the authority to fix or adjust the terms of office of such additional or remaining trustees, as the case may be, so that the terms of office of not more than one-third of the trustees shall expire annually; and (2) a trustee elected to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be elected only for the unexpired term of such predecessor.”

SEC. 2. Section 6 of such Act is amended to read as follows:

“SEC. 6. The income of the said corporation from all sources whatsoever shall be held in the name of the corporation and applied to the maintenance, endowment, promotion, and advancement of the said university, subject to conforming to the express conditions of the donor of any gift, devise, or bequest accepted by said corporation, with regard to the income therefrom.”

Income.

SEC. 3. The amendments made by this Act shall not affect the term of office of any trustee in office on the date of its enactment.

Approved October 10, 1966.

## Public Law 89-640

## AN ACT

October 10, 1966  
[S. 2540]

To authorize the conclusion of an agreement for the joint construction by the United States and Mexico of an international flood control project for the Tijuana River in accordance with the provisions of the treaty of February 3, 1944, with Mexico, and for other purposes.

Tijuana River  
flood control  
project.  
Construction by  
United States and  
Mexico.

59 Stat. 1219.

Appropriation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of State, acting through the United States Commissioner, International Boundary and Water Commission, United States and Mexico, is hereby authorized to conclude with the appropriate official or officials of the Government of Mexico an agreement for the joint construction, operation, and maintenance by the United States and Mexico, in accordance with the provisions of the treaty of February 3, 1944, with Mexico, of an international flood control project for the Tijuana River, which shall be located and have substantially the characteristics described in "Report on an International Flood Control Project, Tijuana River Basin", prepared by the United States Section, International Boundary and Water Commission, United States and Mexico.

SEC. 2. If agreement is concluded pursuant to section 1 of this Act, the said United States Commissioner is authorized to construct, operate, and maintain the portion of such project assigned to the United States, and there is hereby authorized to be appropriated to the Department of State for use of the United States Section, not to exceed \$12,600,000 for the construction of such project and such sums as may be necessary for its maintenance and operation. No part of any appropriation under this Act shall be expended for construction on any land, site, or easement, except such as has been acquired by donation and the title thereto has been approved by the Attorney General of the United States.

Approved October 10, 1966.

## Public Law 89-641

## AN ACT

October 11, 1966  
[H. R. 16557]

To provide for the refund of certain amounts erroneously deducted for National Service Life Insurance premiums from the pay of former members of the organized military forces of the Government of the Commonwealth of the Philippines, and to amend title 38 of the United States Code to provide that certain payments under that title shall be made at a rate in Philippine pesos as is equivalent to \$0.50 for each dollar authorized.

Philippine  
veterans.  
NSLI refunds.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the provisions of any other law or regulation, the Administrator of Veterans' Affairs is authorized, under such terms and conditions as he may prescribe, to refund amounts erroneously deducted for National Service Life Insurance premiums from the arrears in pay paid by the United States Government to members of the organized military forces of the Government of the Commonwealth of the Philippines, while such forces were in the service of the Armed Forces of the United States pursuant to the military order of the President dated July 26, 1941. Such refund may be made only upon receipt in the Veterans' Administration of an application therefor filed with the Government of the Commonwealth of the Philippines within two years after the date of enactment of this Act and accompanied by a

certification of an appropriate official of that Government that such amounts were so erroneously deducted and have not heretofore been refunded. Such refunds shall be made from the National Service Life Insurance appropriation. In the event of the death of any such member refunds may be made only to the following individuals and in the order named—

Recipients,  
order for pay-  
ment.

- (1) to the widow or widower of such person, if living;
- (2) if no widow or widower, to the child or children of such person, if living, in equal shares; or
- (3) if no widow, widower, child, or children, to the parent or parents of such person, if living, in equal shares.

No refunds under this section shall be paid to the heirs or legal representatives as such of such member or of any beneficiary. If such member is deceased, and in the event no individual within the permitted class survives to receive the refund, no payment of such refund shall be made.

SEC. 2. (a) The second sentence of subsection (a) and the second sentence of subsection (b) of section 107 of title 38, United States Code, are each amended to read as follows: "Payments under such chapters shall be made at a rate in pesos as is equivalent to \$0.50 for each dollar authorized, and where annual income is a factor in entitlement to benefits, the dollar limitations in the law specifying such annual income shall apply at a rate in Philippine pesos as is equivalent to \$0.50 for each dollar."

72 Stat. 1111.

(b) The amendments made by subsection (a) of this section shall take effect on the first day of the second calendar month which begins after the date of enactment of this Act.

Effective date.

Approved October 11, 1966, 12:25 p.m.

## Public Law 89-642

### AN ACT

To strengthen and expand food service programs for children.

October 11, 1966  
[S. 3467]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Child Nutrition Act of 1966".

Child Nutrition  
Act of 1966.

### DECLARATION OF PURPOSE

SEC. 2. In recognition of the demonstrated relationship between food and good nutrition and the capacity of children to develop and learn, based on the years of cumulative successful experience under the national school lunch program with its significant contributions in the field of applied nutrition research, it is hereby declared to be the policy of Congress that these efforts shall be extended, expanded, and strengthened under the authority of the Secretary of Agriculture as a measure to safeguard the health and well-being of the Nation's children, and to encourage the domestic consumption of agricultural and other foods, by assisting States, through grants-in-aid and other means, to meet more effectively the nutritional needs of our children.

### SPECIAL MILK PROGRAM AUTHORIZATION

SEC. 3. There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not to exceed \$110,000,000; for the fiscal year ending June 30, 1968, not to exceed \$115,000,000; and for each

of the two succeeding fiscal years not to exceed \$120,000,000, to enable the Secretary of Agriculture, under such rules and regulations as he may deem in the public interest, to encourage consumption of fluid milk by children in the United States in (1) nonprofit schools of high school grade and under, and (2) nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children. For the purposes of this section "United States" means the fifty States and the District of Columbia. The Secretary shall administer the special milk program provided for by this section to the maximum extent practicable in the same manner as he administered the special milk program provided for by Public Law 85-478, as amended, during the fiscal year ended June 30, 1966.

72 Stat. 276;  
74 Stat. 84;  
75 Stat. 319.  
7 USC 1446  
note.

#### SCHOOL BREAKFAST PROGRAM AUTHORIZATION

SEC. 4. (a) There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not to exceed \$7,500,000; and for the fiscal year ending June 30, 1968, not to exceed \$10,000,000, to enable the Secretary to formulate and carry out, on a nonpartisan basis, a pilot program to assist States through grants-in-aid and other means, to initiate, maintain, or expand nonprofit breakfast programs in schools.

#### APPORTIONMENT TO STATES

(b) Of the funds appropriated for the purposes of this section, the Secretary shall for each fiscal year, (1) apportion \$2,600,000 equally among the States other than Guam, the Virgin Islands, and American Samoa, and \$45,000 equally among Guam, the Virgin Islands, and American Samoa, and (2) apportion the remainder among the States in accordance with the apportionment formula contained in section 4 of the National School Lunch Act, as amended.

76 Stat. 944.  
42 USC 1753.

#### STATE DISBURSEMENT TO SCHOOLS

(c) Funds apportioned and paid to any State for the purpose of this section shall be disbursed by the State educational agency to schools selected by the State educational agency, to reimburse such schools for the cost of obtaining agricultural and other foods for consumption by needy children in a breakfast program and for the purpose of subsection (d). Such food costs may include, in addition to the purchase price, the cost of processing, distributing, transporting, storing, and handling. Disbursement to schools shall be made at such rates per meal or on such other basis as the Secretary shall prescribe. In selecting schools, the State educational agency shall, to the extent practicable, give first consideration to those schools drawing attendance from areas in which poor economic conditions exist and to those schools to which a substantial proportion of the children enrolled must travel long distances daily.

(d) In circumstances of severe need where the rate per meal established by the Secretary is deemed by him insufficient to carry on an effective breakfast program in a school, the Secretary may authorize financial assistance up to 80 per centum of the operating costs of such a program, including cost of obtaining, preparing, and serving food. In the selection of schools to receive assistance under this section, the State educational agency shall require applicant schools to provide justification of the need for such assistance.

## NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

(e) Breakfasts served by schools participating in the school breakfast program under this section shall consist of a combination of foods and shall meet minimum nutritional requirements prescribed by the Secretary on the basis of tested nutritional research. Such breakfasts shall be served without cost or at a reduced cost only to children who are determined by local school authorities to be unable to pay the full cost of the breakfast. In making such determinations, such local authorities should, to the extent practicable, consult with public welfare and health agencies. No physical segregation of or other discrimination against any child shall be made by the school because of his inability to pay.

## NONPROFIT PRIVATE SCHOOLS

(f) The withholding of funds for and disbursement to nonprofit private schools will be effected in accordance with section 10 of the National School Lunch Act, as amended, exclusive of the matching provisions thereof.

60 Stat. 233;  
76 Stat. 945.  
42 USC 1759.

## NONFOOD ASSISTANCE PROGRAM AUTHORIZATION

SEC. 5. (a) There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not to exceed \$12,000,000, for the fiscal year ending June 30, 1968, not to exceed \$15,000,000, for each of the two fiscal years ending June 30, 1969, and June 30, 1970, not to exceed \$18,000,000, and for each fiscal year thereafter such sums as the Congress may hereafter authorize, to enable the Secretary to formulate and carry out a program to assist the States through grants-in-aid and other means to supply schools drawing attendance from areas in which poor economic conditions exist with equipment, other than land or buildings, for the storage, preparation, transportation, and serving of food to enable such schools to establish, maintain, and expand school food service programs. In the case of nonprofit private schools, such equipment shall be for use of such schools principally in connection with child feeding programs authorized in this Act and in the National School Lunch Act, as amended, and in the event such equipment is no longer so used, that part of such equipment financed with Federal funds, or the residual value thereof, shall revert to the United States.

60 Stat. 230.  
42 USC 1751  
note.

## APPORTIONMENTS TO STATES

(b) The Secretary shall apportion the funds appropriated for the purposes of this section among the States during each fiscal year on the same basis as apportionments are made under section 4 of the National School Lunch Act, as amended, for supplying agricultural and other foods, except that apportionment to American Samoa for any fiscal year shall be on the same basis as the apportionment to the other States. Payments to any State of funds apportioned for any fiscal year shall be made upon condition that at least one-fourth of the cost of any equipment financed under this subsection shall be borne by State or local funds.

76 Stat. 944.  
42 USC 1753.

## STATE DISBURSEMENT TO SCHOOLS

(c) Funds apportioned and paid to any State for the purpose of this section shall be disbursed by the State educational agency to as-

sist schools, which draw attendance from areas in which poor economic conditions exist and which have no, or grossly inadequate, equipment, to conduct a school food service program, and to acquire such equipment. In the selection of schools to receive assistance under this section, the State educational agency shall require applicant schools to provide justification of the need for such assistance and the inability of the school to finance the food service equipment needed. Disbursements to any school may be made, by advances or reimbursements, only after approval by the State educational agency of a request by the school for funds, accompanied by a detailed description of the equipment to be acquired and the plans for the use thereof in effectively meeting the nutritional needs of children in the school.

#### NONPROFIT PRIVATE SCHOOLS

(d) The withholding of funds for and disbursement to nonprofit private schools will be effected in accordance with section 10 of the National School Lunch Act, as amended, exclusive of the matching provision thereof.

60 Stat. 233;  
76 Stat. 945.  
42 USC 1759.

#### PAYMENTS TO STATES

SEC. 6. The Secretary shall certify to the Secretary of the Treasury from time to time the amounts to be paid to any State under sections 3 through 7 of this Act and the time or times such amounts are to be paid; and the Secretary of the Treasury shall pay to the State at the time or times fixed by the Secretary the amounts so certified.

#### STATE ADMINISTRATIVE EXPENSES

SEC. 7. The Secretary may utilize funds appropriated under this section for advances to each State educational agency for use for its administrative expenses in supervising and giving technical assistance to the local school districts in their conducting of programs under this Act. Such funds shall be advanced only in amounts and to the extent determined necessary by the Secretary to assist such State agencies in the administration of additional activities undertaken by them under section 11 of the National School Lunch Act, as amended, and sections 4 and 5 of this Act. There are hereby authorized to be appropriated such sums as may be necessary for the purposes of this section.

42 USC 1759a.

#### UTILIZATION OF FOODS

SEC. 8. Each school participating under section 4 of this Act shall, insofar as practicable, utilize in its program foods designated from time to time by the Secretary as being in abundance, either nationally or in the school area, or foods donated by the Secretary. Foods available under section 416 of the Agricultural Act of 1949 (63 Stat. 1058), as amended, or purchased under section 32 of the Act of August 24, 1935 (49 Stat. 774), as amended, or section 709 of the Food and Agriculture Act of 1965 (79 Stat. 1212), may be donated by the Secretary to schools, in accordance with the needs as determined by local school authorities, for utilization in their feeding programs under this Act.

68 Stat. 458.  
7 USC 1431.  
7 USC 612c.  
7 USC 1446a-1.

#### NONPROFIT PROGRAMS

SEC. 9. The food and milk service programs in schools and nonprofit institutions receiving assistance under this Act shall be conducted on a nonprofit basis.

## REGULATIONS

SEC. 10. The Secretary shall prescribe such regulations as he may deem necessary to carry out this Act.

## PROHIBITIONS

SEC. 11. (a) In carrying out the provisions of sections 3 through 5 of this Act, neither the Secretary nor the State shall impose any requirements with respect to teaching personnel, curriculum, instruction, methods of instruction, and materials of instruction.

(b) The value of assistance to children under this Act shall not be considered to be income or resources for any purpose under any Federal or State laws including, but not limited to, laws relating to taxation, welfare, and public assistance programs. Expenditures of funds from State and local sources for the maintenance of food programs for children shall not be diminished as a result of funds received under this Act.

## PRESCHOOL PROGRAMS

SEC. 12. The Secretary may extend the benefits of all school feeding programs conducted and supervised by the Department of Agriculture to include preschool programs operated as part of the school system.

## CENTRALIZATION OF ADMINISTRATION

SEC. 13. Authority for the conduct and supervision of Federal programs to assist schools in providing food service programs for children is assigned to the Department of Agriculture. To the extent practicable, other Federal agencies administering programs under which funds are to be provided to schools for such assistance shall transfer such funds to the Department of Agriculture for distribution through the administrative channels and in accordance with the standards established under this Act and the National School Lunch Act.

SEC. 14. There is hereby authorized to be appropriated for any fiscal year such sums as may be necessary to the Secretary for his administrative expense under this Act.

Appropriation.

## MISCELLANEOUS PROVISIONS AND DEFINITIONS

SEC. 15. For the purposes of this Act—

(a) "State" means any of the fifty States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, or American Samoa.

(b) "State educational agency" means, as the State legislature may determine, (1) the chief State school officer (such as the State superintendent of public instruction, commissioner of education, or similar officer), or (2) a board of education controlling the State department of education.

(c) "Nonprofit private school" means any private school exempt from income tax under section 501(c)(3) of the Internal Revenue Code of 1954.

(d) "School" means any public or nonprofit private school of high school grade or under, including kindergarten and preschool programs operated by such school and, with respect to Puerto Rico, shall also include nonprofit child-care centers certified as such by the Governor of Puerto Rico.

(e) "Secretary" means the Secretary of Agriculture.

68A Stat. 163.

## ACCOUNTS AND RECORDS

SEC. 16. States, State educational agencies, schools, and nonprofit institutions participating in programs under this Act shall keep such accounts and records as may be necessary to enable the Secretary to determine whether there has been compliance with this Act and the regulations hereunder. Such accounts and records shall at all times be available for inspection and audit by representatives of the Secretary and shall be preserved for such period of time, not in excess of three years, as the Secretary determines is necessary.

Approved October 11, 1966, 6:06 p.m.

## Public Law 89-643

## AN ACT

October 13, 1966  
[S. 3080]

To amend section 8 of the Revised Organic Act of the Virgin Islands to increase the special revenue bond borrowing authority, and for other purposes.

Virgin Islands.  
Bond borrowing  
authority, in-  
crease.  
72 Stat. 1095;  
77 Stat. 335.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 8(b) (i) of the Revised Organic Act of the Virgin Islands, as amended (68 Stat. 497, 500; 48 U.S.C. 1574(b)), is amended as follows:

(a) Delete "(1)" and delete "and (2) for the establishment, construction, operation, maintenance, reconstruction, improvement, or enlargement of other projects, authorized by an Act of the legislature, which will, in the legislature's judgment, promote the public interest by economic development of the Virgin Islands."

(b) Delete "\$10,000,000" and substitute therefor "\$30,000,000, exclusive of all bonds or obligations which are held by the Government of the United States as a result of a sale of real or personal property to the government of the Virgin Islands. Not to exceed \$10,000,000 of such bonds or obligations may be outstanding at any one time for public improvements or public undertakings other than water or power projects."

(c) Delete the word "specific" wherever it appears in the first and second sentences.

(d) Delete in the fifth sentence the words "shall be redeemable after five years without premium" and substitute therefor the following: "may be redeemable (either with or without premium) or nonredeemable".

Approved October 13, 1966.

Limitations.

## Public Law 89-644

## AN ACT

October 13, 1966  
[H. R. 10860]

To amend the Connally Hot Oil Act by exempting States from certain provisions thereof.

Hot Oil Act,  
amendment.  
Definition of  
"contraband oil."

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 2 of the Act of February 22, 1935, as amended (49 Stat. 30; 15 U.S.C. 715a), commonly referred to as the Connally Hot Oil Act, is amended by striking out the period at the end of paragraph (1) of such section and inserting in lieu thereof a comma and the following: "except petroleum or any of its constituent parts, title to which has been acquired by a State pursuant to its laws."

Approved October 13, 1966.

## Public Law 89-645

## AN ACT

To amend the Atomic Energy Act of 1954, as amended.

October 13, 1966  
[S. 3830]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 11 of the Atomic Energy Act of 1954, as amended, is amended—

Atomic Energy  
Act of 1954,  
amendment.  
68 Stat. 922;  
71 Stat. 576.  
42 USC 2014.

(1) by redesignating subsections j. and k. as subsections k. and l., respectively, and by redesignating subsections l. through aa. as subsections n. through cc., respectively;

(2) by inserting after subsection i. the following new subsection:

“j. The term ‘extraordinary nuclear occurrence’ means any event causing a discharge or dispersal of source, special nuclear, or byproduct material from its intended place of confinement in amounts offsite, or causing radiation levels offsite, which the Commission determines to be substantial, and which the Commission determines has resulted or will probably result in substantial damages to persons offsite or property offsite. Any determination by the Commission that such an event has, or has not, occurred shall be final and conclusive, and no other official or any court shall have power or jurisdiction to review any such determination. The Commission shall establish criteria in writing setting forth the basis upon which such determination shall be made. As used in this subsection, ‘offsite’ means away from ‘the location’ or ‘the contract location’ as defined in the applicable Commission indemnity agreement, entered into pursuant to section 170.”;

Definitions.

(3) by inserting after the subsection redesignated as subsection l. by paragraph (1) of this subsection the following new subsection:

“m. The term ‘indemnitor’ means (1) any insurer with respect to his obligations under a policy of insurance furnished as proof of financial protection; (2) any licensee, contractor or other person who is obligated under any other form of financial protection, with respect to such obligations; and (3) the Commission with respect to any obligation undertaken by it in an indemnity agreement entered into pursuant to section 170.”; and

(4) by inserting the phrase “, including an extraordinary nuclear occurrence,” between the word “occurrence” and the word “within” in the subsection redesignated as subsection q. by paragraph (1) of this section.

(b) Section 109 of such Act is amended by striking out “subsection 11 t. (2) or 11 aa. (2)” and inserting in lieu thereof “subsection 11 v. (2) or 11 cc. (2)”.

76 Stat. 411.  
42 USC 2139.

SEC. 2. Subsection 170 e. of the Atomic Energy Act of 1954, as amended, is amended by deleting the last sentence.

76 Stat. 410.  
42 USC 2210.  
71 Stat. 576.

SEC. 3. Section 170 of the Atomic Energy Act of 1954, as amended, is amended by adding at the end thereof the following new subsections:

“m. The Commission is authorized to enter into agreements with other indemnitors to establish coordinated procedures for the prompt handling, investigation, and settlement of claims for public liability. The Commission and other indemnitors may make payments to, or for the aid of, claimants for the purpose of providing immediate assistance following a nuclear incident. Any funds appropriated to the Commission shall be available for such payments. Such payments may be made without securing releases, shall not constitute an admission of the liability of any person indemnified or of any indemnitor, and shall operate as a satisfaction to the extent thereof of any final settlement or judgment.

Emergency as-  
sistance pay-  
ments.

Waiver of defenses.

"n. (1) With respect to any extraordinary nuclear occurrence to which an insurance policy or contract furnished as proof of financial protection or an indemnity agreement applies and which—

"(a) arises out of or results from or occurs in the course of the construction, possession, or operation of a production or utilization facility, or

"(b) arises out of or results from or occurs in the course of transportation of source material, byproduct material, or special nuclear material to or from a production or utilization facility, or

"(c) during the course of the contract activity arises out of or results from the possession, operation, or use by a Commission contractor or subcontractor of a device utilizing special nuclear material or byproduct material,

the Commission may incorporate provisions in indemnity agreements with licensees and contractors under this section, and may require provisions to be incorporated in insurance policies or contracts furnished as proof of financial protection, which waive (i) any issue or defense as to conduct of the claimant or fault of persons indemnified, (ii) any issue or defense as to charitable or governmental immunity, and (iii) any issue or defense based on any statute of limitations if suit is instituted within three years from the date on which the claimant first knew, or reasonably could have known, of his injury or damage and the cause thereof, but in no event more than ten years after the date of the nuclear incident. The waiver of any such issue or defense shall be effective regardless of whether such issue or defense may otherwise be deemed jurisdictional or relating to an element in the cause of action. When so incorporated, such waivers shall be judicially enforceable in accordance with their terms by the claimant against the person indemnified. Such waivers shall not preclude a defense based upon a failure to take reasonable steps to mitigate damages, nor shall such waivers apply to injury or damage to a claimant or to a claimant's property which is intentionally sustained by the claimant or which results from a nuclear incident intentionally and wrongfully caused by the claimant. The waivers authorized in this subsection shall, as to indemnitors, be effective only with respect to those obligations set forth in the insurance policies or the contracts furnished as proof of financial protection and in the indemnity agreements. Such waivers shall not apply to, or prejudice the prosecution or defense of, any claim or portion of claim which is not within the protection afforded under (i) the terms of insurance policies or contracts furnished as proof of financial protection, or indemnity agreements, and (ii) the limit of liability provisions of subsection 170 e.

"(2) With respect to any public liability action arising out of or resulting from an extraordinary nuclear occurrence, the United States district court in the district where the extraordinary nuclear occurrence takes place, or in the case of an extraordinary nuclear occurrence taking place outside the United States, the United States District Court for the District of Columbia, shall have original jurisdiction without regard to the citizenship of any party or the amount in controversy. Upon motion of the defendant or of the Commission, any such action pending in any State court or United States district court shall be removed or transferred to the United States district court having venue under this subsection. Process of such district court shall be effective throughout the United States.

"o. Whenever the United States district court in the district where a nuclear incident occurs, or the United States District Court for the District of Columbia in case of a nuclear incident occurring outside the United States, determines upon the petition of any indemnitor or

76 Stat. 410.  
42 USC 2210.

Allocation of funds.

other interested person that public liability from a single nuclear incident may exceed the limit of liability under subsection 170 e.:

76 Stat. 410.  
42 USC 2210.

"(1) Total payments made by or for all indemnitors as a result of such nuclear incident shall not exceed 15 per centum of such limit of liability without the prior approval of such court;

"(2) The court shall not authorize payments in excess of 15 per centum of such limit of liability unless the court determines that such payments are or will be in accordance with a plan of distribution which has been approved by the court or such payments are not likely to prejudice the subsequent adoption and implementation by the court of a plan of distribution pursuant to subparagraph (3) of this subsection (o); and

"(3) The Commission shall, and any other indemnitor or other interested person may, submit to such district court a plan for the disposition of pending claims and for the distribution of remaining funds available. Such a plan shall include an allocation of appropriate amounts for personal injury claims, property damage claims, and possible latent injury claims which may not be discovered until a later time. Such court shall have all power necessary to approve, disapprove, or modify plans proposed, or to adopt another plan; and to determine the proportionate share of funds available for each claimant. The Commission, any other indemnitor, and any person indemnified shall be entitled to such orders as may be appropriate to implement and enforce the provisions of this section, including orders limiting the liability of the persons indemnified, orders approving or modifying the plan, orders staying the payment of claims and the execution of court judgments, orders apportioning the payments to be made to claimants, and orders permitting partial payments to be made before final determination of the total claims. The orders of such court shall be effective throughout the United States."

Approved October 13, 1966.

## Public Law 89-646

### JOINT RESOLUTION

To amend the joint resolution providing for membership of the United States in the Pan American Institute of Geography and History and to authorize appropriations therefor.

October 13, 1966  
[S. J. Res. 108]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That Public Resolution 42, Seventy-fourth Congress, approved August 2, 1935 (22 U.S.C. 273), is amended to read as follows: "That in order to meet the obligations of the United States as a member of the Pan American Institute of Geography and History, there are authorized to be appropriated to the Department of State—

Pan American  
Institute of  
Geography and  
History.  
Appropriation  
authorization.  
68 Stat. 1008.

"(1) such sums, not to exceed \$90,300 annually, as may be required for the payment by the United States of its share of the expenses of the Institute, as apportioned in accordance with the statutes of the Institute; and

"(2) such additional sums as may be needed annually for the payment of all necessary expenses incident to participation by the United States in the activities of the Institute."

Approved October 13, 1966.

## Public Law 89-647

## AN ACT

To amend the Federal Airport Act to extend the time for making grants thereunder, and for other purposes.

October 13, 1966  
[S. 3096]

Federal Airport  
Act, amendment.  
75 Stat. 524;  
78 Stat. 159.  
State projects.

60 Stat. 177.  
49 USC 1111.

Hawaii, Puerto  
Rico, and Virgin  
Islands.

General aviation  
airports.

75 Stat. 524;  
78 Stat. 160.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 5(d) of the Federal Airport Act (49 U.S.C. 1104(d)) is amended by adding at the end thereof the following new paragraphs:

“(7) For the purpose of carrying out this Act in the several States, in addition to other amounts authorized by this Act, appropriations amounting in the aggregate to \$199,500,000 are hereby authorized to be made to the Administrator over a period of three fiscal years, beginning with the fiscal year ending June 30, 1968. Of amounts appropriated under this paragraph, \$66,500,000 shall become available for obligation, by the execution of grant agreements pursuant to section 12, beginning July 1 of each of the fiscal years ending June 30, 1968, June 30, 1969, and June 30, 1970, and shall continue to be so available until expended.

“(8) For the purpose of carrying out this Act in Hawaii, Puerto Rico, and the Virgin Islands, in addition to other amounts authorized by this Act, appropriations amounting in the aggregate to \$4,500,000 are hereby authorized to be made to the Administrator over a period of three fiscal years, beginning with the fiscal year ending June 30, 1968. Of amounts appropriated under this paragraph, \$1,500,000 shall become available for obligation, by the execution of grant agreements pursuant to section 12, beginning July 1 of each of the fiscal years ending June 30, 1968, June 30, 1969, and June 30, 1970, and shall continue to be so available until expended. Of each such amount, 40 per centum shall be available for Hawaii, 40 per centum shall be available for Puerto Rico, and 20 per centum shall be available for the Virgin Islands.

“(9) For the purpose of developing, in the several States, airports the primary purpose of which is to serve general aviation and to relieve congestion at airports having high density of traffic serving other segments of aviation, in addition to other amounts authorized by this Act for such purpose, appropriations amounting in the aggregate to \$21,000,000 are hereby authorized to be made to the Administrator over a period of three fiscal years, beginning with the fiscal year ending June 30, 1968. Of amounts appropriated under this paragraph, \$7,000,000 shall become available for obligation, by the execution of grant agreements pursuant to section 12, beginning July 1 of each of the fiscal years ending June 30, 1968, June 30, 1969, and June 30, 1970, and shall continue to be so available until expended.”

SEC. 2. (a) Section 6(a) of such Act (49 U.S.C. 1105(a)) is amended by striking out “or 5(d) (4)” in the first sentence and inserting “5(d) (4) or 5(d) (7)”.

(b) Section 6(b) (1) of such Act (49 U.S.C. 1105(b) (1)) is amended by striking out “and 5(d) (4)” and inserting in lieu thereof “5(d) (4) and 5(d) (7)” and by striking out “and 5(d) (6)” and inserting in lieu thereof “5(d) (6) and 5(d) (9)”.

Approved October 13, 1966.

## Public Law 89-648

## AN ACT

October 13, 1966  
[S. 3807]

To amend Public Law 89-428 to authorize the Atomic Energy Commission to enter into a cooperative arrangement for a large-scale combination nuclear power-desalting project, and appropriations therefor, in accordance with section 261 of the Atomic Energy Act of 1954, as amended.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Public Law 89-428 is hereby amended by adding a new section as follows:

Nuclear power-desalting project.  
Ante, p. 162.

“SEC. 108. LARGE-SCALE COMBINATION NUCLEAR POWER-DESALTING PROJECT.—The Commission is hereby authorized to enter into a cooperative arrangement, in association with the Department of the Interior, with the Metropolitan Water District of Southern California, with privately, publicly, or cooperatively owned utilities, or others, for participation in a large-scale nuclear power-desalting project involving the development, design, construction, and operation of a desalting plant, back pressure turbine, and a nuclear powerplant or plants that will also be utilized for the generation of electric energy, in accordance with the basis for an arrangement described in the program justification data submitted by the Commission in support of this authorization for fiscal year 1967 without regard to the provisions of section 169 of the Atomic Energy Act of 1954, as amended: *Provided further,* That appropriations in the amount of \$15,000,000 are hereby authorized for the Commission’s participation in this project; and the Commission’s cooperative assistance shall pertain to the dual-purpose aspects of the project; the siting and related design of the plants; and the coupling of the desalting plant with the back pressure turbine and the nuclear powerplants; or to other aspects of the project pertaining to interrelationship of nuclear power and desalting.”

68 Stat. 952.  
42 USC 2209.

Approved October 13, 1966.

## Public Law 89-649

## AN ACT

October 13, 1966  
[S. 2434]

To clarify authorization for the approval by the Administrator of the Federal Aviation Agency of the lease of a portion of certain real property conveyed to the city of Clarinda, Iowa, for airport purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding section 16 of the Federal Airport Act, the Administrator of the Federal Aviation Agency is authorized, subject to the provisions of section 4 of the Act of October 1, 1949 (50 App. U.S.C. 1622c), to grant releases from any of the terms, conditions, reservations, and restrictions contained in the deed of conveyance dated March 26, 1947, under which the United States conveyed certain property to the city of Clarinda, Iowa, for airport purposes.

60 Stat. 179.  
49 USC 1115.

63 Stat. 700.

Approved October 13, 1966.

## Public Law 89-650

## AN ACT

October 13, 1966  
[H. R. 9916]

To amend title 10, United States Code, with respect to the nomination and selection of candidates for appointment to the Military, Naval, and Air Force Academies, and for other purposes.

Armed Forces,  
Military, Naval,  
and Air Force  
Academies, ap-  
pointment.  
70A Stat. 429;  
78 Stat. 148, 151.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That title 10, United States Code, is amended as follows:

(1) Sections 4342(a)(1), 6954(a)(1), and 9342(a)(1) are each amended as follows:

(A) By inserting “, or have a service-connected disability rated at not less than 100 per centum resulting from,” after “died of”, and by striking out “active service” and all that follows through “1955” and inserting in lieu thereof “active service.”

(B) By inserting “or disability, and the percentage at which the disability is rated,” after “death” in the last sentence thereof.

(2) Sections 4342(a)(2), 6954(a)(2), and 9342(a)(2) are each amended by inserting before the period at the end thereof “or, if there is no Vice President, by the President pro tempore of the Senate”.

(3) Sections 4342(b)(1), 6954(b)(1), and 9342(b)(1) are each amended to read as follows:

“(1) one hundred selected by the President from the sons of members of an armed force who—

“(A) are on active duty (other than for training) and who have served continuously on active duty for at least eight years;

“(B) are, or who died while they were, retired with pay or granted retired or retainer pay, other than those granted retired pay under section 1331 of this title;

however, a person who is eligible for selection under clause (1) of subsection (a) may not be selected under this clause.”

(4) Section 4342(b)(3) is amended by striking out “the Army Reserve” and inserting in place thereof “reserve components of the Army”.

(5) Section 9342(b)(3) is amended by striking out “the Air Force Reserve” and inserting in place thereof “reserve components of the Air Force”.

70A Stat. 102;  
72 Stat. 702,  
1564.

Alternates.

SEC. 2. Notwithstanding any other provision of law, none of the additional appointments authorized in sections 4342(b)(1), 6954(b)(1) and 9342(b)(1) as provided by this Act shall serve to reduce or diminish the number of qualified alternates from congressional sources who would otherwise be appointed by the appropriate service Secretary under the authority contained in sections 4343, 6956, and 9343 of title 10, United States Code.

70A Stat. 430;  
78 Stat. 150, 153.

Approved October 13, 1966.

Public Law 89-651

AN ACT

October 14, 1966  
[H. R. 8664]

To implement the Agreement on the Importation of Educational, Scientific, and Cultural Materials, opened for signature at Lake Success on November 22, 1950, and for other purposes.

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

Educational,  
Scientific and  
Cultural Mate-  
rial Importation  
Act of 1966.

SECTION 1. SHORT TITLE, ETC.

(a) SHORT TITLE.—This Act may be cited as the “Educational, Scientific, and Cultural Materials Importation Act of 1966”.

(b) PURPOSE.—The purpose of this Act is to enable the United States to give effect to the Agreement on the Importation of Educational, Scientific and Cultural Materials, opened for signature at Lake Success on November 22, 1950, with a view to contributing to the cause of peace through the freer exchange of ideas and knowledge across national boundaries.

(c) AMENDMENT OF TARIFF SCHEDULES.—Whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, an item or other provision, the reference shall be considered to be made to an item or other provision of the Tariff Schedules of the United States (19 U.S.C., sec. 1202).

77A Stat. 3.

SEC. 2. EFFECTIVE DATE.

This Act shall become effective with respect to articles entered, or withdrawn from warehouse, for consumption on or after a date to be proclaimed by the President, which date shall be within a period of three months after the date on which the United States instrument of ratification of the Agreement on the Importation of Educational, Scientific and Cultural Materials shall have been deposited with the Secretary-General of the United Nations.

SEC. 3. BOOKS, PAMPHLETS, AND OTHER PRINTED AND MANUSCRIPT MATERIAL.

(a) Books.—

(1) Schedule 2, part 5, is amended—

77A Stat. 109.

(A) by striking out items 270.15 to 270.40, inclusive, and inserting in lieu thereof the following:

“ 270.25 | Books not specially provided for..... | Free | Free | ”

(B) by striking out the article description immediately preceding item 270.45 and inserting in lieu thereof “Printed catalogs relating chiefly to current offers for the sale of United States products:”

(C) by striking out the item numbers and the article descriptions in items 274.75 to 274.90, inclusive, and the article descriptions preceding items 274.75 and 274.85, and inserting in lieu thereof the following:

“Printed matter not specially provided for:

274.73 Suitable for use in the production of such books as would themselves be free of duty . . . . .

Other:

Printed on paper in whole or in part by a lithographic process:

274.75 Not over 0.020 inch thick . . . . .

274.80 Over 0.020 inch thick . . . . .

Other:

274.85 Susceptible of authorship . . . . .

274.90 Other . . . . .”

(D) by inserting “Free” in each of the rate columns in item 274.73, added by subparagraph (C).

77A Stat. 374.  
19 USC 1202.

(2) Item 737.52 is amended to read as follows:

737.52	Toy books, including coloring books and books the only reading matter in which consists of letters, numerals, or descriptive words.....	Free	Free	
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(b) PERIODICALS.—Schedule 2, part 5, is amended by striking out items 270.60 and 270.65 and the article description immediately preceding item 270.60 and inserting in lieu thereof the following:

270.63	Periodicals.....	Free	Free	
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(c) TOURIST LITERATURE, ETC.—The article description in item 270.70 is amended to read as follows: "Tourist and other literature (including posters), containing geographic, historical, hotel, institutional, time-table, travel, or similar information, chiefly with respect to places, travel facilities, or educational opportunities outside the customs territory of the United States".

(d) MUSIC IN BOOKS OR SHEETS.—Schedule 2, part 5, is amended by striking out items 273.05 to 273.20, inclusive, and the article descriptions immediately preceding items 273.05 and 273.15, and inserting in lieu thereof the following:

273.10	Music in books or sheets.....	Free	Free	
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(e) MAPS, ATLASES, AND CHARTS.—Schedule 2, part 5, is amended—

(1) by striking out item 273.25 and the article description immediately preceding it,

(2) by striking out the item number and article description in item 273.30 and inserting in lieu thereof "273.30 | Printed globes", and

(3) by striking out items 273.35 and 273.40 and the article description immediately preceding item 273.35 and inserting in lieu thereof the following:

273.35	Maps, atlases, and charts (except tourist and other literature provided for in item 270.70).....	Free	Free	
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**SEC. 4. WORKS OF ART; ANTIQUES.**

77A Stat. 389.

(a) PAINTINGS, ETC.—Schedule 7, part 11, subpart A, is amended by striking out items 765.05 and 765.07 and the article description immediately preceding item 765.05 and inserting in lieu thereof the following:

765.03	Paintings, pastels, drawings, and sketches, all the foregoing, whether or not originals, executed wholly by hand.....	Free	Free	
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(b) ANTIQUES.—Schedule 7, part 11, subpart B, is amended by striking out so much of the article description immediately preceding item 766.20 as precedes "all the foregoing" and inserting in lieu thereof "Ethnographic objects made in traditional aboriginal styles and made at least 50 years prior to their date of entry; and other antiques made prior to 100 years before their date of entry;"

**SEC. 5. DOCUMENTS OF FOREIGN GOVERNMENTS AND INTERNATIONAL ORGANIZATIONS.**

77A Stat. 418.

The article description in item 840.00 is amended—

- (1) by inserting "(including exposed and developed motion picture and other films, recorded video tapes, and sound recordings)" immediately after "documents", and
- (2) by striking out "wholly" and inserting in lieu thereof "essentially".

**SEC. 6. CERTAIN ARTICLES IMPORTED BY EDUCATIONAL, SCIENTIFIC, AND OTHER SPECIFIED INSTITUTIONS.**

(a) GENERAL.—Schedule 8, part 4, is amended—

(1) by striking out "plans" in headnote 3 and inserting in lieu thereof "plans, and reproductions thereof,"

77A Stat. 420.  
19 USC 1202.

(2) by striking out "institution established solely" in the article description immediately preceding item 851.10 and inserting in lieu thereof "nonprofit institution established", and

(3) by striking out so much of the article description in item 851.10 as precedes "all the foregoing" and inserting in lieu thereof "Drawings and plans, reproductions thereof, engravings, etchings, lithographs, woodcuts, globes, sound recordings, recorded video tapes, and photographic and other prints,".

(b) PATTERNS AND MODELS.—The article description in item 851.50 is amended to read as follows: "Patterns and models exclusively for exhibition or educational use at any such institution".

(c) SCIENTIFIC INSTRUMENTS AND APPARATUS.—Schedule 8, part 4, is amended—

(1) by inserting after item 851.50 the following:

	Articles entered for the use of any nonprofit institution, whether public or private, established for educational or scientific purposes:		
851.60	Instruments and apparatus, if no instrument or apparatus of equivalent scientific value for the purposes for which the instrument or apparatus is intended to be used is being manufactured in the United States (see headnote 6 to this part)...	Free	Free
851.65	Repair components for instruments or apparatus admitted under item 851.60 .....	Free	Free

(2) by striking out headnote 1 and inserting in lieu thereof the following:

"1. Except as provided in items 850.50 and 852.20, or as otherwise provided for in this headnote, the articles covered by this part must be exclusively for the use of the institutions involved, and not for distribution, sale, or other commercial use within 5 years after being entered. Articles admitted under any items in this part may be transferred from an institution specified with respect to such articles to another such institution, or may be exported or destroyed under customs supervision, without duty liability being incurred. However, if any such article (other than an article provided for in item 850.50 or 852.20) is transferred other than as provided by the preceding sentence, or is used for commercial purposes, within 5 years after being entered, the institution for which such article was entered shall promptly notify customs officers at the port of entry and shall be liable for the payment of duty on such article in an amount determined on the basis of its condition as imported and the rate applicable to it (determined without regard to this part) when entered. If, with a view to a transfer (other than a transfer permitted by the second sentence) or the use for commercial purposes of an instrument or apparatus, a repair component admitted under item 851.65 has been assembled into such instrument or apparatus, such component shall, for purposes of the preceding sentence, be treated as a separate article."

(3) by inserting the following headnote immediately after headnote 5:

"6. (a) The term 'instruments and apparatus' (item 851.60) embraces only instruments and apparatus provided for in—

"Instruments and apparatus."

"(i) schedule 5: items 535.21–27 and subpart E of part 2; and items 547.53 and 547.55 and subpart D of part 3;

77A Stat. 242,  
250,  
77A Stat. 308.

"(ii) schedule 6: subpart G of part 3; subparts A and F and items 676.15, 676.20, and 678.50 of part 4; part 5; and items 694.15, 694.50, and 696.60 of part 6; and

"(iii) schedule 7: part 2 (except subpart G); and items 790.59–.62 of subpart A of part 13;

77A Stat. 339,  
398.

but the term does not include materials or supplies, nor does it include ordinary equipment for use in building construction or maintenance or

for use in supporting activities of the institution such as its administrative offices or its eating or religious facilities.

*Ante*, p. 899.

“(b) An institution desiring to enter an article under item 851.60 shall make application therefor to the Secretary of the Treasury including therein (in addition to such other information as may be prescribed by regulation) a description of the article, the purposes for which the instrument or apparatus is intended to be used, the basis for the institution’s belief that no instrument or apparatus of equivalent scientific value for such purposes is being manufactured in the United States, and a statement that either the institution has already placed a bona fide order for the instrument or apparatus or has a firm intention, in the event of favorable action on its application, to place such an order on or before the final day specified in paragraph (d) of this headnote for the placing of an order. If the application is made in accordance with the applicable regulations, the Secretary of the Treasury shall promptly forward copies thereof to the Secretary of Commerce and to the Secretary of Health, Education, and Welfare. If, at any time while its application is under consideration by the Secretary of Commerce or by the Court of Customs and Patent Appeals on appeal from a finding by him, an institution cancels an order for the instrument or apparatus to which its application relates or ceases to have a firm intention to order such instrument or apparatus, it shall promptly so notify the Secretary of Commerce or such Court, as the case may be.

Publication in  
Federal Register.

“(c) Upon receipt of the application the Secretary of Commerce shall, by publication in the Federal Register, afford interested persons and other Government agencies reasonable opportunity to present their views with respect to the question whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. After considering any views presented pursuant to this paragraph, including any written advice from the Secretary of Health, Education, and Welfare, the Secretary of Commerce shall determine whether an instrument or apparatus of equivalent scientific value to such article, for the purposes for which the instrument or apparatus is intended to be used, is being manufactured in the United States. Each finding by the Secretary of Commerce under this paragraph shall be promptly reported to the Secretary of the Treasury and to the applicant institution. Each such finding shall be published in the Federal Register, with a statement of the reasons therefor, on or before the ninetieth day following the date on which the application was made to the Secretary of the Treasury in accordance with applicable regulations.

“(d) Item 851.60 shall not apply with respect to any instrument or apparatus unless a bona fide order therefor has been placed, by the institution making the application under this headnote, on or before the sixtieth day following the day on which a finding of the Secretary of Commerce favorable to the institution has become final and conclusive.

“(e) Within 20 days after the publication in the Federal Register of a finding by the Secretary of Commerce under paragraph (c) of this headnote, an appeal may be taken from said finding only upon a question or questions of law and only to the United States Court of Customs and Patent Appeals—

“(i) by the institution which made the application under paragraph (b) of this headnote,

“(ii) by a person who, in the proceeding which led to such finding, represented to the Secretary of Commerce in writing that he manufactures in the United States an instrument or apparatus

of equivalent scientific value for the purposes for which the article to which the application relates is intended to be used,

“(iii) by the importer thereof, if the article to which the application relates has been entered at the time the appeal is taken, or

“(iv) by an agent of any of the foregoing.

Any appeal under this paragraph shall receive a preference over all other matters before the Court and shall be heard and determined as expeditiously as the Court considers to be practicable. The judgment of the Court shall be final.

“(f) The Secretary of the Treasury and the Secretary of Commerce may prescribe joint regulations to carry out their functions under this headnote.”, and

(4) by striking out “and electron microscopes,” in item 854.10.

77A Stat. 420.  
19 USC 1202.

**SEC. 7. SCIENTIFIC SPECIMENS.**

Schedule 8 is amended by striking out item 852.10 and the article description immediately preceding it, and by inserting after item 870.25 the following new item :

“ 870.27	Specimens of archeology, mineralogy, or natural history (including specimens of botany or zoology other than live zoological specimens) imported for any public or private scientific collection for exhibition or other educational or scientific use, and not for sale or other commercial use.....	Free	Free	”
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**SEC. 8. CONFORMING AMENDMENTS.**

(a) **PRINTED AND MANUSCRIPT MATERIAL.**—The title of schedule 2, part 5, is amended to read as follows:

77A Stat. 109.

**“PART 5.—BOOKS, PAMPHLETS, AND OTHER PRINTED AND MANUSCRIPT MATERIAL”.**

(b) **SPECIAL CLASSIFICATION PROVISIONS.**—Schedule 8 is amended—

(1) by striking out “items 806.10, 806.20,” in headnote 2 to part 1, subpart B, and inserting “items 806.20” in lieu thereof,

(2) by striking out item 806.10,

(3) by striking out so much of the article description in item 830.00 as precedes “and exposed photographic films” and inserting in lieu thereof “Engravings, etchings, photographic prints, whether bound or unbound, recorded video tapes,”

(4) by inserting “and recorded video tapes” after “recordings” in item 831.00, and

(5) by striking out so much of the article description in item 850.10 as precedes “all the foregoing” and inserting in lieu thereof “Drawings, engravings, etchings, lithographs, woodcuts, sound recordings, recorded video tapes, and photographic and other prints.”

(c) **JURISDICTION AND PROCEDURE OF COURT OF CUSTOMS AND PATENT APPEALS.**—

(1) Chapter 93 of title 28, United States Code, is amended by adding after section 1543 the following new section:

62 Stat. 942.  
28 USC 1541-1543.

**“§ 1544. Certain findings by Secretary of Commerce**

“The Court of Customs and Patent Appeals shall have jurisdiction to review, by appeal on questions of law only, findings of the Secretary of Commerce under headnote 6 to schedule 8, part 4, of the Tariff Schedules of the United States (relating to importation of instruments or apparatus).”

Ante, p. 899.

(2) The table of sections at the beginning of such chapter is amended by adding at the end thereof the following:

"1544. Certain findings by Secretary of Commerce."

62 Stat. 980.

(3) Section 2602 of title 28, United States Code, is amended by adding at the end thereof the following new sentence: "Appeals from findings by the Secretary of Commerce provided for in headnote 6 to schedule 8, part 4, of the Tariff Schedules of the United States (19 U.S.C., sec. 1202) shall be given the precedence provided for in such headnote."

Ante, p. 899.

**SEC. 9. TARIFF ADJUSTMENT AND OTHER ADJUSTMENT ASSISTANCE.**

Any duty-free treatment provided for in this Act shall, for purposes of title III of the Trade Expansion Act of 1962 (76 Stat. 883; 19 U.S.C., secs. 1901 to 1991), be treated as a concession granted under a trade agreement: *Provided*, That any action taken pursuant to section 351 of such Act as the result of this section shall be consistent with obligations of the United States under trade agreements.

Approved October 14, 1966.

Public Law 89-652

AN ACT

October 14, 1966  
[H. R. 5297]

To amend title 10, United States Code, to limit the revocation of retired pay of members of the armed forces, and for other purposes.

Armed Forces.  
Revocation of  
retired pay, limi-  
tation.  
70A Stat. 102.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 1331 of title 10, United States Code, is amended by adding the following new subsection at the end thereof:

"(d) The Secretary concerned shall provide for notifying each person who has completed the years of service required for eligibility for retired pay under this chapter. The notice must be sent, in writing, to the person concerned within one year after he has completed that service."

10 USC 1401-  
1405.

**SEC. 2.** Chapter 71 of title 10, United States Code, is amended as follows:

(1) By adding the following new section at the end thereof:

**"§ 1406. Limitations on revocation of retired pay**

10 USC 1331-  
1337.

"After a person has been granted retired pay under chapter 67 of this title, or has been notified in accordance with section 1331(d) of this title that he has completed the years of service required for eligibility for retired pay under chapter 67 of this title, the person's eligibility for retired pay may not be denied or revoked on the basis of any error, miscalculation, misinformation, or administrative determination of years of service performed as required by section 1331 (a) (2) of this title, unless it resulted directly from the fraud or misrepresentation of the person. The number of years of creditable service upon which retired pay is computed may be adjusted to correct any error, miscalculation, misinformation, or administrative determination and when such a correction is made the person is entitled to retired pay in accordance with the number of years of creditable service, as corrected, from the date he is granted retired pay."; and

(2) By adding the following new item at the end of the analysis:

"1406. Limitations on revocation of retired pay."

**SEC. 3.** Notwithstanding section 1406 of title 10, United States Code, as added by this Act—

(1) the granting of retired pay to a person under chapter 67 of that title is conclusive as to that person's entitlement to such pay only if the payment of that retired pay is begun after the effective date of this Act; and

(2) a notification that a person has completed the years of service required for eligibility for retired pay under chapter 67 of that title is conclusive as to the person's subsequent entitlement to such pay only if the notification is made after the effective date of this Act.

Approved October 14, 1966.

Public Law 89-653

AN ACT

Authorizing the Secretary of Health, Education, and Welfare to make certain grants to the Menominee Indian people of Menominee County, Wisconsin, and for other purposes.

October 14, 1966  
[H. R. 8034]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to compensate the State of Wisconsin and its political subdivisions for extraordinary expenses occasioned by the termination of Federal supervision over the affairs of the Menominee Tribe of Indians by the Act of June 17, 1954 (68 Stat. 250), as amended, there are hereby authorized to be appropriated for the fiscal year ending June 30, 1967, and for each of the three succeeding fiscal years and, when appropriated, to be paid by the Secretary of Health, Education, and Welfare to the State of Wisconsin—

Menominee  
Indians.  
Grants.

74 Stat. 867.  
25 USC 891.

- (a) on account of joint school district costs, \$150,000 per annum;
- (b) on account of public welfare benefits (including administrative costs, public assistance, indigent medical care services, child welfare, veterans services, surplus commodities, general relief, and the services of State hospitals, mental institutions, and industrial schools), \$100,000 per annum; and
- (c) on account of health and sanitation services (including hospitalization of the tubercular, employment of a public health nurse and a sanitary aide, immunization against communicable diseases, collection and disposal of garbage and refuse, and collection and recording of vital statistics), \$100,000 per annum.

The grants authorized by this section shall be made at such times, in such amounts and on such terms and conditions as the Secretary of Health, Education and Welfare deems appropriate. Payment of said sums, or any part of them, however, shall be conditioned on assurance by the State that its use thereof will supplement and will not replace or diminish State assistance that would otherwise be available for the purpose stated. The Secretary of Health, Education, and Welfare is authorized to issue such regulations as he may determine to be necessary to carry out the provisions of this section.

SEC. 2. (a) The Surgeon General of the Public Health Service, Department of Health, Education, and Welfare, is authorized to complete the construction of sanitation facilities in Menominee County, Wisconsin, which construction was commenced by the Secretary of Health, Education, and Welfare pursuant to the authority contained in the Act of April 4, 1962 (76 Stat. 53).

(b) There is hereby authorized to be appropriated the sum of \$450,000 to carry out the provisions of this section.

Appropriation.

Approved October 14, 1966.

## Public Law 89-654

## AN ACT

October 14, 1966  
[S. 3433]

To make it a criminal offense to steal, embezzle, or otherwise unlawfully take property from a pipeline, and for other purposes.

Pipeline theft,  
penalties.  
62 Stat. 729.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) the first paragraph of section 659 of title 18, United States Code, relating to theft, embezzlement, or other unlawful taking from interstate transportation facilities, is amended (1) by inserting before the word "railroad" the words "pipeline system," (2) by inserting before the word "station" where it first appears the words "tank or storage facility," and (3) by striking out the words "or express" and substituting a comma and the words "express, or other property".

(b) The eighth paragraph of that section is amended by adding at the end thereof the following new sentence: "The removal of property from a pipeline system which extends interstate shall be prima facie evidence of the interstate character of the shipment of the property."

(c) That section is further amended by adding at the end thereof the following new sentence: "Nothing contained in this section shall be construed as indicating an intent on the part of Congress to occupy the field in which provisions of this section operate to the exclusion of State laws on the same subject matter, nor shall any provision of this section be construed as invalidating any provision of State law unless such provision is inconsistent with any of the purposes of this section or any provision thereof."

(d) The caption of that section is amended to read as follows:

**"§ 659. Interstate or foreign shipments by carrier; State prosecutions."**

(e) The item relating to section 659 contained in the chapter analysis of chapter 31, title 18, United States Code, is amended to read as follows:

"659. Interstate or foreign shipments by carriers; State prosecutions."

62 Stat. 797;  
63 Stat. 96.

SEC. 2. (a) The first paragraph of section 2117 of title 18, United States Code, relating to breaking the seal or lock on any railroad car, vessel, aircraft, motortruck, wagon, or vehicle containing interstate shipments, is amended by (1) striking out the comma after the word "vehicle" where it first appears, and inserting in lieu thereof the words "or of any pipeline system,"; (2) striking out the comma after the word "express", and inserting in lieu thereof the words "or other property,"; and (3) inserting therein, immediately after the word "vehicle" where it appears the second time, the words "or pipeline system".

(b) That section is further amended by adding at the end thereof the following new sentence: "Nothing contained in this section shall be construed as indicating an intent on the part of Congress to occupy the field in which provisions of this section operate to the exclusion of State laws on the same subject matter, nor shall any provision of this section be construed as invalidating any provision of State law unless such provision is inconsistent with any of the purposes of this section or any provision thereof."

(c) The caption of that section is amended to read as follows:

**"§ 2117. Breaking or entering carrier facilities."**

(d) The item relating to section 2117 contained in the chapter analysis of chapter 103, title 18, United States Code, is amended to read as follows:

"2117. Breaking or entering carrier facilities."

Approved October 14, 1966.

## Public Law 89-655

## AN ACT

October 14, 1966  
[H. R. 10633]

To provide for the disposition of funds appropriated to pay a judgment in favor of the Quileute Tribe of Indians, including the Hoh Tribe, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the unexpended balance of funds on deposit in the Treasury of the United States to the credit of the Quileute and Hoh Tribes that were appropriated by the Act of January 6, 1964 (77 Stat. 857), to pay a judgment by the Indian Claims Commission in docket numbered 155, and the interest thereon, after payment of attorney fees and expenses, shall be divided on the basis of tribal membership rolls for the respective groups after approval of such rolls by the Secretary of the Interior, and the funds so divided, including the interest thereon, may be advanced or expended for any purpose that is authorized by the respective tribal governing bodies and approved by the Secretary of the Interior: *Provided,* That until the Hoh Indians develop a formal organization with a recognized governing body, their share of the judgment funds, and any other Hoh tribal funds, may be expended by the Secretary for the benefit of the Hoh Reservation and the Hoh tribal members, upon approval by him of plans adopted by a majority of the adult Hoh Indians voting at a general meeting of the tribal membership called by the Secretary.

Quileute and  
Hoh Indian  
Tribes.  
Judgment  
funds.

SEC. 2. The Secretary of the Interior shall prepare membership rolls for the Quileute and Hoh Tribes. No person shall be eligible to have his name placed on either membership roll who at the same time is a member of any other tribe, and no person shall be permitted to be enrolled in both the Quileute and Hoh Tribes: *Provided,* That persons eligible for enrollment or already enrolled with other tribes may relinquish that membership through filing a formal statement of relinquishment with the Secretary according to rules and regulations which he may prescribe.

Membership  
rolls, eligibil-  
ity.

SEC. 3. When preparing a Quileute tribal roll, the Secretary shall employ the criteria in article II of the approved constitution and bylaws of the Quileute Tribe of the Quileute Reservation, except that, in the absence of the 1935 census referred to in article II, section 1(a) of the constitution and bylaws, the Secretary, with the assistance of the governing body of the Quileute Tribe, shall construct a base roll from pertinent records, including other census data, of the same period. No person shall be eligible to have his name placed thereon if born after December 31, 1940. Upon approval of such base roll by the Secretary and the Quileute tribal governing body, it shall henceforth serve as the Quileute base roll for all purposes, the provisions of article II, section 1(a) notwithstanding.

Quileute Tribe.

SEC. 4. When preparing a Hoh tribal base roll, the Secretary shall include only the names of applicants who demonstrate that their names or the names of lineal ancestors from whom they are descended appear on the Census of the Hoh Indians of Neah Bay Agency, Washington, June 30, 1894. Upon approval by the Secretary, such roll shall henceforth serve as the Hoh base roll for all purposes.

Hoh Tribe.

SEC. 5. Upon completion of a Hoh base roll in accordance with section 4 of this Act, the Secretary shall assist the Hoh Indians in developing a tribal organizational document and shall call an election for the purpose of voting on the adoption of such document.

Tribal organi-  
zational docu-  
ment.

SEC. 6. The Secretary is authorized to advance or expend, as provided in section 1 of this Act, the Hoh tribal funds now on deposit, or hereafter placed on deposit, in the Treasury of the United States under the following symbols and titles:

Expenditures.

14X7235 Proceeds of Labor, Hoh Indians, Washington;  
 14X7735 Interest and Accruals on Interest, Proceeds of Labor,  
 Hoh Indians, Washington.

Income tax ex-  
 emption.

SEC. 7. Any part of the funds that may be distributed to individual members of the Quileute and Hoh Tribes under the provisions of this Act shall not be subject to Federal or State income taxes.

Rules and regu-  
 lations.

SEC. 8. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

Approved October 14, 1966.

Public Law 89-656

AN ACT

October 14, 1966  
 [H. R. 12437]

To provide for the disposition of funds appropriated to pay a judgment in favor of the Nooksack Tribe of Indians, and for other purposes.

Nooksack Tribe  
 of Indians.  
 Judgment funds.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior shall prepare a roll of all persons who meet the following requirements for eligibility: (a) They were born on or prior to and were living on the date of this Act, and (b) they are descendants of members of the Nooksack Tribe as it existed in 1855. Applications for enrollment must be filed with the area director of the Bureau of Indian Affairs, Portland, Oregon, on forms prescribed for that purpose. The determination of the Secretary regarding the utilization of available rolls or records and the eligibility for enrollment of an applicant shall be final.

79 Stat. 81.

SEC. 2. After the deduction of attorney fees, litigation expenses, the costs of roll preparation, and such sums as may be required to distribute individual shares, the funds, including interest, remaining to the credit of the Nooksack Tribe, which were appropriated by the Act of April 30, 1965 (Public Law 89-16), shall be distributed in equal shares to those persons whose names appear on the roll prepared in accordance with section 1 of this Act.

SEC. 3. The Secretary shall distribute a share payable to a living enrollee directly to such enrollee or in such manner as is deemed by the Secretary to be in the enrollee's best interest. The Secretary shall distribute the per capita share of a deceased enrollee to his heirs or legatees upon proof of death and inheritance satisfactory to the Secretary whose findings upon such proof shall be final and conclusive. Sums payable to enrollees or their heirs or legatees who are less than twenty-one years of age or who are under a legal disability shall be paid to the persons whom the Secretary determines will best protect their interests. Proportional shares of heirs or legatees amounting to \$5 or less shall not be distributed and shall remain to the credit of the Nooksack Tribe. Any sum of money remaining to the credit of the Nooksack Tribe as a result of this judgment, three years after the date of this Act, shall escheat to the United States and shall be deposited in the Treasury of the United States in miscellaneous receipts.

Income tax  
 exemption.

SEC. 4. The funds distributed under the provisions of this Act shall not be subject to Federal or State income taxes.

Rules and  
 regulations.

SEC. 5. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

Approved October 14, 1966.

## Public Law 89-657

## AN ACT

October 14, 1966  
[H. R. 722]

To amend certain provisions of existing law concerning the relationship of the Environmental Science Services Administration to the Army and Navy so they will apply with similar effect to the Air Force.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 16 of the Act of May 22, 1917, chapter 20, as amended (33 U.S.C. 855, 858), is amended as follows:

(1) The first paragraph (33 U.S.C. 855) is amended to read as follows:

"The President is authorized, whenever in his judgment a sufficient national emergency exists, to transfer to the service and jurisdiction of a military department such vessels, equipment, stations, and commissioned officers of the Environmental Science Services Administration as he may deem to the best interest of the country, and after such transfer all expenses connected therewith shall be defrayed out of the appropriations for the department to which transfer is made: *Provided*, That such vessels, equipment, stations, and commissioned officers shall be returned to the Environmental Science Services Administration when such national emergency ceases, in the opinion of the President, and nothing in this section shall be construed as transferring the Environmental Science Services Administration or any of its functions from the Department of Commerce except in time of national emergency and to the extent herein provided: *Provided further*, That any of the commissioned officers of the Environmental Science Services Administration who may be transferred as provided in this section, shall, while under the jurisdiction of a military department, have proper military status and shall be subject to the laws, regulations, and orders for the government of the Army, Navy, or Air Force, as the case may be, insofar as the same may be applicable to persons whose retention permanently in the military service of the United States is not contemplated by law."

(2) The last paragraph (33 U.S.C. 858) is amended to read as follows:

"The Secretary of Defense and the Secretary of Commerce shall jointly prescribe regulations governing the duties to be performed by the Environmental Science Services Administration in time of war, and for the cooperation of that service with the military departments in time of peace in preparation for its duties in war, which regulations shall not be effective unless approved by each of those Secretaries, and included therein may be rules and regulations for making reports and communications between a military department and the Environmental Science Services Administration."

SEC. 2. Section 10 of the Act of January 19, 1942, chapter 6, as amended (33 U.S.C. 868a), is amended to read as follows:

"Commissioned officers, ships' officers, and members of the crews of vessels of the Environmental Science Services Administration shall be permitted to purchase commissary and quartermaster supplies as far as available from the Army, Navy, Air Force, or Marine Corps at the prices charged officers and enlisted men of those services."

SEC. 3. Section 1 of the Act of December 3, 1942, chapter 670, as amended (33 U.S.C. 854a-1), is amended to read as follows:

"Personnel of the Environmental Science Services Administration shall be subject in like manner and to the same extent as personnel of the Navy to all laws authorizing temporary appointment or advance-

Environmental  
Science Services  
Administration.  
National emer-  
gency transfers,  
authorization.  
40 Stat. 87.

Joint regula-  
tory authority.

56 Stat. 8.

Purchase of  
supplies.

56 Stat. 1038.

Temporary pro-  
motions; limita-  
tions.

ment of commissioned officers in time of war or national emergency subject to the following limitations:

“(1) Commissioned officers in the service of a military department, under the provisions of section 16 of the Act of May 22, 1917 (40 Stat. 87), as amended, may, upon the recommendation of the Secretary of the military department concerned, be temporarily promoted to higher ranks or grades.

“(2) Commissioned officers in the service of the Environmental Science Services Administration may be temporarily promoted to fill vacancies in ranks and grades caused by the transfer of commissioned officers to the service and jurisdiction of a military department under the provisions of section 16 of the Act of May 22, 1917 (40 Stat. 87), as amended.

“(3) Temporary appointments may be made in all grades to which original appointments in the Environmental Science Services Administration are authorized: *Provided*, That the number of officers holding temporary appointments shall not exceed the number of officers transferred to a military department under the provisions of section 16 of the Act of May 22, 1917 (40 Stat. 87), as amended.”

Approved October 14, 1966.

Public Law 89-658

AN ACT

October 14, 1966  
[S. 2218]

To establish a contiguous fishery zone beyond the territorial sea of the United States.

Fisheries zone  
contiguous to  
U.S. territorial  
sea.  
Establishment.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there is established a fisheries zone contiguous to the territorial sea of the United States. The United States will exercise the same exclusive rights in respect to fisheries in the zone as it has in its territorial sea, subject to the continuation of traditional fishing by foreign states within this zone as may be recognized by the United States.

SEC. 2. The fisheries zone has as its inner boundary the outer limits of the territorial sea and as its seaward boundary a line drawn so that each point on the line is nine nautical miles from the nearest point in the inner boundary.

SEC. 3. Whenever the President determines that a portion of the fisheries zone conflicts with the territorial waters or fisheries zone of another country, he may establish a seaward boundary for such portion of the zone in substitution for the seaward boundary described in section 2.

SEC. 4. Nothing in this Act shall be construed as extending the jurisdiction of the States to the natural resources beneath and in the waters within the fisheries zone established by this Act or as diminishing their jurisdiction to such resources beneath and in the waters of the territorial seas of the United States.

Approved October 14, 1966.

Seaward bound-  
ary.

## Public Law 89-659

## AN ACT

To provide for the disposition of funds appropriated to pay judgments in favor of the Miami Indians of Indiana and Oklahoma, and for other purposes.

October 14, 1966  
[H. R. 7466]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior shall take the necessary steps to provide for the distribution and use of the money appropriated to the Miami Indians of Indiana and Oklahoma in satisfaction of judgments awarded by the Indian Claims Commission in dockets numbered 67 and 124, 124-A, and 251 as hereinafter provided.

Miami Indians  
of Indiana and  
Oklahoma.  
Judgment funds.

SEC. 2. The funds on deposit in the Treasury of the United States to the credit of the Miami Tribe of Oklahoma that were appropriated by the Act of September 30, 1961 (75 Stat. 747), to pay a judgment by the Indian Claims Commission in docket numbered 251, together with the interest thereon, after payment of attorney fees and expenses, shall be advanced or expended in accordance with plans adopted by the governing body of the Miami Tribe of Oklahoma and approved by the Secretary of the Interior. The persons entitled to share in any per capita payment authorized by the governing body and approved by the Secretary shall be all individuals who are enrolled members of the Miami Tribe of Oklahoma, as organized under the Oklahoma Welfare Act (49 Stat. 1967).

Expenditure of  
funds.

SEC. 3. For the purpose of determining entitlement to the judgment awarded in Indian Claims Commission docket numbered 124-A to the Miami Indians of Indiana and appropriated by the Act of September 30, 1961 (75 Stat. 747), the Secretary shall prepare a roll of all persons of Miami Indian ancestry who meet the following requirements for eligibility:

25 USC 501-509.  
Miami Indian  
ancestry rolls.

(a) They were born on or prior to, and living on, the date of this Act; and

(b) Their name or the name of an ancestor from whom they claim eligibility appears on the roll of Miami Indians of Indiana of June 12, 1895, or the roll of "Miami Indians of Indiana, now living in Kansas, Quapaw Agency, I.T., and Oklahoma Territory," prepared and completed pursuant to the Act of March 2, 1895 (28 Stat. 903), or the roll of the Eel River Miami Tribe of Indians of May 27, 1889, prepared and completed pursuant to the Act of June 29, 1888 (25 Stat. 223). No person whose name appears on the current tribal roll of the Miami Tribe of Oklahoma shall be eligible to be enrolled under this section.

SEC. 4. For the purpose of determining entitlement to the judgment awarded in Indian Claims Commission dockets numbered 67 and 124 and appropriated by the Act of May 17, 1963 (77 Stat. 43), the Secretary of the Interior shall prepare a roll of all persons of Miami Indian ancestry who meet the following requirements for eligibility:

(a) They were born on or prior to, and living on, the date of this Act; and

(b) Their name or the name of an ancestor from whom they claim eligibility appears on any of the rolls cited in section 3(b) of this Act, or on the roll of the Western Miami Tribe of Indians of June 12, 1891, prepared and completed pursuant to the Act of March 3, 1891 (26 Stat. 1000).

SEC. 5. Applications for enrollment must be filed with the area director of the Bureau of Indian Affairs, Muskogee, Oklahoma, on forms prescribed for that purpose. The determination of the Secretary regarding the eligibility of an applicant shall be final.

Enrollment ap-  
plications.

SEC. 6. The funds on deposit in the Treasury of the United States to the credit of the Miami Indians of Indiana that were appropriated

Distribution of  
funds.

by the Act of September 30, 1961 (75 Stat. 747), to pay a judgment in Indian Claims Commission docket numbered 124-A, and the interest thereon, after payment of attorney fees and expenses, shall be distributed to the individuals whose names appear on the roll prepared pursuant to section 3, and in accordance with the instructions contained in sections 8 and 9, of this Act.

SEC. 7. The funds on deposit in the Treasury of the United States to the credit of the "Miami Tribe of Oklahoma" that were appropriated by the Act of May 17, 1963 (77 Stat. 43), to pay a judgment in Indian Claims Commission dockets numbered 67 and 124, and the interest thereon, after payment of attorney fees and expenses, shall be distributed to the persons whose names appear on the roll prepared pursuant to section 4, and in accordance with the instructions contained in sections 8 and 9, of this Act.

Payment provisions.

SEC. 8. (a) Except as provided in subsection (b) of this section, the Secretary shall distribute a per capita share payable to a living enrollee directly to such enrollee, and the Secretary shall distribute a per capita share payable to a deceased enrollee directly to his heirs or legatees upon proof of death and inheritance satisfactory to the Secretary, whose findings upon such proof shall be final and conclusive.

(b) A share payable to a person under twenty-one years of age or to a person under legal disability shall be paid in accordance with such procedures as the Secretary determines will adequately protect the best interests of such persons.

Reserve funds for expenses.

SEC. 9. (a) Prior to making any distribution of the funds credited to the Miami Tribe or Nation and the Miami Tribe of Indiana or approving any expenditures of the funds credited to the Miami Tribe of Oklahoma, pursuant to this Act, the Secretary is authorized to reserve in the Treasury of the United States a part of such funds sufficient, in his judgment, to meet the litigation expenses, exclusive of attorney fees, of the remaining cases which each has pending before the Indian Claims Commission.

(b) The funds reserved shall be available for appropriate withdrawal by the Secretary.

Income tax exemption.

SEC. 10. The funds distributed under the provisions of this Act shall not be subject to Federal or State income taxes, and any costs incurred by the Secretary in the preparation of the rolls and in the distribution of per capita shares in accordance with the provisions of this Act shall be paid by appropriate withdrawals from the judgment funds.

Rules and regulations.

SEC. 11. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

Approved October 14, 1966.

Public Law 89-660

AN ACT

October 14, 1966  
[H. R. 10747]

To provide for the disposition of funds appropriated to pay a judgment in favor of the Duwamish Tribe of Indians in Indian Claims Commission docket numbered 109, and for other purposes.

Duwamish Tribe of Indians.  
Judgment funds.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior shall prepare a roll of all persons who meet the following requirements for eligibility: (a) They were born on or prior to and living on date of this Act, and (b) they are descendants of members of the Duwamish Tribe as it existed in 1855. Applications for enrollment must be filed with the area director of the Bureau of Indian

Affairs, Portland, Oregon, on forms prescribed for that purpose. The determination of the Secretary regarding the utilization of available rolls or records and the eligibility for enrollment of an applicant shall be final.

SEC. 2. After the deduction of attorney fees, litigation expenses, the costs of roll preparation, and such sums as may be required to distribute individual shares, the funds, including interest, remaining to the credit of the Duwamish Tribe, which were appropriated by the Act of June 9, 1964 (78 Stat. 213), shall be distributed in equal shares to those persons whose names appear on the roll prepared in accordance with section 1 of this Act.

Equal share distribution.

SEC. 3. The Secretary shall distribute a share payable to a living enrollee directly to such enrollee or in such manner as is deemed by the Secretary to be in the enrollee's best interest. The Secretary shall distribute the per capita share of a deceased enrollee to his heirs or legatees upon proof of death and inheritance satisfactory to the Secretary whose findings upon such proof shall be final and conclusive. Sums payable to enrollees or their heirs or legatees who are less than twenty-one years of age or who are under a legal disability shall be paid to the persons whom the Secretary determines will best protect their interests. Proportional shares of heirs or legatees amounting to \$5 or less shall not be distributed, and shall escheat to the United States. In the event that the sum of money reserved by the Secretary to pay the costs of distributing the individual shares exceeds the amount actually necessary to accomplish this purpose, such funds shall also escheat to the United States.

SEC. 4. The funds distributed under the provisions of this Act shall not be subject to Federal or State income taxes.

Income tax exemption.

SEC. 5. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

Rules and regulations.

Approved October 14, 1966.

Public Law 89-661

AN ACT

To provide for the disposition of funds appropriated to pay a judgment in favor of the Otoe and Missouri Tribe of Indians, and for other purposes.

October 14, 1966  
[H. R. 10674]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the unexpended balance of funds on deposit in the Treasury of the United States to the credit of the Otoe and Missouri Tribe of Indians that were appropriated by the Act of June 9, 1964, to pay a judgment by the Indian Claims Commission in docket numbered 11-A, and the interest thereon, less payment of attorney fees and expenses, may be advanced or expended for any purpose that is authorized by the tribal governing body and approved by the Secretary of the Interior. Any part of such funds that may be distributed to the members of the tribe shall not be subject to Federal or State income taxes. The sum of \$150,000, and any accrued interest thereon, shall be held in the United States Treasury pending final determination of the Yankton Sioux claim in docket numbered 332-A. Any portion of such sum that is determined to belong to the Otoe and Missouri Tribe shall thereupon become subject to the foregoing provisions of this Act.

Otoe and Missouri Tribe of Indians.  
Judgment funds.  
78 Stat. 204.

Income tax exemption.

Approved October 14, 1966.

## Public Law 89-662

## AN ACT

To improve the aids to navigation services of the Coast Guard.

October 14, 1966  
[S. 3715]

Coast Guard.  
Navigation aids.  
68 Stat. 1237.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 81 of title 14, United States Code, is amended to read as follows:

**“§ 81. Aids to navigation authorized**

“In order to aid navigation and to prevent disasters, collisions, and wrecks of vessels and aircraft, the Coast Guard may establish, maintain, and operate:

“(1) aids to maritime navigation required to serve the needs of the armed forces or of the commerce of the United States;

“(2) aids to air navigation required to serve the needs of the armed forces of the United States peculiar to warfare and primarily of military concern as determined by the Secretary of Defense or the Secretary of any department within the Department of Defense and as requested by any of those officials; and

“(3) electronic aids to navigation systems (a) required to serve the needs of the armed forces of the United States peculiar to warfare and primarily of military concern as determined by the Secretary of Defense or any department within the Department of Defense; or (b) required to serve the needs of the maritime commerce of the United States; or (c) required to serve the needs of the air commerce of the United States as requested by the Administrator of the Federal Aviation Agency.

These aids to navigation other than electronic aids to navigation systems shall be established and operated only within the United States, the waters above the Continental Shelf, the territories and possessions of the United States, the Trust Territory of the Pacific Islands, and beyond the territorial jurisdiction of the United States at places where naval or military bases of the United States are or may be located.”

SEC. 2. Section 82 of title 14, United States Code, is amended to read as follows:

**“§ 82. Cooperation with Administrator of the Federal Aviation Agency**

“The Coast Guard, in establishing, maintaining, or operating any aids to air navigation herein provided, shall solicit the cooperation of the Administrator of the Federal Aviation Agency to the end that the personnel and facilities of the Federal Aviation Agency will be utilized to the fullest possible advantage. Before locating and operating any such aid on military or naval bases or regions, the consent of the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force, as the case may be, shall first be obtained. No such aid shall be located within the territorial jurisdiction of any foreign country without the consent of the government thereof. Nothing in this title shall be deemed to limit the authority granted by the Federal Aviation Act of 1958, as amended (ch. 20 of title 49), or by the provisions of sections 7392 and 7394 of title 10.”

Approved October 14, 1966.

72 Stat. 731.  
70A Stat. 456;  
78 Stat. 443.

## Public Law 89-663

## AN ACT

To provide for the disposition of judgment funds on deposit to the credit of the Skokomish Tribe of Indians.

October 14, 1966  
[H. R. 3596]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the unexpended balance of funds on deposit in the Treasury of the United States to the credit of the Skokomish Tribe of Indians that were appropriated by the Act of January 6, 1964 (77 Stat. 857), to pay a judgment granted by the Indian Claims Commission in docket numbered 296 and the interest thereon, less litigation expenses, may be advanced or expended for any purpose that is authorized by the Skokomish tribal governing body and approved by the Secretary of the Interior. Any part of such funds that may be distributed to the members of the tribe shall not be subject to the Federal or State income tax.

Skokomish Tribe  
of Indians.  
Judgment funds.

Income tax  
exemption.

Approved October 14, 1966.

## Public Law 89-664

## AN ACT

To provide for the establishment of the Bighorn Canyon National Recreation Area, and for other purposes.

October 15, 1966  
[S. 491]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) in order to provide for public outdoor recreation use and enjoyment of the proposed Yellowtail Reservoir and lands adjacent thereto in the States of Wyoming and Montana by the people of the United States and for preservation of the scenic, scientific, and historic features contributing to public enjoyment of such lands and waters, there is hereby established the Bighorn Canyon National Recreation Area to comprise the area generally depicted on the drawing entitled "Proposed Bighorn Canyon National Recreation Area", LNPMW-010A-BC, November 1964, which is on file in the Office of the National Park Service, Department of the Interior.

Bighorn Canyon  
National Recreation  
Area, estab-  
lishment.

(b) As soon as practicable after approval of this Act, the Secretary of the Interior shall publish in the Federal Register a detailed description of the boundaries of the area which shall encompass, to the extent practicable, the lands and waters shown on the drawing referred to in subsection (a) of this section. The Secretary may subsequently make adjustments in the boundary of the area, subject to the provisions of subsection 2(b) of this Act, by publication of an amended description in the Federal Register.

Boundaries.  
Publication in  
Federal Regis-  
ter.

SEC. 2. (a) The Secretary is authorized to acquire by donation, purchase with donated or appropriated funds, exchange, or otherwise, lands and interests in lands within the boundaries of the area. The Secretary is further authorized to acquire, by any of the above methods, not to exceed ten acres of land or interests therein outside of the boundaries of the area in the vicinity of Lovell, Wyoming, for development and use, pursuant to such special regulations as he may promulgate, as a visitor contact station and administrative site. In the exercise of his exchange authority the Secretary may accept title to any non-Federal property within the area and convey in exchange therefor any federally owned property under his jurisdiction in the States of Montana and Wyoming which he classifies as suitable for exchange or other disposal, notwithstanding any other provision of law. Property so exchanged shall be approximately equal in fair market value:

Acquisition of  
land.

*Provided,* That the Secretary may accept cash from, or pay cash to, the grantor in such an exchange in order to equalize the values of the properties exchanged. Any property or interest therein owned by the State of Montana or the State of Wyoming or any political subdivision thereof within the recreation area may be acquired only by donation or exchange.

Crow Indian  
tribal lands.

(b) No part of the tribal mountain lands or any other lands of the Crow Indian Tribe of Montana shall be included within the recreation area unless requested by the council of the tribe. The Indian lands so included may be developed and administered in accordance with the laws and rules applicable to the recreation area, subject to any limitation specified by the tribal council and approved by the Secretary.

Recreational  
facilities.

(c) (1) Notwithstanding any other provisions of this Act or of any other law, the Crow Indian Tribe shall be permitted to develop and operate water-based recreational facilities, including landing ramps, boathouses, and fishing facilities, along that part of the shoreline of Yellowtail Reservoir which is adjacent to lands comprising the Crow Indian Reservation. Any such part so developed shall be administered in accordance with the laws and rules applicable to the recreation area, subject to any limitations specified by the tribal council and approved by the Secretary. Any revenues resulting from the operation of such facilities may be retained by the Crow Indian Tribe.

"Shoreline."

(2) As used in this subsection, the term "shoreline" means that land which borders both Yellowtail Reservoir and the exterior boundary of the Crow Indian Reservation, together with that part of the reservoir necessary to the development of the facilities referred to in this subsection.

Administration.

SEC. 3. (a) The Secretary shall coordinate administration of the recreation area with the other purposes of the Yellowtail Reservoir project so that it will in his judgment best provide (1) for public outdoor recreation benefits, (2) for conservation of scenic, scientific, historic, and other values contributing to public enjoyment and (3) for management, utilization, and disposal of renewable natural resources in a manner that promotes, or is compatible with, and does not significantly impair, public recreation and conservation of scenic, scientific, historic, or other values contributing to public enjoyment.

(b) In the administration of the area for the purposes of this Act, the Secretary may utilize such statutory authorities relating to areas administered and supervised by the Secretary through the National Park Service and such statutory authorities otherwise available to him for the conservation and management of natural resources as he deems appropriate to carry out the purposes of this Act.

Hunting, fish-  
ing areas.

SEC. 4. The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the recreation area in accordance with the appropriate laws of the United States and of the States of Montana or Wyoming to the extent applicable, except that the Secretary may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment, and except that nothing in this section shall impair the rights under other law of the Crow Tribe and its members to hunt and fish on lands of the Crow Tribe that are included in the recreation area, or the rights of the members of the Crow Tribe to hunt and fish under section 2 (d) of the Act of July 15, 1958. Except in emergencies, any regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the Montana Fish and Game Department or the Wyoming Game and Fish Commission.

72 Stat. 363.

Appropriation.

SEC. 5. There is hereby authorized to be appropriated not more than \$355,000 for the acquisition of land and interests in land pursuant to this Act.

Approved October 15, 1966.

Public Law 89-665

AN ACT

October 15, 1966  
[S. 3035]

To establish a program for the preservation of additional historic properties throughout the Nation, and for other purposes.

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

The Congress finds and declares—

Historic prop-  
erties.  
Preservation  
program estab-  
lished.

(a) that the spirit and direction of the Nation are founded upon and reflected in its historic past;

(b) that the historical and cultural foundations of the Nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people;

(c) that, in the face of ever-increasing extensions of urban centers, highways, and residential, commercial, and industrial developments, the present governmental and nongovernmental historic preservation programs and activities are inadequate to insure future generations a genuine opportunity to appreciate and enjoy the rich heritage of our Nation; and

(d) that, although the major burdens of historic preservation have been borne and major efforts initiated by private agencies and individuals, and both should continue to play a vital role, it is nevertheless necessary and appropriate for the Federal Government to accelerate its historic preservation programs and activities, to give maximum encouragement to agencies and individuals undertaking preservation by private means, and to assist State and local governments and the National Trust for Historic Preservation in the United States to expand and accelerate their historic preservation programs and activities.

TITLE I

SEC. 101. (a) The Secretary of the Interior is authorized—

Buildings and  
objects, etc.  
Expansion and  
maintenance of  
National Regis-  
ter.

(1) to expand and maintain a national register of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, and culture, hereinafter referred to as the National Register, and to grant funds to States for the purpose of preparing comprehensive statewide historic surveys and plans, in accordance with criteria established by the Secretary, for the preservation, acquisition, and development of such properties;

(2) to establish a program of matching grants-in-aid to States for projects having as their purpose the preservation for public benefit of properties that are significant in American history, architecture, archeology, and culture; and

Grants to  
states.

(3) to establish a program of matching grant-in-aid to the National Trust for Historic Preservation in the United States, chartered by act of Congress approved October 26, 1949 (63 Stat. 927), as amended, for the purpose of carrying out the responsibilities of the National Trust.

National Trust  
for Historic  
Preservation.

16 USC 468-  
468d.

(b) As used in this Act—

(1) The term "State" includes, in addition to the several States of the Union, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

"State."

(2) The term "project" means programs of State and local governments and other public bodies and private organizations and individuals for the acquisition of title or interests in, and for the develop-

"Project."

ment of, any district, site, building, structure, or object that is significant in American history, architecture, archeology, and culture, or property used in connection therewith, and for its development in order to assure the preservation for public benefit of any such historical properties.

"Historic preservation."

(3) The term "historic preservation" includes the protection, rehabilitation, restoration, and reconstruction of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, or culture.

"Secretary." Conditions for grants.

(4) The term "Secretary" means the Secretary of the Interior.

SEC. 102. (a) No grant may be made under this Act—

(1) unless application therefor is submitted to the Secretary in accordance with regulations and procedures prescribed by him;

(2) unless the application is in accordance with the comprehensive statewide historic preservation plan which has been approved by the Secretary after considering its relationship to the comprehensive statewide outdoor recreation plan prepared pursuant to the Land and Water Conservation Fund Act of 1965 (78 Stat. 897);

(3) for more than 50 per centum of the total cost involved, as determined by the Secretary and his determination shall be final;

(4) unless the grantee has agreed to make such reports, in such form and containing such information as the Secretary may from time to time require;

(5) unless the grantee has agreed to assume, after completion of the project, the total cost of the continued maintenance, repair, and administration of the property in a manner satisfactory to the Secretary; and

(6) until the grantee has complied with such further terms and conditions as the Secretary may deem necessary or advisable.

Waiver.

(b) The Secretary may in his discretion waive the requirements of subsection (a), paragraphs (2) and (5) of this section for any grant under this Act to the National Trust for Historic Preservation in the United States, in which case a grant to the National Trust may include funds for the maintenance, repair, and administration of the property in a manner satisfactory to the Secretary.

(c) No State shall be permitted to utilize the value of real property obtained before the date of approval of this Act in meeting the remaining cost of a project for which a grant is made under this Act.

Apportionment.

SEC. 103. (a) The amounts appropriated and made available for grants to the States for comprehensive statewide historic surveys and plans under this Act shall be apportioned among the States by the Secretary on the basis of needs as determined by him: *Provided, however,* That the amount granted to any one State shall not exceed 50 per centum of the total cost of the comprehensive statewide historic survey and plan for that State, as determined by the Secretary.

Limitation.

(b) The amounts appropriated and made available for grants to the States for projects under this Act for each fiscal year shall be apportioned among the States by the Secretary in accordance with needs as disclosed in approved statewide historic preservation plans.

The Secretary shall notify each State of its apportionment, and the amounts thereof shall be available thereafter for payment to such State for projects in accordance with the provisions of this Act. Any amount of any apportionment that has not been paid or obligated by the Secretary during the fiscal year in which such notification is given, and for two fiscal years thereafter, shall be reapportioned by the Secretary in accordance with this subsection.

SEC. 104. (a) No grant may be made by the Secretary for or on account of any survey or project under this Act with respect to which financial assistance has been given or promised under any other Federal program or activity, and no financial assistance may be given under any other Federal program or activity for or on account of any survey or project with respect to which assistance has been given or promised under this Act.

Coordination  
with other Fed-  
eral programs.

(b) In order to assure consistency in policies and actions under this Act with other related Federal programs and activities, and to assure coordination of the planning, acquisition, and development assistance to States under this Act with other related Federal programs and activities, the President may issue such regulations with respect thereto as he deems desirable, and such assistance may be provided only in accordance with such regulations.

SEC. 105. The beneficiary of assistance under this Act shall keep such records as the Secretary shall prescribe, including records which fully disclose the disposition by the beneficiary of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

Records.

SEC. 106. The head of any Federal agency having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking in any State and the head of any Federal department or independent agency having authority to license any undertaking shall, prior to the approval of the expenditure of any Federal funds on the undertaking or prior to the issuance of any license, as the case may be, take into account the effect of the undertaking on any district, site, building, structure, or object that is included in the National Register. The head of any such Federal agency shall afford the Advisory Council on Historic Preservation established under title II of this Act a reasonable opportunity to comment with regard to such undertaking.

SEC. 107. Nothing in this Act shall be construed to be applicable to the White House and its grounds, the Supreme Court building and its grounds, or the United States Capitol and its related buildings and grounds.

Exemptions.

SEC. 108. There are authorized to be appropriated not to exceed \$2,000,000 to carry out the provisions of this Act for the fiscal year 1967, and not more than \$10,000,000 for each of the three succeeding fiscal years. Such appropriations shall be available for the financial assistance authorized by this title and for the administrative expenses of the Secretary in connection therewith, and shall remain available until expended.

Appropriation.

## TITLE II

SEC. 201. (a) There is established an Advisory Council on Historic Preservation (hereinafter referred to as the "Council") which shall be composed of seventeen members as follows:

Advisory Coun-  
cil on Historic  
Preservation,  
membership.

- (1) The Secretary of the Interior.
- (2) The Secretary of Housing and Urban Development.
- (3) The Secretary of Commerce.
- (4) The Administrator of the General Services Administration.
- (5) The Secretary of the Treasury.
- (6) The Attorney General.
- (7) The Chairman of the National Trust for Historic Preservation.

(8) Ten appointed by the President from outside the Federal Government. In making these appointments, the President shall give due consideration to the selection of officers of State and local governments and individuals who are significantly interested and experienced in the matters to be considered by the Council.

(b) Each member of the Council specified in paragraphs (1) through (6) of subsection (a) may designate another officer of his department or agency to serve on the Council in his stead.

(c) Each member of the Council appointed under paragraph (8) of subsection (a) shall serve for a term of five years from the expiration of his predecessor's term; except that the members first appointed under that paragraph shall serve for terms of from one to five years, as designated by the President at the time of appointment, in such manner as to insure that the terms of not less than one nor more than two of them will expire in any one year.

(d) A vacancy in the Council shall not affect its powers, but shall be filled in the same manner as the original appointment (and for the balance of the unexpired term).

(e) The Chairman of the Council shall be designated by the President.

(f) Eight members of the Council shall constitute a quorum.

SEC. 202. (a) The Council shall—

(1) advise the President and the Congress on matters relating to historic preservation; recommend measures to coordinate activities of Federal, State, and local agencies and private institutions and individuals relating to historic preservation; and advise on the dissemination of information pertaining to such activities;

(2) encourage, in cooperation with the National Trust for Historic Preservation and appropriate private agencies, public interest and participation in historic preservation;

(3) recommend the conduct of studies in such areas as the adequacy of legislative and administrative statutes and regulations pertaining to historic preservation activities of State and local governments and the effects of tax policies at all levels of government on historic preservation;

(4) advise as to guidelines for the assistance of State and local governments in drafting legislation relating to historic preservation; and

(5) encourage, in cooperation with appropriate public and private agencies and institutions, training and education in the field of historic preservation.

(b) The Council shall submit annually a comprehensive report of its activities and the results of its studies to the President and the Congress and shall from time to time submit such additional and special reports as it deems advisable. Each report shall propose such legislative enactments and other actions as, in the judgment of the Council, are necessary and appropriate to carry out its recommendations.

SEC. 203. The Council is authorized to secure directly from any department, bureau, agency, board, commission, office, independent establishment or instrumentality of the executive branch of the Federal Government information, suggestions, estimates, and statistics for the purpose of this title; and each such department, bureau, agency, board, commission, office, independent establishment or instrumentality is authorized to furnish such information, suggestions, estimates, and statistics to the extent permitted by law and within available funds.

SEC. 204. The members of the Council specified in paragraphs (1) through (7) of section 201(a) shall serve without additional compen-

Terms of office.

Chairman, selection.

Duties.

Report to President and Congress.

Other Federal agencies, cooperation.

Compensation.

sation. The members of the Council appointed under paragraph (8) of section 201 (a) shall receive \$100 per diem when engaged in the performance of the duties of the Council. All members of the Council shall receive reimbursement for necessary traveling and subsistence expenses incurred by them in the performance of the duties of the Council.

SEC. 205. (a) The Director of the National Park Service or his designee shall be the Executive Director of the Council. Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel and procurement) shall be provided the Council by the Department of the Interior, for which payments shall be made in advance, or by reimbursement, from funds of the Council in such amounts as may be agreed upon by the Chairman of the Council and the Secretary of the Interior: *Provided*, That the regulations of the Department of the Interior for the collection of indebtedness of personnel resulting from erroneous payments (5 U.S.C. 46e) shall apply to the collection of erroneous payments made to or on behalf of a Council employee, and regulations of said Secretary for the administrative control of funds (31 U.S.C. 665 (g)) shall apply to appropriations of the Council: *And provided further*, That the Council shall not be required to prescribe such regulations.

(b) The Council shall have power to appoint and fix the compensation of such additional personnel as may be necessary to carry out its duties, without regard to the provisions of the civil service laws and the Classification Act of 1949.

(c) The Council may also procure, without regard to the civil service laws and the Classification Act of 1949, temporary and intermittent services to the same extent as is authorized for the executive departments by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a), but at rates not to exceed \$50 per diem for individuals.

(d) The members of the Council specified in paragraphs (1) through (6) of section 201 (a) shall provide the Council, on a reimbursable basis, with such facilities and services under their jurisdiction and control as may be needed by the Council to carry out its duties, to the extent that such facilities and services are requested by the Council and are otherwise available for that purpose. To the extent of available appropriations, the Council may obtain, by purchase, rental, donation, or otherwise, such additional property, facilities, and services as may be needed to carry out its duties.

Approved October 15, 1966.

## Public Law 89-666

### AN ACT

To amend the Act of September 13, 1962, authorizing the establishment of the Point Reyes National Seashore in the State of California, and for other purposes.

October 15, 1966  
[S. 1607]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act of September 13, 1962 (76 Stat. 538) is hereby amended as follows:

(a) Strike subsection (b) of section 2 and substitute therefor: "The area referred to in subsection (a) shall also include a right-of-way to the aforesaid tract in the general vicinity of the northwesterly portion of the property known as 'Bear Valley Ranch', to be selected by the Secretary, of not more than four hundred feet in width, together with such adjoining lands as would be deprived of access by reason of the acquisition of such right-of-way."

(b) In section 8 strike out "\$14,000,000" and substitute "\$19,135,000".

Approved October 15, 1966.

Executive  
Director.

68 Stat. 483.

Personnel.

Ante, p. 288.

60 Stat. 810.

Point Reyes  
National Sea-  
shore, Calif.  
16 USC 459c-1.

16 USC 459c-7.

## Public Law 89-667

## AN ACT

October 15, 1966  
[H. R. 698]

To provide for the establishment of the Guadalupe Mountains National Park in the State of Texas, and for other purposes.

Guadalupe Mountains National Park, Texas.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in order to preserve in public ownership an area in the State of Texas possessing outstanding geological values together with scenic and other natural values of great significance, the Secretary of the Interior shall establish the Guadalupe Mountains National Park, consisting of the land and interests in land within the area shown on the drawing entitled "Proposed Guadalupe Mountains National Park, Texas", numbered SA-GM-7100C and dated February 1965, which is on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

Notwithstanding the foregoing, however, the Secretary shall omit from the park sections 7 and 17, P.S.L. Block 121, in Hudspeth County, and revise the boundaries of the park accordingly if the owner of said sections agrees, on behalf of himself, his heirs and assigns that there will not be erected thereon any structure which, in the judgment of the Secretary, adversely affects the public use and enjoyment of the park.

Land acquisition, etc.

SEC. 2. (a) Within the boundaries of the Guadalupe Mountains National Park, the Secretary of the Interior may acquire land or interests therein by donation, purchase with donated or appropriated funds, exchange, or in such other manner as he deems to be in the public interest. Any property, or interest therein, owned by the State of Texas, or any political subdivision thereof, may be acquired only with the concurrence of such owner.

(b) In order to facilitate the acquisition of privately owned lands in the park by exchange and avoid the payment of severance costs, the Secretary of the Interior may acquire approximately 4,667 acres of land or interests in land which lie adjacent to or in the vicinity of the park. Land so acquired outside the park boundary may be exchanged by the Secretary on an equal-value basis, subject to such terms, conditions, and reservations as he may deem necessary, for privately owned land located within the park. The Secretary may accept cash from or pay cash to the grantor in such exchange in order to equalize the values of the properties exchanged.

Publication in Federal Register.

SEC. 3. (a) When title to all privately owned land within the boundary of the park, subject to such outstanding interests, rights, and easements as the Secretary determines are not objectionable, with the exception of approximately 4,574 acres which are planned to be acquired by exchange, is vested in the United States and after the State of Texas has donated or agreed to donate to the United States whatever rights and interests in minerals underlying the lands within the boundaries of the park it may have and other owners of such rights and interests have donated or agreed to donate the same to the United States, notice thereof and notice of the establishment of the Guadalupe Mountains National Park shall be published in the Federal Register. Thereafter, the Secretary may continue to acquire the remaining land and interests in land within the boundaries of the park. The Secretary is authorized, pending establishment of the park, to negotiate and acquire options for the purchase of lands and interests in land within the boundaries of the park. He is further authorized to execute contracts for the purchase of such lands and interests, but the liability of the United States under any such contract shall be contingent on the availability of appropriated or donated funds to fulfill the same.

Preferential rights to reconveyance.

(b) In the event said lands or any part thereof cease to be used for national park purposes, the persons (including the State of Texas)

who donated to the United States rights and interests in minerals in the lands within the park shall be given notice, in accordance with regulations to be prescribed by the Secretary, of their preferential right to a reconveyance, without consideration, of the respective rights and interests in minerals which they donated to the United States. Such notice shall be in a form reasonably calculated to give actual notice to those entitled to such preferential right, and shall provide for a period of not less than one hundred and eighty days within which to exercise such preferential right. The preferential right to such reconveyance shall inure to the benefit of the successors, heirs, devisees, or assigns of such persons having such preferential right to a reconveyance, and such successors, heirs, devisees, or assigns shall be given the notice provided for in this subsection.

(c) Such rights and interests in minerals, including all minerals of whatever nature, in and underlying the lands within the boundaries of the park and which are acquired by the United States under the provisions of this Act are hereby withdrawn from leasing and are hereby excluded from the application of the present or future provisions of the Mineral Leasing Act for Acquired Lands (Aug. 7, 1947, c. 513, 61 Stat. 913) or other Act in lieu thereof having the same purpose, and the same are hereby also excluded from the provisions of all present and future laws affecting the sale of surplus property or of said mineral interests acquired pursuant to this Act by the United States or any department or agency thereof, except that, if such person having such preferential right to a reconveyance fails or refuses to exercise such preferential right to a reconveyance as provided in subparagraph (b) next above, then this subsection (c) shall not be applicable to the rights and interests in such minerals in the identical lands of such person so failing or refusing to exercise such preferential right to a reconveyance from and after the one hundred and eighty-day period referred to in subparagraph (b) next above.

(d) If at any time in the future an Act of Congress provides that the national welfare or an emergency requires the development and production of the minerals underlying the lands within the boundaries of the national park, or any portion thereof, and such Act of Congress, notwithstanding the provisions of subsection (c) of this section or any other Act, authorizes the Secretary to lease said land for the purpose of drilling, mining, developing, and producing said minerals, the Secretary shall give the persons (including the State of Texas) who donated such minerals to the United States notice of their preferential right to lease, without consideration, all or any part of the respective rights and interests in minerals which they donated to the United States, subject to such terms and conditions as the Secretary may prescribe. Such preferential right shall inure to the benefit of the successors or assigns, and of the heirs or devisees of such persons having such preferential right in the premises. The persons entitled to a preferential right under this subsection shall be given the same notice thereof as persons entitled to preferential rights under subsection (b) of this section. If such person having such preferential right fails or refuses to exercise such right within the time specified in the above notice, the Secretary may thereafter lease the minerals involved to any other person under such terms and conditions as he may prescribe.

(e) If at any time oil, gas, or other minerals should be discovered and produced in commercial quantities from lands outside of the boundaries of the park, thereby causing drainage of oil, gas, or other minerals from lands within the boundaries of the park, and if the Secretary participates in a communitization agreement or takes other action to protect the rights of the United States, the proceeds, if any, derived from such agreement or action shall inure to the benefit of the

Lands withdrawn  
from leasing.

30 USC 351 note.

Future mineral  
development.

Oil or gas com-  
munitization  
agreement.

donors of the oil, gas, or other minerals, or their successors, heirs, devisees, or assigns.

Administration.

SEC. 4. The Guadalupe Mountains National Park shall be administered by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-4), as amended and supplemented.

Availability of certain funds.

SEC. 5. Any funds available for the purpose of administering the five thousand six hundred and thirty-two acres of lands previously donated to the United States in Culberson County, Texas, shall upon establishment of the Guadalupe Mountains National Park pursuant to this Act be available to the Secretary for purposes of such park.

Appropriation.

SEC. 6. There are hereby authorized to be appropriated such sums, but not more than \$1,800,000 in all, as may be necessary for the acquisition of lands and interest in lands, and not more than \$10,362,000, as may be necessary for the development of the Guadalupe Mountains National Park.

Approved October 15, 1966.

Public Law 89-668

AN ACT

October 15, 1966  
[H. R. 8678]

To establish in the State of Michigan the Pictured Rocks National Lakeshore, and for other purposes.

Pictured Rocks National Lakeshore, Mich. Establishment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve for the benefit, inspiration, education, recreational use, and enjoyment of the public a significant portion of the diminishing shoreline of the United States and its related geographic and scientific features, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to take appropriate action, as herein provided, to establish in the State of Michigan the Pictured Rocks National Lakeshore.

Publication in Federal Register.

SEC. 2. The area comprising that particular land and water depicted on the map identified as "Proposed Pictured Rocks National Lakeshore, United States Department of the Interior, National Park Service, Boundary Map, NL-PR-7100A, July 1966", which is on file and available for public inspection in the office of the National Park Service of the Department of the Interior, is hereby designated for establishment as the Pictured Rocks National Lakeshore. An exact copy of such map shall be filed for publication in the Federal Register within thirty days following the date of enactment of this Act.

Pictured Rocks National Lakeshore Advisory Commission.

SEC. 3. As soon as practicable after the date of enactment of this Act and following the acquisition by the Secretary of an acreage within the boundaries of the area which in his opinion is efficiently administrable for the purposes of this Act, he shall establish the Pictured Rocks National Lakeshore by publication of notice thereof in the Federal Register.

SEC. 4. (a) There is hereby established a Pictured Rocks National Lakeshore Advisory Commission. Said commission shall terminate ten years after the date the lakeshore is established pursuant to this Act.

(b) The commission shall be composed of five members, each appointed for a term of two years by the Secretary, as follows:

(1) Two members to be appointed from recommendations made by the county in which the lakeshore is situated;

(2) Two members to be appointed from recommendations made by the Governor of the State of Michigan; and

(3) One member to be designated by the Secretary.

(c) The Secretary shall designate one member to be chairman. Any vacancy in the commission shall be filled in the same manner in which the original appointment was made.

(d) Members of the commission shall serve without compensation as such. The Secretary is authorized to pay the expenses reasonably incurred by the commission in carrying out its responsibilities under this Act on vouchers signed by the chairman.

(e) The Secretary or his designee shall, from time to time, consult with the commission with respect to the matters relating to the development of the Pictured Rocks National Lakeshore.

SEC. 5. In administering the lakeshore the Secretary shall permit hunting and fishing on lands and waters under his jurisdiction in accordance with the applicable laws of the United States and of Michigan. The Secretary, after consultation with the Michigan Department of Conservation, may designate zones and establish periods where and when no hunting shall be permitted for reasons of public safety, administration, or public use and enjoyment. The Secretary shall, after consultation with such department, issue regulations, consistent with this section, as he may determine necessary to carry out the purposes of this section.

Hunting and fishing.

SEC. 6. (a) The administration, protection, and development of the Pictured Rocks National Lakeshore shall be exercised by the Secretary, subject to the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented, relating to the areas administered and supervised by the Secretary through the National Park Service; except that authority otherwise available to the Secretary for the conservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of this Act.

Administration.

(b) In the administration, protection, and development of the lakeshore, the Secretary shall prepare and implement a land and water use management plan, which shall include specific provision for—

(1) development of facilities to provide the benefits of public recreation, including a scenic shoreline drive;

(2) protection of scenic, scientific, and historic features contributing to public enjoyment; and

(3) such protection, management, and utilization (subject to the provisions of sections 9 and 10 of this Act) of renewable natural resources, including forage and forest products, as in the judgment of the Secretary is consistent with, and does not significantly impair public recreation and protection of scenic, scientific, and historic features contributing to public enjoyment.

SEC. 7. Nothing in this Act shall be construed as prohibiting any governmental jurisdiction in the State of Michigan from assessing taxes upon any interest in real estate retained under the provisions of section 11 of this Act to the owner of such interest.

SEC. 8. (a) The Secretary is authorized, subject to the limitations, conditions, and restrictions imposed by this Act, to acquire the land, water, and other property, and improvements thereon, and any interests therein (including easements) within the boundary described in section 2 of this Act by donation, purchase with donated or appropriated funds, transfer from any Federal agency, exchange, or condemnation; except that such authority to acquire by condemnation shall be exercised only in the manner and to the extent specifically authorized in this Act.

Acquisition of property, etc.

(b) In exercising his authority to acquire property under this Act, the Secretary shall give immediate and careful consideration to any offer made by an individual owning property within the lakeshore to sell such property to the Secretary. In considering any such offer, the Secretary shall take into consideration any hardship to the owner which might result from any undue delay in acquiring his property.

(c) Any property or interests therein, owned by the State of Michigan, or any political subdivisions thereof, may be acquired only by donation. Notwithstanding any other provision of law, any Federal property located within such area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying out the provisions of this Act.

(d) The Secretary shall make every reasonable effort to acquire property through negotiation and purchase. Where agreement is not reached and condemnation proceedings are filed, the owner of such property shall be paid the fair market value thereof as determined in such proceedings.

(e) Nothing in this Act shall be construed to prohibit the use of condemnation as a means of acquiring a clear and marketable title, free of any and all encumbrances.

(f) In exercising his authority to acquire property by exchange the Secretary may accept title to any non-Federal property within the area designated by section 2 of this Act for inclusion in the lakeshore, and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction within the State of Michigan which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal or, if they are not approximately equal, the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require.

Preservation of  
shoreline, etc.

SEC. 9. (a) The area hereinafter described in subsection (b) of this section is hereby established as an inland buffer zone in order to stabilize and protect the existing character and uses of the lands, waters, and other properties within such zone for the purpose of preserving the setting of the shoreline and lakes, protecting the watersheds and streams, and providing for the fullest economic utilization of the renewable resources through sustained yield timber management and other resource management compatible with the purposes of this Act.

"Inland buffer  
zone."

(b) As used in this Act, the term "inland buffer zone" means that part of the lakeshore delineated as such on the map identified as "Proposed Pictured Rocks National Lakeshore, United States Department of the Interior, National Park Service, Boundary Map, NL-PR-7100A, July, 1966". The Secretary shall file the map with the Office of the Federal Register, and it may also be examined in the Offices of the Department of the Interior.

Boundary map,  
filing with Fed-  
eral Register.

SEC. 10. The Secretary shall be prohibited from acquiring by condemnation any (1) improved property within the inland buffer zone, or (2) property within the inland buffer zone during all times when, in his judgment, such property is being used (A) for the growing and harvesting of timber under a scientific program of selective cutting and forest management, or (B) for commercial purposes, if such commercial purposes are the same such purposes for which such property is being used on December 31, 1964, so long as the use of such improved or other property would further the purposes of this Act and such use does not impair the usefulness and attractiveness of the lakeshore.

"Improved  
property."

(b) As used in this Act, the term "improved property" shall mean any one-family dwelling on which construction was begun before December 31, 1964, together with so much of the land on which the

dwelling is situated (such land being in the same ownership as the dwelling) as shall be reasonably necessary for the enjoyment of the dwelling.

SEC. 11. (a) Any owner or owners of improved property on the date of its acquisition by the Secretary may, as a condition to such acquisition, retain, for a term of not to exceed twenty-five years, or for a term ending at the death of such owner or owners, the right of use and occupancy of such property for any residential purpose which is not incompatible with the purposes of this Act or which does not impair the usefulness and attractiveness of the area designated for inclusion. The Secretary shall pay to the owner the value of the property on the date of such acquisition, less the value on such date of the right retained by the owner. Where any such owner retains a right of use and occupancy as herein provided, such right during its existence may be conveyed or leased for noncommercial residential purposes in accordance with the provisions of this section.

Noncommercial  
residency provi-  
sions.

(b) Any deed or other instrument used to transfer title to property, with respect to which a right of use and occupancy is retained under this section, shall provide that such property shall not be used for any purpose which is incompatible with purposes of this Act, or which impairs the usefulness and attractiveness of the lakeshore and if it should be so used, the Secretary shall have authority to terminate such right. In the event the Secretary exercises his power of termination under this subsection he shall pay to the owner of the right terminated an amount equal to the value of that portion of such right which remained unexpired on the date of such termination.

(c) Any land acquired by the Secretary under this Act on which there is situated a cottage or hunting lodge which, on December 31, 1964, was under lease to any lessee or lessees shall, if such lease is in effect on the date such land is so acquired, be acquired by the Secretary subject to such lease and the right of such lessee or lessees to continue using the property covered by such lease in accordance with the provisions thereof. Upon the expiration of such lease, the Secretary shall have the authority to enter into a lease with such lessee or lessees authorizing them to continue using such cottage or lodge (as the case may be) for a term of not to exceed twenty-five years, or for a term ending at the death of such lessee or lessees, subject to such conditions as may be prescribed by the Secretary.

Leasing author-  
ity.

SEC. 12. The Secretary shall, at the request of any township or county in or adjacent to the lakeshore affected by this Act, assist and consult with the appropriate officers and employees of such township or county in establishing zoning bylaws. Such assistance may include payments to the county or township for technical aid.

Zoning bylaws.

SEC. 13. The Secretary shall furnish to any interested person requesting the same a certificate indicating, with respect to any property which the Secretary has been prohibited from acquiring by condemnation in accordance with provisions of this Act, that such authority is prohibited and the reasons therefor.

SEC. 14. There are hereby authorized to be appropriated not more than \$6,873,000 for the acquisition of lands and interests in land in connection with, and not more than \$6,348,000 for development of, the Pictured Rocks National Lakeshore.

Appropriation.

Approved October 15, 1966.

## Public Law 89-669

## AN ACT

October 15, 1966

[H. R. 9424]

To provide for the conservation, protection, and propagation of native species of fish and wildlife, including migratory birds, that are threatened with extinction; to consolidate the authorities relating to the administration by the Secretary of the Interior of the National Wildlife Refuge System; and for other purposes.

Fish and wild-  
life.  
Conservation  
and protection.

39 Stat. 1702;  
50 Stat. 1311.  
56 Stat. 1354.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) the Congress finds and declares that one of the unfortunate consequences of growth and development in the United States has been the extermination of some native species of fish and wildlife; that serious losses in other species of native wild animals with educational, historical, recreational, and scientific value have occurred and are occurring; and that the United States has pledged itself, pursuant to migratory bird treaties with Canada and Mexico and the Convention on Nature Protection and Wildlife Preservation in the Western Hemisphere, to conserve and protect, where practicable, the various species of native fish and wildlife, including game and nongame migratory birds, that are threatened with extinction. The purposes of this Act are to provide a program for the conservation, protection, restoration, and propagation of selected species of native fish and wildlife, including migratory birds, that are threatened with extinction, and to consolidate, restate, and modify the present authorities relating to administration by the Secretary of the Interior of the National Wildlife Refuge System.

(b) It is further declared to be the policy of Congress that the Secretary of the Interior, the Secretary of Agriculture, and the Secretary of Defense, together with the heads of bureaus, agencies, and services within their departments, shall seek to protect species of native fish and wildlife, including migratory birds, that are threatened with extinction, and, insofar as is practicable and consistent with the primary purposes of such bureaus, agencies, and services, shall preserve the habitats of such threatened species on lands under their jurisdiction.

Endangered  
species.

(c) A species of native fish and wildlife shall be regarded as threatened with extinction whenever the Secretary of the Interior finds, after consultation with the affected States, that its existence is endangered because its habitat is threatened with destruction, drastic modification, or severe curtailment, or because of overexploitation, disease, predation, or because of other factors, and that its survival requires assistance. In addition to consulting with the States, the Secretary shall, from time to time, seek the advice and recommendations of interested persons and organizations including, but not limited to, ornithologists, ichthyologists, ecologists, herpetologists, and mammalogists. He shall publish in the Federal Register the names of the species of native fish and wildlife found to be threatened with extinction in accordance with this paragraph.

Publication in  
Federal Register.

SEC. 2. (a) The Secretary of the Interior shall utilize the land acquisition and other authorities of the Migratory Bird Conservation Act, as amended, the Fish and Wildlife Act of 1956, as amended, and the Fish and Wildlife Coordination Act to carry out a program in the United States of conserving, protecting, restoring, and propagating selected species of native fish and wildlife that are threatened with extinction.

45 Stat. 1222;  
70 Stat. 1119;  
60 Stat. 1080.  
16 USC 715,  
742a note, 661  
note.

(b) In addition to the land acquisition authorities in such Acts, the Secretary is hereby authorized to acquire by purchase, donation, or otherwise, lands or interests therein needed to carry out the purpose of this Act relating to the conservation, protection, restoration, and propagation of selected species of native fish that are threatened with extinction.

(c) Funds made available pursuant to the Land and Water Conservation Fund Act of 1965 (78 Stat. 897) may be used for the purpose of acquiring lands, waters, or interests therein pursuant to this section that are needed for the purpose of conserving, protecting, restoring, and propagating selected species of native fish and wildlife, including migratory birds, that are threatened with extinction. Not to exceed \$5,000,000 may be appropriated annually pursuant to that Act for such purpose for any fiscal year, and the total sum appropriated for such purpose shall not exceed \$15,000,000: *Provided*, That the Secretary shall, to the greatest extent possible, utilize funds from the Land and Water Conservation Fund Act of 1965 for such purpose. Such sums shall remain available until expended. The Secretary shall not use more than \$750,000 to acquire lands, waters, or interests therein for any one area for such purpose unless authorized by Act of Congress.

16 USC 460l-4  
note.

(d) The Secretary shall review other programs administered by him and, to the extent practicable, utilize such programs in furtherance of the purpose of this Act. The Secretary shall also encourage other Federal agencies to utilize, where practicable, their authorities in furtherance of the purpose of this Act and shall consult with and assist such agencies in carrying out endangered species program.

SEC. 3. (a) In carrying out the program authorized by this Act, the Secretary shall cooperate to the maximum extent practicable with the several States. Such cooperation shall include consultation before the acquisition of any land for the purpose of conserving, protecting, restoring, or propagating any endangered species of native fish and wildlife.

Cooperation with  
States.

(b) The Secretary may enter into agreements with the States for the administration and management of any area established for the conservation, protection, restoration, and propagation of endangered species of native fish and wildlife. Any revenues derived from the administration of such areas under these agreements shall be subject to the provisions of section 401 of the Act of June 15, 1935 (49 Stat. 383), as amended (16 U.S.C. 715s).

78 Stat. 701.  
"National Wild-  
life Refuge Sys-  
tem."

SEC. 4. (a) For the purpose of consolidating the authorities relating to the various categories of areas that are administered by the Secretary of the Interior for the conservation of fish and wildlife, including species that are threatened with extinction, all lands, waters, and interests therein administered by the Secretary as wildlife refuges, areas for the protection and conservation of fish and wildlife that are threatened with extinction, wildlife ranges, game ranges, wildlife management areas, or waterfowl production areas are hereby designated as the "National Wildlife Refuge System" (referred to herein as the "System"), which shall be subject to the provisions of this section. Nothing contained in this Act shall restrict the authority of the Secretary to modify or revoke public land withdrawals affecting lands in the System as presently constituted, or as it may be constituted, whenever he determines that such action is consistent with the public interest.

(b) In administering the System, the Secretary is authorized—

Administration.

(1) to enter into contracts with any person or public or private agency through negotiation for the provision of public accommodations when, and in such locations, and to the extent that the

Secretary determines will not be inconsistent with the primary purpose for which the affected area was established.

(2) to accept donations of funds and to use such funds to acquire or manage lands or interests therein, and

(3) to acquire lands or interests therein by exchange (a) for acquired lands or public lands under his jurisdiction which he finds suitable for disposition, or (b) for the right to remove, in accordance with such terms and conditions as the Secretary may prescribe, products from the acquired or public lands within the System. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require.

Prohibited activities.

(c) No person shall knowingly disturb, injure, cut, burn, remove, destroy, or possess any real or personal property of the United States, including natural growth, in any area of the System; or take or possess any fish, bird, mammal, or other wild vertebrate or invertebrate animals or part or nest or egg thereof within any such area; or enter, use, or otherwise occupy any such area for any purpose; unless such activities are performed by persons authorized to manage such area, or unless such activities are permitted either under subsection (d) of this section or by express provision of the law, proclamation, Executive order, or public land order establishing the area, or amendment thereof: *Provided*, That the United States mining and mineral leasing laws shall continue to apply to any lands within the System to the same extent they apply prior to the effective date of this Act unless subsequently withdrawn under other authority of law. Nothing in this Act shall be construed to authorize the Secretary to control or regulate hunting or fishing of resident fish and wildlife, including endangered species thereof, on lands not within the System. The regulations permitting hunting and fishing of resident fish and wildlife within the System shall be, to the extent practicable, consistent with State fish and wildlife laws and regulations. The provisions of this Act shall not be construed as affecting the authority, jurisdiction, or responsibility of the several States to manage, control, or regulate fish and resident wildlife under State law or regulations in any area within the System.

Use of areas.

(d) The Secretary is authorized, under such regulations as he may prescribe, to—

(1) permit the use of any area within the System for any purpose, including but not limited to hunting, fishing, public recreation and accommodations, and access whenever he determines that such uses are compatible with the major purposes for which such areas were established: *Provided*, That not to exceed 40 per centum at any one time of any area that has been, or hereafter may be acquired, reserved, or set apart as an inviolate sanctuary for migratory birds, under any law, proclamation, Executive order, or public land order may be administered by the Secretary as an area within which the taking of migratory game birds may be permitted under such regulations as he may prescribe; and

(2) permit the use of, or grant easements in, over, across, upon, through, or under any areas within the System for purposes such as but not necessarily limited to, powerlines, telephone lines, canals, ditches, pipelines, and roads, including the construction, operation, and maintenance thereof, whenever he determines that such uses are compatible with the purposes for which these areas are established.

Penalties.

(e) Any person who violates or fails to comply with any of the provisions of this Act or any regulations issued thereunder shall be

fined not more than \$500 or be imprisoned not more than six months, or both.

(f) Any person authorized by the Secretary of the Interior to enforce the provisions of this Act or any regulations issued thereunder, may, without a warrant, arrest any person violating this Act or regulations in his presence or view, and may execute any warrant or other process issued by an officer or court of competent jurisdiction to enforce the provisions of this Act or regulations, and may with a search warrant search for and seize any property, fish, bird, mammal, or other wild vertebrate or invertebrate animals or part or nest or egg thereof, taken or possessed in violation of this Act or the regulations issued thereunder. Any property, fish, bird, mammal, or other wild vertebrate or invertebrate animals or part or egg thereof seized with or without a search warrant shall be held by such person or by a United States marshal, and upon conviction, shall be forfeited to the United States and disposed of by the court.

Enforcement.

(g) Regulations applicable to areas of the System that are in effect on the date of enactment of this Act shall continue in effect until modified or rescinded.

(h) Nothing in this section shall be construed to amend, repeal, or otherwise modify the provision of the Act of September 28, 1962 (76 Stat. 653; 16 U.S.C. 460K—460K-4) which authorizes the Secretary of the Interior to administer the areas within the System for public recreation. The provisions of this section relating to recreation shall be administered in accordance with the provisions of said Act.

(i) Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

SEC. 5. (a) The term "person" as used in this Act means any individual, partnership, corporation, or association.

Definitions.

(b) The terms "take" or "taking" or "taken" as used in this Act mean to pursue, hunt, shoot, capture, collect, kill, or attempt to pursue, hunt, shoot, capture, collect, or kill.

(c) The terms "State" and the "United States" as used in this Act mean the several States of the United States, the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, and Guam.

SEC. 6. Section 4(b) of the Act of March 16, 1934 (48 Stat. 451), as amended (16 U.S.C. 718d(b)), is further amended by changing the colon after the word "areas" to a period and striking the provisos, which relate to hunting at certain wildlife refuges and which are now covered by section 4 of this Act.

72 Stat. 486.

SEC. 7. (a) Sections 4 and 12 of the Migratory Bird Conservation Act (45 Stat. 1222), as amended (16 U.S.C. 715c and 715k), are further amended by deleting the word "game" wherever it appears.

(b) Section 10 of the Migratory Bird Conservation Act (45 Stat. 1224), as amended (16 U.S.C. 715i), which relates to the administration of certain wildlife refuges, is amended to read as follows:

"SEC. 10. (a) Areas of lands, waters, or interests therein acquired or reserved pursuant to this Act shall, unless otherwise provided by law, be administered by the Secretary of the Interior under rules and regulations prescribed by him to conserve and protect migratory birds in accordance with treaty obligations with Mexico and Canada, and other species of wildlife found thereon, including species that are threatened with extinction, and to restore or develop adequate wildlife habitat.

“(b) In administering such areas, the Secretary is authorized to manage timber, range, and agricultural crops; to manage other species of animals, including but not limited to fenced range animals, with the objectives of perpetuating, distributing, and utilizing the resources; and to enter into agreements with public and private agencies.”

45 Stat. 1224. (c) Section 11 of the Migratory Bird Conservation Act (45 Stat. 1224) (16 U.S.C. 715j) is amended by striking the period at the end thereof and adding the following: “(39 Stat. 1702) and the treaty between the United States and the United Mexican States for the protection of migratory birds and game mammals concluded February 7, 1936 (50 Stat. 1311).”

Repeal. (d) Sections 13 and 14 of the Migratory Bird Conservation Act (45 Stat. 1225), as amended (16 U.S.C. 715l and 715m), which provide for the enforcement of said Act and for penalties for violations thereof and which are covered by section 4 of this Act, are repealed.

Repeal. SEC. 8. (a) Sections 302 and 303 of title III of the Act of June 15, 1935 (49 Stat. 382), as amended (16 U.S.C. 715d-1 and 715d-2), which authorize exchanges at wildlife refuges and which are covered by section 4 of this Act, are repealed.

78 Stat. 701. (b) The last sentence of section 401(a) of the Act of June 15, 1935 (49 Stat. 383), as amended (16 U.S.C. 715s), is amended by inserting after the term “wildlife refuges”, the following: “lands acquired or reserved for the protection and conservation of fish and wildlife that are threatened with extinction.”

16 USC 460k. SEC. 9. The first clause in section 1 of the Act of September 28, 1962 (76 Stat. 653), is amended by deleting the words “national wildlife refuges, game ranges,” and inserting therein “areas within the National Wildlife Refuge System.”

Key deer and other wildlife, preservation. SEC. 10. (a) The first sentence in section 1 of the Act of August 22, 1957 (71 Stat. 412; 16 U.S.C. 696), is amended to read as follows:

“SEC. 1. In order to protect and preserve in the national interest the key deer and other wildlife resources in the Florida Keys, the Secretary of the Interior is authorized to acquire by purchase, lease, exchange, and donations, including the use of donated funds, such lands or interests therein in townships 65 and 66 south, ranges 28, 29, and 30 east, Monroe County, Florida, as he shall find to be suitable for the conservation and management of the said key deer and other wildlife: *Provided*, That no lands within a one thousand-foot zone adjacent to either side of United States Highway Numbered 1 in Monroe County shall be acquired for the Key Deer National Wildlife Refuge by condemnation. The Secretary, in the exercise of his exchange authority, may accept title to any non-Federal property in townships 65 and 66 south, ranges 28, 29, and 30 east, Monroe County, Florida, and in exchange therefor convey to the grantor of such property any federally owned property in the State of Florida under his jurisdiction which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require.”

71 Stat. 413. (b) Section 3 of such Act of August 22, 1957 (16 U.S.C. 696b), is amended by striking out the second and third sentences and inserting in lieu thereof the following: “The Secretary shall not utilize more than \$2,035,000 from appropriated funds for the acquisition of land and interests in land for the purposes of this Act.”

Approved October 15, 1966.

Public Law 89-670

AN ACT

To establish a Department of Transportation, and for other purposes.

October 15, 1966  
[H. R. 15963]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Department of Transportation Act".

Department of  
Transportation  
Act.

DECLARATION OF PURPOSE

SEC. 2. (a) The Congress hereby declares that the general welfare, the economic growth and stability of the Nation and its security require the development of national transportation policies and programs conducive to the provision of fast, safe, efficient, and convenient transportation at the lowest cost consistent therewith and with other national objectives, including the efficient utilization and conservation of the Nation's resources.

(b) (1) The Congress therefore finds that the establishment of a Department of Transportation is necessary in the public interest and to assure the coordinated, effective administration of the transportation programs of the Federal Government; to facilitate the development and improvement of coordinated transportation service, to be provided by private enterprise to the maximum extent feasible; to encourage cooperation of Federal, State, and local governments, carriers, labor, and other interested parties toward the achievement of national transportation objectives; to stimulate technological advances in transportation; to provide general leadership in the identification and solution of transportation problems; and to develop and recommend to the President and the Congress for approval national transportation policies and programs to accomplish these objectives with full and appropriate consideration of the needs of the public, users, carriers, industry, labor, and the national defense.

(2) It is hereby declared to be the national policy that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites.

ESTABLISHMENT OF DEPARTMENT

SEC. 3. (a) There is hereby established at the seat of government an executive department to be known as the Department of Transportation (hereafter referred to in this Act as the "Department"). There shall be at the head of the Department a Secretary of Transportation (hereafter referred to in this Act as the "Secretary"), who shall be appointed by the President, by and with the advice and consent of the Senate.

Secretary.

(b) There shall be in the Department an Under Secretary, who shall be appointed by the President, by and with the advice and consent of the Senate. The Under Secretary (or, during the absence or disability of the Under Secretary, or in the event of a vacancy in the office of Under Secretary, an Assistant Secretary or the General Counsel, determined according to such order as the Secretary shall prescribe) shall act for, and exercise the powers of the Secretary, during the absence or disability of the Secretary or in the event of a vacancy in the office of Secretary. The Under Secretary shall perform such functions, powers, and duties as the Secretary shall prescribe from time to time.

Under Secretary.

(c) There shall be in the Department four Assistant Secretaries and a General Counsel, who shall be appointed by the President, by

Assistant Secretaries, General Counsel.

and with the advice and consent of the Senate, and who shall perform such functions, powers, and duties as the Secretary shall prescribe from time to time.

Assistant Secretary for Administration.

(d) There shall be in the Department an Assistant Secretary for Administration, who shall be appointed, with the approval of the President, by the Secretary under the classified civil service who shall perform such functions, powers, and duties as the Secretary shall prescribe from time to time.

Administrations.

(e) (1) There is hereby established within the Department a Federal Highway Administration; a Federal Railroad Administration; and a Federal Aviation Administration. Each of these components shall be headed by an Administrator, and in the case of the Federal Aviation Administration there shall also be a Deputy Administrator. The Administrators and the Deputy Federal Aviation Administrator shall be appointed by the President, by and with the advice and consent of the Senate.

Federal Aviation Administrator, qualifications.

(2) The qualifications of the Administrator of the Federal Aviation Agency specified in section 301(b) of the Federal Aviation Act of 1958, as amended (72 Stat. 744; 49 U.S.C. 1341), and the qualifications and status of the Deputy Administrator specified in section 302(b) of the Federal Aviation Act of 1958, as amended (72 Stat. 744; 49 U.S.C. 1342), shall apply, respectively, to the Administrator and Deputy Administrator of the Federal Aviation Administration. However, nothing in this Act shall be construed to preclude the appointment of the present Administrator of the Federal Aviation Agency as Administrator of the Federal Aviation Administration in accordance with the provisions of the Act of June 22, 1965, as amended (79 Stat. 171).

49 USC 1341 note.  
Coast Guard.

(3) In addition to such functions, powers, and duties as are specified in this Act to be carried out by the Administrators, the Administrators and the Commandant of the Coast Guard shall carry out such additional functions, powers, and duties as the Secretary may prescribe. The Administrators and the Commandant of the Coast Guard shall report directly to the Secretary.

Transfer of powers prohibited.

(4) The functions, powers, and duties specified in this Act to be carried out by each Administrator shall not be transferred elsewhere in the Department unless specifically provided for by reorganization plan submitted pursuant to provisions of chapter 9 of title 5, United States Code, or by statute.

Ante, p. 393.  
National Traffic Safety Bureau.

(f) (1) The Secretary shall carry out the provisions of the National Traffic and Motor Vehicle Safety Act of 1966 (80 Stat. 718) through a National Traffic Safety Bureau (hereafter referred to in this paragraph as "Bureau"), which he shall establish in the Department of Transportation. The Bureau shall be headed by a Director who shall be appointed by the President, by and with the advice and consent of the Senate, and shall be compensated at the rate prescribed for level V of the Executive Schedule. All other provisions of the National Traffic and Motor Vehicle Safety Act of 1966 shall apply.

Ante, p. 463.

National Highway Safety Bureau.

(2) The Secretary shall carry out the provisions of the Highway Safety Act of 1966 (80 Stat. 731) (including chapter 4 of title 23 of the United States Code) through a National Highway Safety Bureau (hereafter referred to in this paragraph as "Bureau"), which he shall establish in the Department of Transportation. The Bureau shall be headed by a Director who shall be appointed by the President, by and with the advice and consent of the Senate, who shall be compensated at the rate prescribed for level V of the Executive Schedule. All other provisions of the Highway Safety Act of 1966 shall apply.

(3) The President is authorized, as provided in section 201 of the Highway Safety Act of 1966, to carry out the provisions of the

National Traffic and Motor Vehicle Safety Act of 1966 through the Bureau and Director authorized by section 201 of the Highway Safety Act of 1966.

*Ante*, p. 718.

(4) The office of Federal Highway Administrator, created by section 303 of title 23, United States Code, is hereby transferred to and continued within the Department under the title Director of Public Roads. The Director shall be the operating head of the Bureau of Public Roads, or any other agency created within the Department to carry out the primary functions carried out immediately before the effective date of this Act by the Bureau of Public Roads.

*Ante*, p. 731.

Director of  
Public Roads.  
75 Stat. 822;  
78 Stat. 425.

#### GENERAL PROVISIONS

SEC. 4. (a) The Secretary in carrying out the purposes of this Act shall, among his responsibilities, exercise leadership under the direction of the President in transportation matters, including those affecting the national defense and those involving national or regional emergencies; provide leadership in the development of national transportation policies and programs, and make recommendations to the President and the Congress for their consideration and implementation; promote and undertake development, collection, and dissemination of technological, statistical, economic, and other information relevant to domestic and international transportation; consult and cooperate with the Secretary of Labor in gathering information regarding the status of labor-management contracts and other labor-management problems and in promoting industrial harmony and stable employment conditions in all modes of transportation; promote and undertake research and development relating to transportation, including noise abatement, with particular attention to aircraft noise; consult with the heads of other Federal departments and agencies on the transportation requirements of the Government, including the procurement of transportation or the operation of their own transport services in order to encourage them to establish and observe policies consistent with the maintenance of a coordinated transportation system; and consult and cooperate with State and local governments, carriers, labor, and other interested parties, including, when appropriate, holding informal public hearings.

Duties of  
Secretary.

(b) (1) In carrying out his duties and responsibilities under this Act, the Secretary shall be governed by all applicable statutes including the policy standards set forth in the Federal Aviation Act of 1958, as amended (49 U.S.C. 1301 et seq.); the national transportation policy of the Interstate Commerce Act, as amended (49 U.S.C., preceding §§ 1, 301, 901, and 1001); title 23, United States Code, relating to Federal-aid highways; and title 14 U.S.C., titles LII and LIII of the Revised Statutes (46 U.S.C., chs. 2A, 7, 11, 14, 15, and 18), the Act of April 25, 1940, as amended (54 Stat. 163; 46 U.S.C. 526-526u), and the Act of September 2, 1958, as amended (72 Stat. 1754; 46 U.S.C. 527-527h), relating to the United States Coast Guard.

72 Stat. 731.

24 Stat. 379.

72 Stat. 885.

23 USC 101-136.

63 Stat. 495.

(2) Nothing in this Act shall be construed to authorize, without appropriate action by Congress, the adoption, revision, or implementation of—

(A) any transportation policy, or

(B) any investment standards or criteria.

(3) In exercising the functions, powers, and duties conferred on and transferred to the Secretary by this Act, the Secretary shall give full consideration to the need for operational continuity of the functions transferred, to the need for effectiveness and safety in transportation systems, and to the needs of the national defense.

(c) Orders and actions of the Secretary or the National Transportation Safety Board in the exercise of functions, powers, and duties

Judicial review.

transferred under this Act, and orders and actions of the Administrators pursuant to the functions, powers, and duties specifically assigned to them by this Act, shall be subject to judicial review to the same extent and in the same manner as if such orders and actions had been by the department or agency exercising such functions, powers, and duties immediately preceding their transfer. Any statutory requirements relating to notice, hearings, action upon the record, or administrative review that apply to any function transferred by this Act shall apply to the exercise of such functions by the Secretary, the Administrators, or the National Transportation Safety Board.

(d) In the exercise of the functions, powers, and duties transferred under this Act, the Secretary, the Administrators, and the National Transportation Safety Board shall have the same authority as that vested in the department or agency exercising such functions, powers, and duties immediately preceding their transfer, and their actions in exercising such functions, powers, and duties shall have the same force and effect as when exercised by such department or agency.

(e) It shall be the duty of the Secretary—

(1) to promptly investigate the safety compliance records in the Department of each applicant seeking operating authority from the Interstate Commerce Commission (referred to in this subsection as the "Commission") and to report his findings to the Commission;

(2) when the safety record of an applicant for permanent operating authority, or for approval of a proposed transaction involving transfer of operating authority, fails to satisfy the Secretary, to intervene and present evidence of such applicant's fitness in Commission proceedings;

(3) to furnish promptly upon request of the Commission a statement regarding the safety record of any applicant seeking temporary operating authority from the Commission; and

(4) (A) to furnish upon request of the Commission a complete report of the safety compliance of any carrier, (B) to have made such additional inspections or safety compliance surveys which the Commission deems necessary or desirable in order to process an application or to determine the fitness of a carrier, and (C) if the Commission so requests, to intervene and present evidence in any proceeding in which a determination of fitness is required.

(f) The Secretary shall cooperate and consult with the Secretaries of the Interior, Housing and Urban Development, and Agriculture, and with the States in developing transportation plans and programs that include measures to maintain or enhance the natural beauty of the lands traversed. After the effective date of this Act, the Secretary shall not approve any program or project which requires the use of any land from a public park, recreation area, wildlife and waterfowl refuge, or historic site unless (1) there is no feasible and prudent alternative to the use of such land, and (2) such program includes all possible planning to minimize harm to such park, recreational area, wildlife and waterfowl refuge, or historic site resulting from such use.

(g) The Secretary and the Secretary of Housing and Urban Development shall consult and exchange information regarding their respective transportation policies and activities; carry on joint planning, research and other activities; and coordinate assistance for local transportation projects. They shall jointly study how Federal policies and programs can assure that urban transportation systems most effectively serve both national transportation needs and the comprehensively planned development of urban areas. They shall, within one year after the effective date of this Act, and annually thereafter, report to the President, for submission to the Congress, on their studies

Safety records  
of applicants,  
investigation.

Transportation  
activities.  
Cooperation  
with HUD Secretary.

Reports to  
President and  
Congress.

and other activities under this subsection, including any legislative recommendations which they determine to be desirable. The Secretary and the Secretary of Housing and Urban Development shall study and report within one year after the effective date of this Act to the President and the Congress on the logical and efficient organization and location of urban mass transportation functions in the Executive Branch.

NATIONAL TRANSPORTATION SAFETY BOARD

SEC. 5. (a) There is hereby established within the Department a National Transportation Safety Board (referred to hereafter in this Act as "Board").

(b) There are hereby transferred to, and it shall be the duty of the Board to exercise, the functions, powers, and duties transferred to the Secretary by sections 6 and 8 of this Act with regard to—

Duties.

(1) determining the cause or probable cause of transportation accidents and reporting the facts, conditions, and circumstances relating to such accidents; and

(2) reviewing on appeal the suspension, amendment, modification, revocation, or denial of any certificate or license issued by the Secretary or by an Administrator.

(c) The Board shall exercise the functions, powers, and duties relating to aircraft accident investigations transferred to the Secretary by section 6(d) of this Act.

(d) The Board is further authorized to—

(1) make such recommendations to the Secretary or Administrators on the basis of the exercise of its functions, powers, and duties which, in its opinion, will tend to prevent transportation accidents and promote transportation safety;

(2) conduct special studies on matters pertaining to safety in transportation and the prevention of accidents;

(3) insure that in cases in which it is required to determine cause or probable cause, reports of investigation adequately state the circumstances of the accident involved;

(4) initiate on its own motion or conduct rail, highway, or pipeline accident investigations as the Board deems necessary or appropriate;

(5) make recommendations to the Secretary or Administrators concerning rules, regulations, and procedures for the conduct of accident investigations;

(6) request the Secretary or Administrators to initiate specific accident investigations or conduct further investigations as the Board determines to be necessary or appropriate;

(7) arrange for the personal participation of members or other personnel of the Board in accident investigations conducted by the Secretary or Administrators in such cases as it deems appropriate; and

(8) request from the Secretary or Administrators notification of transportation accidents and reports of such accidents as the Board deems necessary.

(e) Except as otherwise provided by statute, the Board shall make public all reports, orders, decisions, rules, and regulations issued pursuant to sections 5(b) (1) and 5(b) (2), and the Board shall also make public—

Reports, rules,  
etc., availabil-  
ity.

(1) every recommendation made to the Secretary or an Administrator;

(2) every special study conducted; and

(3) every action of the Board requesting the Secretary or an Administrator to take action,

pursuant to section 5(d) (1), (2), (3), (5), (6), or (8).

(f) In the exercise of its functions, powers, and duties, the Board shall be independent of the Secretary and the other offices and officers of the Department.

Report to  
Congress.

(g) The Board shall report to the Congress annually on the conduct of its functions under this Act and the effectiveness of accident investigations in the Department, together with such recommendations for legislation as it may deem appropriate.

Membership.

(h) The Board shall consist of five members to be appointed by the President, by and with the advice and consent of the Senate. No more than three members of the Board shall be of the same political party. Members of the Board shall be appointed with due regard to their fitness for the efficient dispatch of the functions, powers, and duties vested in and imposed upon the Board, and may be removed by the President for inefficiency, neglect of duty, or malfeasance in office.

Terms of office.

(i) Members of the Board shall be appointed for terms of five years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term, and (2) the five members first appointed shall serve for terms (designated by the President at the time of appointment) ending on the last day of the first, second, third, fourth, and fifth calendar years beginning after the year of enactment of this Act. Upon the expiration of his term of office, a member shall continue to serve until his successor is appointed and shall have qualified.

Chairman, Vice  
Chairman.

(j) The President shall designate from time to time one of the members of the Board as Chairman and one of the members as Vice Chairman, who shall act as Chairman in the absence or incapacity of the Chairman, or in the event of a vacancy in the office of the Chairman. The Chairman shall be the chief executive and administrative officer of the Board and shall exercise the responsibility of the Board with respect to (1) the appointment and supervision of personnel employed by the Board; (2) the distribution of business among the Board's personnel; and (3) the use and expenditure of funds. In executing and administering the functions of the Board on its behalf, the Chairman shall be governed by the general policies of the Board and by its decisions, findings, and determinations. Three of the members shall constitute a quorum of the Board.

Subpena power,  
etc.

(k) The Board is authorized to establish such rules, regulations, and procedures as are necessary to the exercise of its functions.

(l) In carrying out its functions, the Board (or, upon the authorization of the Board, any member thereof or any hearing examiner assigned to or employed by the Board) shall have the same powers as are vested in the Secretary to hold hearings, sign and issue subpoenas, administer oaths, examine witnesses, and receive evidence at any place in the United States it may designate.

Delegation of  
functions; ex-  
ceptions.

(m) The Board may delegate to any officer or official of the Board, or, with the approval of the Secretary, to any officer or official of the Department such of its functions as it may deem appropriate, except that—

(1) with respect to aviation, the proviso in section 701(g) of the Federal Aviation Act of 1958, as amended (72 Stat. 782; 49 U.S.C. 1441(g)) shall apply to the Secretary, the Federal Aviation Administrator and their representatives, and

(2) the Board shall not delegate the appellate or determination of probable cause functions transferred to it by section 6(d) of this Act.

(n) Subject to the civil service and classification laws, the Board is authorized to select, appoint, employ, and fix compensation of such

officers and employees, including investigators, attorneys and hearing examiners, as shall be necessary to carry out its powers and duties under this Act.

(o) The Board is authorized, on a reimbursable basis when appropriate, to use the available services, equipment, personnel, and facilities of the Department and of other civilian or military agencies and instrumentalities of the Federal Government, and to cooperate with the Department and such other agencies and instrumentalities in the establishment and use of services, equipment, and facilities of the Board. The Board is further authorized to confer with and avail itself of the cooperation, services, records, and facilities of State, territorial, municipal, or other local agencies.

Cooperation  
with other agen-  
cies.

#### TRANSFERS TO DEPARTMENT

SEC. 6. (a) There are hereby transferred to and vested in the Secretary all functions, powers, and duties of the Secretary of Commerce and other offices and officers of the Department of Commerce under—

Commerce De-  
partment.

(1) the following laws and provisions of law relating generally to highways:

(A) Title 23, United State Code, as amended.

72 Stat. 885.

(B) The Federal-Aid Highway Act of 1966 (80 Stat. 766).

(C) The Federal-Aid Highway Act of 1962, as amended (76 Stat. 1145; 23 U.S.C. 307 note).

(D) The Act of July 14, 1960, as amended (74 Stat. 526; 23 U.S.C. 313 note).

Ante, p. 730.

(E) The Federal-Aid Highway Act of 1954, as amended (68 Stat. 70).

(F) The Act of September 26, 1961, as amended (75 Stat. 670).

(G) The Highway Revenue Act of 1956, as amended (70 Stat. 387; 23 U.S.C. 120 note).

(H) The Highway Beautification Act of 1965, as amended (79 Stat. 1028; 23 U.S.C. 131 et seq. notes).

23 USC 136  
note.

(I) The Alaska Omnibus Act, as amended (73 Stat. 141; 48 U.S.C. 21 note prec.).

(J) The Joint Resolution of August 28, 1965, as amended (79 Stat. 578; 23 U.S.C. 101 et seq. notes).

(K) Section 502(c) of the General Bridge Act of 1946, as amended (60 Stat. 847; 33 U.S.C. 525(c)).

(L) The Act of April 27, 1962, as amended (76 Stat. 59).

(M) Reorganization Plan No. 7 of 1949 (63 Stat. 1070; 5 U.S.C. 133z-15 note).

(2) the following laws and provisions of law relating generally to ground transportation:

(A) The Act of September 30, 1965, as amended (79 Stat. 893; 49 U.S.C. 1631 et seq.).

(B) The Urban Mass Transportation Act of 1964, as amended (78 Stat. 306, 49 U.S.C. 1607).

(3) the following laws and provisions of law relating generally to aircraft:

(A) The Act of September 7, 1957, as amended (71 Stat. 629; 49 U.S.C. 1324 note).

(B) Section 410 of the Federal Aviation Act of 1958, as amended (72 Stat. 769; 49 U.S.C. 1380).

(C) Title XIII of the Federal Aviation Act of 1958, as amended (72 Stat. 800; 49 U.S.C. 1531 et seq.).

Ante, p. 199.

(4) the following law relating generally to pilotage: The Great Lakes Pilotage Act of 1960, as amended (74 Stat. 259; 46 U.S.C. 216 et seq.).

(5) the following law to the extent it authorizes scientific and professional positions which relate primarily to functions transferred by this subsection: The Act of August 1, 1947, as amended (61 Stat. 715; 5 U.S.C. 1161).

(6) the following laws relating generally to traffic and highway safety:

(A) The National Traffic and Motor Vehicle Safety Act of 1966 (80 Stat. 718).

(B) The Highway Safety Act of 1966 (80 Stat. 731).

(b) (1) The Coast Guard is hereby transferred to the Department, and there are hereby transferred to and vested in the Secretary all functions, powers, and duties, relating to the Coast Guard, of the Secretary of the Treasury and of other officers and offices of the Department of the Treasury.

(2) Notwithstanding the transfer of the Coast Guard to the Department and the transfer to the Secretary of the functions, powers, and duties, relating to the Coast Guard, of the Secretary of the Treasury and of other officers and offices of the Department of the Treasury, effected by the provisions of paragraph (1) of this subsection, the Coast Guard, together with the functions, powers, and duties relating thereto, shall operate as a part of the Navy, subject to the orders of the Secretary of the Navy, in time of war or when the President shall so direct, as provided in section 3 of title 14, United States Code, as amended.

(3) Notwithstanding any other provision of this Act, the functions, powers, and duties of the General Counsel of the Department of the Treasury set out in chapter 47 of title 10, United States Code, as amended (Uniform Code of Military Justice), are hereby transferred to and vested in the General Counsel of the Department.

(c) (1) There are hereby transferred to and vested in the Secretary all functions, powers, and duties of the Federal Aviation Agency, and of the Administrator and other officers and offices thereof, including the development and construction of a civil supersonic aircraft: *Provided, however*, That there are hereby transferred to the Federal Aviation Administrator, and it shall be his duty to exercise the functions, powers, and duties of the Secretary pertaining to aviation safety as set forth in sections 306, 307, 308, 309, 312, 313, 314, 1101, 1105, and 1111, and titles VI, VII, IX, and XII of the Federal Aviation Act of 1958, as amended. In exercising these enumerated functions, powers, and duties, the Administrator shall be guided by the declaration of policy in section 103 of the Federal Aviation Act of 1958, as amended. Decisions of the Federal Aviation Administrator made pursuant to the exercise of the functions, powers, and duties enumerated in this subsection to be exercised by the Administrator shall be administratively final, and appeals as authorized by law or this Act shall be taken directly to the National Transportation Safety Board or to the courts, as appropriate.

(2) Nothing in this Act shall affect the power of the President under section 302(e) of the Federal Aviation Act of 1958 (72 Stat. 746, 49 U.S.C. 1343(c)) to transfer, to the Department of Defense in the event of war, any functions transferred by this Act from the Federal Aviation Agency.

(d) There are hereby transferred to and vested in the Secretary all functions, powers, and duties of the Civil Aeronautics Board, and of the Chairman, members, officers, and offices thereof under titles VI (72 Stat. 775; 5 U.S.C. 1421 et seq.) and VII (72 Stat. 781; 49 U.S.C. 1441 et seq.) of the Federal Aviation Act of 1958, as amended: *Pro-*

75 Stat. 789;  
76 Stat. 863;  
Ante, p. 262.

Coast Guard.

63 Stat. 496.  
General Coun-  
sel.

70A Stat. 36.  
10 USC 801-940.

Federal Avia-  
tion Agency.

49 USC 1347-  
1350, 1353-1355,  
1501, 1505, 1511,  
1421-1430, 1441-  
1443, 1471-1474,  
1521-1523.  
49 USC 1303.

Civil Aeronau-  
tics Board.

*vided, however,* That these functions, powers, and duties are hereby transferred to and shall be exercised by the National Transportation Safety Board. Decisions of the National Transportation Safety Board made pursuant to the exercise of the functions, powers, and duties enumerated in this subsection shall be administratively final, and appeals as authorized by law or this Act shall be taken directly to the courts.

(e) There are hereby transferred to and vested in the Secretary all functions, powers, and duties of the Interstate Commerce Commission, and of the Chairman, members, officers, and offices thereof, under—

Interstate Commerce Commission.

(1) the following laws relating generally to safety appliances and equipment on railroad engines and cars, and protection of employees and travelers:

(A) The Act of March 2, 1893, as amended (27 Stat. 531; 45 U.S.C. 1 et seq.).

(B) The Act of March 2, 1903, as amended (32 Stat. 943; 45 U.S.C. 8 et seq.).

(C) The Act of April 14, 1910, as amended (36 Stat. 298; 45 U.S.C. 11 et seq.).

(D) The Act of May 30, 1908, as amended (35 Stat. 476; 45 U.S.C. 17 et seq.).

(E) The Act of February 17, 1911, as amended (36 Stat. 913; 45 U.S.C. 22 et seq.).

43 Stat. 659.

(F) The Act of March 4, 1915, as amended (38 Stat. 1192; 45 U.S.C. 30).

54 Stat. 148.

(G) Reorganization Plan No. 3 of 1965 (79 Stat. 1320).

5 USC 1332-15 note.

(H) Joint Resolution of June 30, 1906, as amended (34 Stat. 838; 45 U.S.C. 35).

(I) The Act of May 27, 1908, as amended (35 Stat. 325; 45 U.S.C. 36 et seq.).

(J) The Act of March 4, 1909, as amended (35 Stat. 965; 45 U.S.C. 37).

(K) The Act of May 6, 1910, as amended (36 Stat. 350; 45 U.S.C. 38 et seq.).

74 Stat. 903.

(2) the following law relating generally to hours of service of employees: The Act of March 4, 1907, as amended (34 Stat. 1415; 45 U.S.C. 61 et seq.).

(3) the following law relating generally to medals for heroism: The Act of February 23, 1905, as amended (33 Stat. 743; 49 U.S.C. 1201 et seq.).

71 Stat. 69.

(4) the following provisions of law relating generally to explosives and other dangerous articles: Sections 831-835 of title 18, United States Code, as amended.

74 Stat. 808;  
79 Stat. 235.

(5) the following laws relating generally to standard time zones and daylight saving time:

(A) The Act of March 19, 1918, as amended (40 Stat. 450; 15 U.S.C. 261 et seq.).

Arte, p. 108.

(B) The Act of March 4, 1921, as amended (41 Stat. 1446; 15 U.S.C. 265).

(C) The Uniform Time Act of 1966, as amended (80 Stat. 107).

(6) the following provisions of the Interstate Commerce Act, as amended—

(A) relating generally to safety appliances methods and systems: Section 25 (49 U.S.C. 26).

50 Stat. 835;  
54 Stat. 919.

(B) relating generally to investigation of motor vehicle sizes, weights, and service of employees: Section 226 (49 U.S.C. 325).

49 Stat. 566;  
54 Stat. 929.

(C) relating generally to qualifications and maximum hours of service of employees and safety of operation and

49 Stat. 546.

equipment: Sections 204(a) (1) and (2), to the extent that they relate to qualifications and maximum hours of service of employees and safety of operation and equipment; and sections 204(a) (3), (3a), and (5) (49 U.S.C. 304).

70 Stat. 958.

(D) to the extent they relate to private carriers of property by motor vehicle and carriers of migrant workers by motor vehicle other than contract carriers: Sections 221(a), 221(c), and 224 (49 U.S.C. 321 et seq.).

68 Stat. 526.

52 Stat. 1240.

(f) (1) Nothing in subsection (e) shall diminish the functions, powers, and duties of the Interstate Commerce Commission under sections 1(6), 206, 207, 209, 210a, 212, and 216 of the Interstate Commerce Act, as amended (49 U.S.C. 1(6), 306 et seq.), or under any other section of that Act not specifically referred to in subsection (e).

41 Stat. 475;

49 Stat. 551;

52 Stat. 1238.

(2) (A) With respect to any function which is transferred to the Secretary by subsection (e) and which was vested in the Interstate Commerce Commission preceding such transfer, the Secretary shall have the same administrative powers under the Interstate Commerce Act as the Commission had before such transfer with respect to such transferred function. After such transfer, the Commission may exercise its administrative powers under the Interstate Commerce Act only with respect to those of its functions not transferred by subsection (e).

Definitions.

(B) For purposes of this paragraph—

(i) the term "function" includes power and duty, and

(ii) the term "administrative powers under the Interstate Commerce Act" means any functions under the following provisions of the Interstate Commerce Act, as amended: Sections 12, 13(1), 13(2), 14, 16(12), the last sentence of 18(1), sections 20 (except clauses (3), (4), (11), and (12) thereof), 204(a) (6) and (7), 204(c), 204(d), 205(d), 205(f), 220 (except subsection (c) and the proviso of subsection (a) thereof), 222 (except subsections (b) (2) and (b) (3) thereof), and 417(b) (1) (49 U.S.C. 12 et seq., 304 et seq., and 1017).

Federal Railroad  
Administrator.

(3) (A) The Federal Railroad Administrator shall carry out the functions, powers, and duties of the Secretary pertaining to railroad and pipeline safety as set forth in the statutes transferred to the Secretary by subsection (e) of this section.

Federal Highway  
Administrator.

(B) The Federal Highway Administrator shall carry out the functions, powers, and duties of the Secretary pertaining to motor carrier safety as set forth in the statutes transferred to the Secretary by subsection (e) of this section.

(C) Decisions of the Federal Railroad Administrator and the Federal Highway Administrator (i) which are made pursuant to the exercise of the functions, powers, and duties enumerated in subparagraphs (A) and (B) of this paragraph to be carried out by the Administrators, and (ii) which involve notice and hearing required by law, shall be administratively final, and appeals as authorized by law or this Act shall be taken directly to the National Transportation Safety Board or the courts, as appropriate.

Department of  
the Army.

(g) There are hereby transferred to and vested in the Secretary all functions, powers, and duties of the Secretary of the Army and other officers and offices of the Department of the Army under—

(1) the following law and provisions of law relating generally to water vessel anchorages:

(A) Section 7 of the Act of March 4, 1915, as amended (38 Stat. 1053; 33 U.S.C. 471).

(B) Article 11 of section 1 of the Act of June 7, 1897, as amended (30 Stat. 98; 33 U.S.C. 180).

(C) Rule 9 of section 1 of the Act of February 8, 1895, as amended (28 Stat. 647; 33 U.S.C. 258).

(D) Rule numbered 13 of section 4233 of the Revised Statutes, as amended (33 U.S.C. 322).

(2) the following provision of law relating generally to draw-bridge operating regulations: Section 5 of the Act of August 18, 1894, as amended (28 Stat. 362; 33 U.S.C. 499).

(3) the following law relating generally to obstructive bridges: The Act of June 21, 1940, as amended (54 Stat. 497; 33 U.S.C. 511 et seq.).

(4) the following laws and provisions of law relating generally to the reasonableness of tolls:

(A) Section 4 of the Act of March 23, 1906, as amended (34 Stat. 85; 33 U.S.C. 494).

(B) Section 503 of the General Bridge Act of 1946, as amended (60 Stat. 847; 33 U.S.C. 526).

(C) Section 17 of the Act of June 10, 1930, as amended (46 Stat. 552; 33 U.S.C. 498a).

(D) The Act of June 27, 1930, as amended (46 Stat. 821; 33 U.S.C. 498b).

(E) The Act of August 21, 1935, as amended (49 Stat. 670; 33 U.S.C. 503 et seq.).

(5) the following law relating to prevention of pollution of the sea by oil: The Oil Pollution Act, 1961, as amended (75 Stat. 402; 33 U.S.C. 1001 et seq.).

(6) the following laws and provision of law to the extent that they relate generally to the location and clearances of bridges and causeways in the navigable waters of the United States:

(A) Section 9 of the Act of March 3, 1899, as amended, (30 Stat. 1151; 33 U.S.C. 401).

(B) The Act of March 23, 1906, as amended (34 Stat. 84; 33 U.S.C. 491 et seq.).

(C) The General Bridge Act of 1946; as amended (60 Stat. 847; 33 U.S.C. 525 et seq.).

(h) The provisions of subchapter II of chapter 5 and of chapter 7 of title 5, United States Code, shall be applicable to proceedings by the Department and any of the administrations or boards within the Department established by this Act except that notwithstanding this or any other provision of this Act, the transfer of functions, powers, and duties to the Secretary or any other officer in the Department shall not include functions vested by subchapter II of chapter 5 of title 5, United States Code, in hearing examiners employed by any department, agency, or component thereof whose functions are transferred under the provisions of this Act.

*Ante*, pp. 381,  
392.

(i) The administration of the Alaska Railroad, established pursuant to the Act of March 12, 1914, as amended (38 Stat. 308), and all of the functions authorized to be carried out by the Secretary of the Interior pursuant to Executive Order Numbered 11107, April 25, 1963 (28 F.R. 4225), relative to the operation of said Railroad, are hereby transferred to and vested in the Secretary of Transportation who shall exercise the same authority with respect thereto as is now exercised by the Secretary of the Interior pursuant to said Executive order.

3 CFR, 1959-  
1963 Comp., p.  
767.

#### TRANSPORTATION INVESTMENT STANDARDS

SEC. 7. (a) The Secretary, subject to the provisions of section 4 of this Act, shall develop and from time to time in the light of experience revise standards and criteria consistent with national transportation policies, for the formulation and economic evaluation of all proposals for the investment of Federal funds in transportation facilities or equipment, except such proposals as are concerned with (1) the acquisition of transportation facilities or equipment by Federal agencies in

providing transportation services for their own use; (2) an inter-oceanic canal located outside the contiguous United States; (3) defense features included at the direction of the Department of Defense in the design and construction of civil air, sea, and land transportation; (4) programs of foreign assistance; (5) water resource projects; or (6) grant-in-aid programs authorized by law. The standards and criteria developed or revised pursuant to this subsection shall be promulgated by the Secretary upon their approval by the Congress.

Water resources,  
standards.

79 Stat. 245.  
42 USC 1962a.

The standards and criteria for economic evaluation of water resource projects shall be developed by the Water Resources Council established by Public Law 89-80. For the purpose of such standards and criteria, the primary direct navigation benefits of a water resource project are defined as the product of the savings to shippers using the waterway and the estimated traffic that would use the waterway; where the savings to shippers shall be construed to mean the difference between (a) the freight rates or charges prevailing at the time of the study for the movement by the alternative means and (b) those which would be charged on the proposed waterway; and where the estimate of traffic that would use the waterway will be based on such freight rates, taking into account projections of the economic growth of the area.

The Water Resources Council established under section 101 of Public Law 89-80 is hereby expanded to include the Secretary of Transportation on matters pertaining to navigation features of water resource projects.

(b) Every survey, plan, or report formulated by a Federal agency which includes a proposal as to which the Secretary has promulgated standards and criteria pursuant to subsection (a) shall be (1) prepared in accord with such standards and criteria and upon the basis of information furnished by the Secretary with respect to projected growth of transportation needs and traffic in the affected area, the relative efficiency of various modes of transport, the available transportation services in the area, and the general effect of the proposed investment on existing modes, and on the regional and national economy; (2) coordinated by the proposing agency with the Secretary and, as appropriate, with other Federal agencies, States, and local units of government for inclusion of his and their views and comments; and (3) transmitted thereafter by the proposing agency to the President for disposition in accord with law and procedures established by him.

#### AMENDMENTS TO OTHER LAWS

SEC. 8. (a) Section 406(b) of the Federal Aviation Act of 1958, as amended (72 Stat. 763; 49 U.S.C. 1376(b)), is amended by adding the following sentence at the end thereof: "In applying clause (3) of this subsection, the Board shall take into consideration any standards and criteria prescribed by the Secretary of Transportation, for determining the character and quality of transportation required for the commerce of the United States and the national defense."

40 USC app.  
201.

(b) Section 201 of the Appalachian Regional Development Act of 1965, as amended (79 Stat. 10; 40 U.S.C. App. 206) is amended as follows:

(1) The first sentence of subsection (a) of that section is amended by striking the words "Commerce (hereafter in this section referred to as the 'Secretary')" and inserting in lieu thereof "Transportation".

(2) The last sentence of subsection (a) of that section is amended by inserting after the word "Secretary", the words "of Transportation".

(3) Subsection (b) of that section is amended by inserting after the word "Secretary", the words "of Commerce".

(4) Subsection (c) of that section is amended by striking the first sentence and inserting in lieu thereof the following sentence: "Such recommendations as are approved by the Secretary of Commerce shall be transmitted to the Secretary of Transportation for his approval."

79 Stat. 11.  
40 USC app.  
201.

(5) The second sentence of subsection (c) of that section is amended by inserting after the word "Secretary" the words "of Transportation".

(6) Subsection (e) of that section is amended by inserting after the word "Secretary" the words "of Transportation".

(7) Subsection (f) of that section is amended by inserting after the word "Secretary", the words "of Commerce and the Secretary of Transportation". Subsection (f) of that section is further amended by striking the word "determines" and inserting in lieu thereof "determine".

(8) Subsection (g) of that section is amended by striking the period at the end thereof and adding the following: "to the Secretary of Commerce, who shall transfer funds to the Secretary of Transportation for administration of projects approved by both Secretaries."

(c) Section 206(c) of the Appalachian Regional Development Act of 1965, as amended (79 Stat. 15; 40 U.S.C. App. 206), is amended by inserting after "Interior," the words "Secretary of Transportation."

(d) Section 212(a) of the Interstate Commerce Act, as amended (49 Stat. 555), is amended by striking "of the Commission" the second, third, and fourth times those words occur.

52 Stat. 1238.  
49 USC 312.

(e) Section 13(b)(1) of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1067), is amended by striking the words "Interstate Commerce Commission" and inserting in lieu thereof "Secretary of Transportation".

75 Stat. 73.  
29 USC 213.

(f) The second sentence of section 3 of the Federal Explosives Act, as amended (40 Stat. 386; 50 U.S.C. 123) is amended to read as follows: "This Act shall not apply to explosives or ingredients which are in transit upon vessels, railroad cars, aircraft, or other conveyances in conformity with statutory law or with the rules and regulations of the Secretary of Transportation."

56 Stat. 1022.

(g) (1) Section 1 of the Act of May 13, 1954, as amended (68 Stat. 93; 33 U.S.C. 981), is amended to read as follows:

"SECTION 1. There is hereby created, subject to the direction and supervision of the Secretary of Transportation, a body corporate to be known as the Saint Lawrence Seaway Development Corporation (hereinafter referred to as the 'Corporation')."

(2) Notwithstanding any other provision of this Act, the Administrator of the Saint Lawrence Seaway Development Corporation shall report directly to the Secretary.

(h) Section 201 of the Highway Safety Act of 1966 (80 Stat. 731) is amended by striking the words "Federal Highway Administrator" and inserting in lieu thereof the words "Director of Public Roads", by striking the word "Agency" wherever it occurs in such section and inserting in lieu thereof the word "Bureau", and by striking "an Administrator" or "Administrator", wherever appearing therein, and inserting in lieu thereof "a Director" or "Director", respectively.

(i) Section 115 of the National Traffic and Motor Vehicle Safety Act of 1966 (80 Stat. 718) is amended by striking the word "Agency" wherever it occurs in such section and inserting in lieu thereof the word "Bureau", and by striking the word "Administrator" wherever it occurs in such section and inserting in lieu thereof the word "Director".

(j) Section 3(a) of the Marine Resources and Engineering Development Act of 1966 (80 Stat. 204) is amended by striking the words "the Treasury" and inserting in lieu thereof "Transportation".

(k) Section 2(e) of the Act of September 22, 1966, Public Law 89-599, is amended by striking the words "of Commerce" and inserting in lieu thereof the words "of Transportation".

ADMINISTRATIVE PROVISIONS

Appointment of personnel.

SEC. 9. (a) In addition to the authority contained in any other Act which is transferred to and vested in the Secretary, the National Transportation Safety Board, or any other officer in the Department, the Secretary is authorized, subject to the civil service and classification laws, to select, appoint, employ, and fix the compensation of such officers and employees, including investigators, attorneys, and hearing examiners, as are necessary to carry out the provisions of this Act and to prescribe their authority and duties.

Experts and consultants.

Ante, p. 416.

(b) The Secretary may obtain services as authorized by section 3109 of title 5 of the United States Code, but at rates not to exceed \$100 per diem for individuals unless otherwise specified in an appropriation Act.

Detail of military personnel to Department.

(c) The Secretary is authorized to provide for participation of military personnel in carrying out the functions of the Department. Members of the Army, the Navy, the Air Force, or the Marine Corps may be detailed for service in the Department by the appropriate Secretary, pursuant to cooperative agreements with the Secretary of Transportation.

(d) (1) Appointment, detail, or assignment to, acceptance of, and service in any appointive or other position in the Department under the authority of section 9(c) and section 9(p) shall in no way affect status, office, rank, or grade which officers or enlisted men may occupy or hold or any emolument, perquisite, right, privilege, or benefit incident to or arising out of any such status, office, rank, or grade, nor shall any member so appointed, detailed, or assigned be charged against any statutory limitation on grades or strengths applicable to the Armed Forces. A person so appointed, detailed, or assigned shall not be subject to direction by or control by his armed force or any officer thereof directly or indirectly with respect to the responsibilities exercised in the position to which appointed, detailed, or assigned.

Report to congressional committees.

(2) The Secretary shall report annually in writing to the appropriate committees of the Congress on personnel appointed and agreements entered into under subsection (c) of this section, including the number, rank, and positions of members of the armed services detailed pursuant thereto.

Delegation and redelegation of functions.

(e) (1) Except where this Act vests in any administration, agency or board, specific functions, powers, and duties, the Secretary may, in addition to the authority to delegate and redelegate contained in any other Act in the exercise of the functions transferred to or vested in the Secretary in this Act, delegate any of his residual functions, powers and duties to such officers and employees of the Department as he may designate, may authorize such successive redelegations of such functions, powers, and duties as he may deem desirable, and may make such rules and regulations as may be necessary to carry out his functions, powers, and duties.

(2) In addition to the authority to delegate and redelegate contained in any other Act, in the exercise of the functions transferred to or specified by this Act to be carried out by any officer in the Department, such officer may delegate any of such functions, powers, and duties to such other officers and employees of the Department as he may designate; may authorize such successive redelegations of such functions, powers, and duties as he may deem desirable; and may make such rules and regulations as may be necessary to carry out such functions, powers, and duties.

(3) The Administrators established by section 3(e) of this Act may not delegate any of the statutory duties and responsibilities specifically assigned to them by this Act outside of their respective administrations.

(f) The personnel, assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds employed, held, used, arising from, available or to be made available, of the Federal Aviation Agency, and of the head and other officers and offices thereof, are hereby transferred to the Secretary: *Provided, however,* That the personnel, assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds employed, held, used, arising from, available, or to be made available in carrying out the duties and functions transferred by this Act to the Secretary which are specified by this Act to be carried out by the Federal Aviation Administrator shall be assigned by the Secretary to the Federal Aviation Administrator for these purposes.

Federal Aviation Agency, transfer of functions, etc.

(g) So much of the positions, personnel, assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds employed, held, used, arising from, available or to be made available in connection with the functions, powers, and duties transferred by sections 6 (except section 6(c)) and 8 (d) and (e) of this Act as the Director of the Bureau of the Budget shall determine shall be transferred to the Secretary: *Provided, however,* That the positions, personnel, assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds employed, held, used, arising from, available, or to be made available, by the Civil Aeronautics Board in carrying out the duties transferred by this Act to be exercised by the National Transportation Safety Board shall be transferred to the National Transportation Safety Board. Except as provided in subsection (h), personnel engaged in functions, powers, and duties transferred under this Act shall be transferred in accordance with applicable laws and regulations relating to transfer of functions.

Civil Aeronautics Board, transfer of functions, etc.

(h) The transfer of personnel pursuant to subsections (f) and (g) of this section shall be without reduction in classification or compensation for one year after such transfer.

(i) In any case where all of the functions, powers, and duties of any office or agency, other than the Coast Guard, are transferred pursuant to this Act, such office or agency shall lapse. Any person who, on the effective date of this Act, held a position compensated in accordance with the Executive Schedule, and who, without a break in service, is appointed in the Department to a position having duties comparable to those performed immediately preceding his appointment shall continue to be compensated in his new position at not less than the rate provided for his previous position, for the duration of his service in his new position.

Compensation of transferred personnel.

(j) The Secretary is authorized to establish a working capital fund, to be available without fiscal year limitation, for expenses necessary for the maintenance and operation of such common administrative services as he shall find to be desirable in the interest of economy and efficiency in the Department, including such services as a central supply service for stationery and other supplies and equipment for which adequate stocks may be maintained to meet in whole or in part the requirements of the Department and its agencies; central messenger, mail, telephone, and other communications services; office space, central services for document reproduction, and for graphics and visual aids; and a central library service. The capital of the fund shall consist of any appropriations made for the purpose of providing capital (which appropriations are hereby authorized) and the fair and reasonable value of such

Working capital fund, establishment.

stocks of supplies, equipment, and other assets and inventories on order as the Secretary may transfer to the fund, less the related liabilities and unpaid obligations. Such funds shall be reimbursed in advance from available funds of agencies and offices in the Department, or from other sources, for supplies and services at rates which will approximate the expense of operation, including the accrual of annual leave and the depreciation of equipment. The fund shall also be credited with receipts from sale or exchange of property and receipts in payment for loss or damage to property owned by the fund. There shall be covered into the United States Treasury as miscellaneous receipts any surplus found in the fund (all assets, liabilities, and prior losses considered) above the amounts transferred or appropriated to establish and maintain said fund.

Official seal.

(k) The Secretary shall cause a seal of office to be made for the Department of such device as he shall approve, and judicial notice shall be taken of such seal.

Services for dependents at remote localities.

(l) In addition to the authority contained in any other Act which is transferred to and vested in the Secretary, the National Transportation Safety Board, or other officer in the Department, as necessary, and when not otherwise available, the Secretary is authorized to provide for, construct, or maintain the following for employees and their dependents stationed at remote localities:

- (1) Emergency medical services and supplies;
- (2) Food and other subsistence supplies;
- (3) Messing facilities;
- (4) Motion picture equipment and film for recreation and training;
- (5) Reimbursement for food, clothing, medicine, and other supplies furnished by such employees in emergencies for the temporary relief of distressed persons; and
- (6) Living and working quarters and facilities.

The furnishing of medical treatment under paragraph (1) and the furnishing of services and supplies under paragraphs (2) and (3) of this subsection shall be at prices reflecting reasonable value as determined by the Secretary, and the proceeds therefrom shall be credited to the appropriation from which the expenditure was made.

Gifts and bequests.

(m) (1) The Secretary is authorized to accept, hold, administer, and utilize gifts and bequests of property, both real and personal, for the purpose of aiding or facilitating the work of the Department. Gifts and bequests of money and the proceeds from sales of other property received as gifts or bequests shall be deposited in the Treasury in a separate fund and shall be disbursed upon order of the Secretary. Property accepted pursuant to this paragraph, and the proceeds thereof, shall be used as nearly as possible in accordance with the terms of the gift or bequest.

Investment in U.S. securities.

(2) For the purpose of Federal income, estate, and gift taxes, property accepted under paragraph (1) shall be considered as a gift or bequest to or for use of the United States.

(3) Upon the request of the Secretary, the Secretary of the Treasury may invest and reinvest in securities of the United States or in securities guaranteed as to principal and interest by the United States any moneys contained in the fund provided for in paragraph (1). Income accruing from such securities, and from any other property held by the Secretary pursuant to paragraph (1) shall be deposited to the credit of the fund, and shall be disbursed upon order of the Secretary.

Statistical studies.

(n) (1) The Secretary is authorized, upon the written request of any person, or any State, territory, possession, or political subdivision

thereof, to make special statistical studies relating to foreign and domestic transportation, and special studies relating to other matters falling within the province of the Department, to prepare from its records special statistical compilations, and to furnish transcripts of its studies, tables, and other records upon the payment of the actual cost of such work by the person or body requesting it.

(2) All moneys received by the Department in payment of the cost of work under paragraph (1) shall be deposited in a separate account to be administered under the direction of the Secretary. These moneys may be used, in the discretion of the Secretary, for the ordinary expenses incidental to the work and/or to secure in connection therewith the special services of persons who are neither officers nor employees of the United States.

Moneys for special services.

(o) The Secretary is authorized to appoint, without regard to the civil service laws, such advisory committees as shall be appropriate for the purpose of consultation with and advice to the Department in performance of its functions. Members of such committees, other than those regularly employed by the Federal Government, while attending meetings of such committees or otherwise serving at the request of the Secretary, may be paid compensation at rates not exceeding those authorized for individuals under subsection (b) of this section, and while so serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

Appointment of advisory committees.

(p) (1) Notwithstanding any provision of this Act or other law, a member of the Coast Guard on active duty may be appointed, detailed, or assigned to any position in the Department other than Secretary, Under Secretary, and Assistant Secretary for Administration.

Ante, p. 499.

Coast Guard, detail to Department.

(2) Subject to the provisions of title 5, United States Code, a retired member of the Coast Guard may be appointed to any position in the Department.

Ante, p. 378.

(q) (1) The Secretary is authorized to enter into contracts with educational institutions, public or private agencies or organizations, or persons for the conduct of scientific or technological research into any aspect of the problems related to the programs of the Department which are authorized by statute.

Research contracts.

(2) The Secretary shall require a showing that the institutions, agencies, organizations, or persons with which he expects to enter into contracts pursuant to this subsection have the capability of doing effective work. He shall furnish such advice and assistance as he believes will best carry out the mission of the Department, participate in coordinating all research initiated under this subsection, indicate the lines of inquiry which seem to him most important, and encourage and assist in the establishment and maintenance of cooperation by and between the institutions, agencies, organizations, or persons and between them and other research organizations, the Department, and other Federal agencies.

(3) The Secretary may from time to time disseminate in the form of reports or publications to public or private agencies or organizations, or individuals such information as he deems pertinent on the research carried out pursuant to this section.

(4) Nothing contained in this subsection is intended to amend, modify, or repeal any provisions of law administered by the Department which authorize the making of contracts for research.

## CONFORMING AMENDMENTS TO OTHER LAWS

SEC. 10. (a) Section 19(d)(1) of title 3, United States Code, as amended, is hereby amended by striking out the period at the end thereof and inserting a comma and the following: "Secretary of Transportation."

62 Stat. 677;  
79 Stat. 669.

Ante, p. 378.

(b) Section 101 of title 5 of the United States Code is amended by inserting at the end thereof the following:

"The Department of Housing and Urban Development.

"The Department of Transportation".

(c) The amendment made by subsection (b) of this section shall not be construed to make applicable to the Department any provision of law inconsistent with this Act.

(d) Subchapter II (relating to executive schedule pay rates) of chapter 53 of title V of the United States Code is amended as follows:

Ante, p. 460.

(1) Section 5312 is amended by adding at the end thereof the following:

"(11) Secretary of Housing and Urban Development.

"(12) Secretary of Transportation."

(2) Section 5313 is amended by striking out "(7) Administrator of the Federal Aviation Agency" and inserting in lieu thereof "(7) Under Secretary of Transportation", and by adding at the end thereof the following:

"(19) Administrator, Federal Aviation Administration."

(3) Section 5314 is amended by adding at the end thereof the following:

"(46) Administrator, Federal Highway Administration.

"(47) Administrator, Federal Railroad Administration.

"(48) Chairman, National Transportation Safety Board."

(4) Section 5315 is amended by adding at the end thereof the following:

"(78) Members, National Transportation Safety Board.

"(79) General Counsel, Department of Transportation.

"(80) Deputy Administrator, Federal Aviation Administration.

"(81) Assistant Secretaries of Transportation (4).

"(82) Director of Public Roads.

"(83) Administrator of the St. Lawrence Seaway Development Corporation."

(5) Section 5316 is amended by adding at the end thereof the following:

"(117) Assistant Secretary for Administration, Department of Transportation."

(6) Section 5317 is amended by striking out "thirty" and inserting in lieu thereof "thirty-four".

Repeals.

(e) Subsections 5314(6), 5315(2), and 5316 (10), (12), (13), (14), (76), and (82) of title 5 of the United States Code are repealed, subject to the provisions of section 9 of this Act.

68 Stat. 76.

(f) Title 18, United States Code, section 1020, as amended, is amended by striking the words "Secretary of Commerce" where they appear therein and inserting in lieu thereof "Secretary of Transportation".

70A Stat. 36.

(g) Subsection (1) of section 801, title 10, United States Code, as amended, is amended by striking out "the General Counsel of the Department of the Treasury" and inserting in lieu thereof "the General Counsel of the Department of Transportation".

## ANNUAL REPORT

SEC. 11. The Secretary shall, as soon as practicable after the end of each fiscal year, make a report in writing to the President for submission to the Congress on the activities of the Department during the preceding fiscal year.

## SAVINGS PROVISIONS

SEC. 12. (a) All orders, determinations, rules, regulations, permits, contracts, certificates, licenses, and privileges—

(1) which have been issued, made, granted, or allowed to become effective—

(A) under any provision of law amended by this Act, or

(B) in the exercise of duties, powers, or functions which are transferred under this Act,

by (i) any department or agency, any functions of which are transferred by this Act, or (ii) any court of competent jurisdiction, and

(2) which are in effect at the time this Act takes effect, shall continue in effect according to their terms until modified, terminated, superseded, set aside, or repealed by the Secretary, Administrators, Board, or General Counsel (in the exercise of any authority respectively vested in them by this Act), by any court of competent jurisdiction, or by operation of law.

(b) The provisions of this Act shall not affect any proceedings pending at the time this section takes effect before any department or agency (or component thereof), functions of which are transferred by this Act; but such proceedings, to the extent that they relate to functions so transferred, shall be continued before the Department. Such proceedings, to the extent they do not relate to functions so transferred, shall be continued before the department or agency before which they were pending at the time of such transfer. In either case orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this Act had not been enacted; and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or repealed by the Secretary, Administrators, Board, or General Counsel (in the exercise of any authority respectively vested in them by this Act), by a court of competent jurisdiction, or by operation of law.

(c) (1) Except as provided in paragraph (2)—

(A) the provisions of this Act shall not affect suits commenced prior to the date this section takes effect, and

(B) in all such suits proceedings shall be had, appeals taken, and judgments rendered, in the same manner and effect as if this Act had not been enacted.

No suit, action, or other proceeding commenced by or against any officer in his official capacity as an officer of any department or agency, functions of which are transferred by this Act, shall abate by reason of the enactment of this Act. No cause of action by or against any department or agency, functions of which are transferred by this Act, or by or against any officer thereof in his official capacity shall abate by reason of the enactment of this Act. Causes of actions, suits, actions, or other proceedings may be asserted by or against the United States or such official of the Department as may be appropriate and, in any litigation pending when this section takes effect, the court may at any time, on its own motion or that of any party, enter an order which will give effect to the provisions of this subsection.

(2) If before the date on which this Act takes effect, any department or agency, or officer thereof in his official capacity, is a party to a suit, and under this Act—

(A) such department or agency is transferred to the Secretary, or

(B) any function of such department, agency, or officer is transferred to the Secretary,

then such suit shall be continued by the Secretary (except in the case of a suit not involving functions transferred to the Secretary, in which case the suit shall be continued by the department, agency, or officer which was a party to the suit prior to the effective date of this Act).

(d) With respect to any function, power, or duty transferred by this Act and exercised after the effective date of this Act, reference in any other Federal law to any department or agency, officer or office so transferred or functions of which are so transferred shall be deemed to mean the officer or agency in which this Act vests such function after such transfer.

SEPARABILITY

SEC. 13. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances shall not be affected thereby.

CODIFICATION

SEC. 14. The Secretary is directed to submit to the Congress within two years from the effective date of this Act, a proposed codification of all laws that contain the powers, duties, and functions transferred to or vested in the Secretary or the Department by this Act.

EFFECTIVE DATE; INITIAL APPOINTMENT OF OFFICERS

Publication in Federal Register.

SEC. 15. (a) This Act shall take effect ninety days after the Secretary first takes office, or on such prior date after enactment of this Act as the President shall prescribe and publish in the Federal Register.

(b) Any of the officers provided for in this Act may (notwithstanding subsection (a)) be appointed in the manner provided for in this Act, at any time after the date of enactment of this Act. Such officers shall be compensated from the date they first take office, at the rates provided for in this Act. Such compensation and related expenses of their offices shall be paid from funds available for the functions to be transferred to the Department pursuant to this Act.

Approved October 15, 1966, 1:25 p.m.

Public Law 89-671

AN ACT

October 15, 1966  
[S. 3423]

To provide for the establishment of the Wolf Trap Farm Park in Fairfax County, Virginia, and for other purposes.

Wolf Trap Farm Park, Va. Establishment.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That for the purpose of establishing in the National Capital area a park for the performing arts and related educational programs, and for recreation use in connection therewith, the Secretary of the Interior is authorized to establish, develop, improve, operate, and maintain the Wolf Trap

Farm Park in Fairfax County, Virginia. The park shall encompass the portions of the property formerly known as Wolf Trap Farm and Symphony Hill in Fairfax County, Virginia, to be donated for park purposes to the United States, and such additional lands or interests therein as the Secretary may acquire for purposes of the park by donation or purchase with donated or appropriated funds, the aggregate of which shall not exceed one hundred and forty-five acres.

SEC. 2. The Secretary of the Interior shall administer the park in accordance with the provisions of section 1 of this Act and the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-4), as amended and supplemented.

SEC. 3. There are authorized to be appropriated such sums as may be necessary, but not in excess of \$600,000, to carry out the purposes of this Act.

Approved October 15, 1966.

Appropriation.

Public Law 89-672

AN ACT

To authorize the Secretary of the Interior to enter into contracts for scientific and technological research, and for other purposes.

October 15, 1966  
[S. 3460]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) the Secretary of the Interior is authorized to enter into contracts with educational institutions, public or private agencies or organizations, or persons for the conduct of scientific or technological research into any aspect of the problems related to the programs of the Department of the Interior which are authorized by statute.

Interior Department.  
Research contracts, authorization.

(b) The Secretary shall require a showing that the institutions, agencies, organizations, or persons with which he expects to enter into contracts pursuant to this section have the capability of doing effective work. He shall furnish such advice and assistance as he believes will best carry out the mission of the Department of the Interior, participate in coordinating all research initiated under this section, indicate the lines of inquiry which seem to him most important, and encourage and assist in the establishment and maintenance of cooperation by and between the institutions, agencies, organizations, or persons and between them and other research organizations, the United States Department of the Interior, and other Federal agencies.

(c) The Secretary may from time to time disseminate in the form of reports or publications to public or private agencies or organizations, or individuals such information as he deems desirable on the research carried out pursuant to this section.

(d) No contract involving more than \$25,000 shall be executed under subsection (a) of this section prior to thirty calendar days from the date the same is submitted to the President of the Senate and the Speaker of the House of Representatives and said thirty calendar days shall not include days on which either the Senate or the House of Representatives is not in session because of an adjournment of more than three calendar days to a day certain or an adjournment sine die.

Limitation.  
Submission to Congress.

SEC. 2. The Secretary shall prescribe such rules and regulations as he deems necessary to carry out the provisions of this Act.

SEC. 3. Nothing contained in this Act is intended to amend, modify, or repeal any provisions of law administered by the Secretary of the Interior which authorize the making of contracts for research.

Approved October 15, 1966.

## Public Law 89-673

## AN ACT

October 15, 1966  
[S. 2463]

To grant the consent of the Congress to the acceptance of certain gifts and decorations from foreign governments, and for other purposes.

Foreign Gifts  
and Decorations  
Act of 1966.  
Definitions.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Foreign Gifts and Decorations Act of 1966".

SEC. 2. In this Act—

(1) The term "person" includes every person who occupies an office or a position in the Government of the United States, its territories and possessions, the Canal Zone government, and the government of the District of Columbia, or is a member of the Armed Forces of the United States, or a member of the family and household of any such person.

(2) The term "foreign government" includes every foreign government and every official, agent, or representative thereof.

(3) The term "gift" includes any present or thing, other than a decoration, tendered by or received from a foreign government.

(4) The term "decoration" includes any order, device, medal, badge, insignia, or emblem tendered by or received from a foreign government.

SEC. 3. No person shall request or otherwise encourage the tender of a gift or decoration.

Gifts of minimal  
value.

SEC. 4. Congress hereby gives its consent to a person to accept and retain a gift of minimal value tendered or received as a souvenir or mark of courtesy. A gift of more than minimal value may also be accepted by a person when it appears that to refuse the gift would be likely to cause offense or embarrassment or otherwise adversely affect the foreign relations of the United States; however, gifts of more than minimal value shall be deemed to have been accepted on behalf of the United States and shall be deposited by the donee for use and disposal as the property of the United States in accordance with the rules and regulations issued pursuant to this Act.

Decorations.

SEC. 5. Congress hereby gives its consent to a person to accept, retain, and wear a decoration which has been tendered in recognition of active field service in time of combat operations or which has been awarded for other outstanding or unusually meritorious performance, subject to the approval of the department, agency, office, or other entity in which such person is employed and the concurrence of the Secretary of State. In the absence of such approval and concurrence, the decoration shall be deposited by the donee for use and disposal as the property of the United States in accordance with the rules and regulations issued pursuant to this Act.

Gifts or decorations  
on deposit  
with State Department.

SEC. 6. Any gift or decoration on deposit with the Department of State on the date of enactment of this Act shall, when approved by the Secretary of State and the appropriate department, agency, office, or other entity, be released to the donee or his legal representative. Such donee may, if authorized, be entitled to wear any decoration so approved. A gift or decoration not approved for release, because of any special or unusual circumstances involved, shall be deemed a gift to the United States and shall be deposited by the donee in accordance with the rules and regulations issued pursuant to this Act.

Rules and regulations.  
Repeals.

SEC. 7. Rules and regulations to carry out the purposes of this Act may be prescribed by or under the authority of the President.

SEC. 8. (1) Sections 2 and 3 of the Act of January 31, 1881 (21 Stat. 604; 5 U.S.C. 114, 115), are repealed.

(2) Section 2 of the Act of June 27, 1934 (48 Stat. 1267; 5 U.S.C. 115a), is repealed.

(3) Section 1002 of the Foreign Service Act of 1946, as amended (60 Stat. 1030; 22 U.S.C. 804), is further amended by deleting the first sentence and by striking out "however," in the second sentence.

Approved October 15, 1966.

Public Law 89-674

AN ACT

Relating to the National Museum of the Smithsonian Institution.

October 15, 1966  
[S. 1310]

Whereas the museums of the Nation constitute cultural and educational institutions of great importance to the Nation's progress; and

Whereas national recognition is necessary to insure that museum resources for preserving and interpreting the Nation's heritage may be more fully utilized in the enrichment of public life in the individual community: Now, therefore,

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "National Museum Act of 1966".

National Museum Act of 1966.  
Duties of director.

SEC. 2. (a) The Director of the National Museum under the direction of the Secretary of the Smithsonian Institution shall—

- (1) cooperate with museums and their professional organizations in a continuing study of museum problems and opportunities, both in the United States and abroad;
- (2) prepare and carry out programs for training career employees in museum practices in cooperation with museums and their professional organizations, wheresoever these may best be conducted;
- (3) prepare and distribute significant museum publications;
- (4) perform research on, and otherwise contribute to, the development of museum techniques;
- (5) cooperate with departments and agencies of the Government of the United States operating, assisting, or otherwise concerned with museums; and
- (6) report annually to the Congress on progress in these activities.

Report to Congress.

(b) There is authorized to be appropriated to carry out this Act, not to exceed, \$200,000 for the fiscal year ending June 30, 1968, \$250,000 for the fiscal year ending June 30, 1969, \$250,000 for the fiscal year ending June 30, 1970, and \$300,000 for the fiscal year ending June 30, 1971, and in each subsequent fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law.

Appropriation.

SEC. 3. The first paragraph under the heading "National Museum" contained in the Act of July 7, 1884 (23 Stat. 214; 20 U.S.C. 65), is amended by deleting the following sentence: "And the Director of the National Museum is hereby directed to report annually to the Congress the progress of the museum during the year and its present condition."

Approved October 15, 1966.

## Public Law 89-675

## AN ACT

October 15, 1966  
[S. 3112]

To amend the Clean Air Act so as to authorize grants to air pollution control agencies for maintenance of air pollution control programs in addition to present authority for grants to develop, establish, or improve such programs; make the use of appropriations under the Act more flexible by consolidating the appropriation authorizations under the Act and deleting the provision limiting the total of grants for support of air pollution control programs to 20 per centum of the total appropriation for any year; extend the duration of the programs authorized by the Act; and for other purposes.

Clean Air Act  
Amendments of  
1966.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Clean Air Act Amendments of 1966".

## CONSOLIDATION OF APPROPRIATION CEILINGS

77 Stat. 401;  
79 Stat. 992.  
42 USC 1857l.

SEC. 2. (a) Section 306 of the Clean Air Act is amended to read as follows:

"SEC. 306. There are hereby authorized to be appropriated to carry out this Act, \$46,000,000 for the fiscal year ending June 30, 1967, \$66,000,000 for the fiscal year ending June 30, 1968, and \$74,000,000 for the fiscal year ending June 30, 1969."

(b) Section 209 of such Act is hereby repealed.

Repeal.  
79 Stat. 995.  
42 USC 1857f-8.

## AUTHORIZATION OF MAINTENANCE GRANTS FOR AIR POLLUTION CONTROL PROGRAMS AND REMOVAL OF 20 PER CENTUM CEILING

77 Stat. 395;  
79 Stat. 992.

SEC. 3. (a) (1) Subsection (a) of section 104 of the Clean Air Act (42 U.S.C. 1857c(a)) is amended to read as follows:

"SEC. 104. (a) The Secretary is authorized to make grants to air pollution control agencies in an amount up to two-thirds of the cost of developing, establishing, or improving, and grants to such agencies in an amount up to one-half of the cost of maintaining, programs for the prevention and control of air pollution: *Provided*, That the Secretary is authorized to make grants to intermunicipal or interstate air pollution control agencies (described in section 302(b) (2) and (4)) in an amount up to three-fourths of the cost of developing, establishing, or improving, and up to three-fifths of the cost of maintaining, regional air pollution control programs. As used in this subsection, the term 'regional air pollution control program' means a program for the prevention and control of air pollution in an area that includes the areas of two or more municipalities, whether in the same or different States."

42 USC 1857h.

(2) Subsection (b) of such section 104 is amended by striking out "under" in the first sentence and inserting in lieu thereof "for the purposes of", and in the next to the last sentence by inserting a comma after the word "funds" and adding "for other than non-recurrent expenditures," and in the same sentence after the word "pollution", the word "control". Such next to the last sentence is further amended by inserting immediately before the period at the end thereof the following: "; and no agency shall receive any grant under this section with respect to the maintenance of a program for the prevention and control of air pollution unless the Secretary is satisfied that such grant will be so used as to supplement and, to the extent practicable, increase the level of State, local, and other non-Federal funds that would in the absence of such grant be made available for the maintenance of such program, and will in no event supplant such State, local, and other non-Federal funds".

(b) Subsection (c) of such section 104 is amended to read as follows:

"(c) Not more than 12½ per centum of the total of funds appropri-

ated or allocated for the purposes of subsection (a) of this section shall be granted for air pollution control programs in any one State. In the case of a grant for a program in an area crossing State boundaries, the Secretary shall determine the portion of such grant that is chargeable to the percentage limitation under this subsection for each State into which such area extends."

Approved October 15, 1966.

Public Law 89-676

AN ACT

October 15, 1966  
[S. 3704]

To provide for the striking of a medal in commemoration of the designation of Ellis Island as a part of the Statue of Liberty National Monument in New York City, New York.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in commemoration of the designation by the President of the United States of Ellis Island as a part of the Statue of Liberty National Monument in New York City, New York, the Secretary of the Treasury is authorized and directed to strike and furnish to the New York City National Shrines Advisory Board a fourth medallion in the liberty series of no more than two hundred and fifty-five thousand medals with suitable emblems, devices, and inscriptions to be determined by the New York City National Shrines Advisory Board and subject to the approval of the Secretary of the Treasury. The medals shall be made and delivered at such times as may be required by the advisory board in quantities of not less than two thousand. The medals shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes.

Ellis Island,  
N.Y.  
Commemorative  
medal.  
\* 79 Stat. 1490.

31 USC 368.

SEC. 2. The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses; and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for full payment of such cost.

SEC. 3. The medals authorized to be issued pursuant to this bill shall be of such size or sizes and of such metals as shall be determined by the Secretary of the Treasury in consultation with such advisory board.

SEC. 4. After December 31, 1968, no further medals shall be struck under the authority of this Act.

Approved October 15, 1966.

Public Law 89-677

AN ACT

October 15, 1966  
[S. 801]

To improve the balance-of-payments position of the United States by permitting the use of reserved foreign currencies in lieu of dollars for current expenditures.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any foreign currencies held by the United States which have been or may be reserved or set aside for specified programs or activities of any agency of the Government may be used by Federal agencies for any authorized purpose, except (1) that reimbursement shall be made to the Treasury from applicable appropriations of the agency concerned, and (2) that any foreign currencies so used shall be replaced when needed for the purpose for which originally reserved or set aside.

Reserved for  
foreign currencies.  
Use by Federal  
agencies.

Approved October 15, 1966.

Public Law 89-678

AN ACT

October 15, 1966  
[S. 3809]

To authorize the Public Printer to print for and deliver to the General Services Administration an additional copy of certain publications.

GSA.  
Additional  
copies of cer-  
tain publica-  
tions.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Printing Act of January 12, 1895 (28 Stat. 601), as amended by the Act of June 17, 1935 (ch. 267, 49 Stat. 386; 44 U.S.C. 215a), is hereby amended by striking that portion of the first sentence preceding the colon and by inserting the following in lieu thereof: "There shall be printed and delivered by the Public Printer to the General Services Administration for official use, including use by the Presidential Library established for the President during whose term or terms the documents were issued, three copies each of the following publications which shall be chargeable to the Congress: ". The Act is further amended by striking the word "two" where it appears in the last phrase of that portion of the first sentence following the colon and inserting in lieu thereof the word "three".

Approved October 15, 1966.

Public Law 89-679

JOINT RESOLUTION

October 15, 1966  
[S. J. Res. 153]

To provide for the striking of medals in commemoration of the fiftieth anniversary of the Federal land bank system in the United States.

Federal land  
bank system.  
50th anniver-  
sary medals.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in commemoration of the fiftieth anniversary of the establishment of the Federal land bank system (which anniversary will be celebrated in 1967), the Secretary of the Treasury is authorized and directed to strike and furnish to the Federal land bank system not more than two thousand commemorative medals with suitable emblems, devices, and inscriptions to be determined by the Federal land bank system subject to the approval of the Secretary of the Treasury. The medals shall be made and delivered at such times as may be required by the Federal land bank system in quantities of not less than two thousand, but no medal shall be made after December 31, 1967. The medals shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes.

31 USC 368.

SEC. 2. The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses; and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for the full payment of such costs.

SEC. 3. The medals authorized to be issued pursuant to this Act shall be of such size or sizes and of such metals as shall be determined by the Secretary of the Treasury in consultation with the Federal land bank system.

Approved October 15, 1966.

## Public Law 89-680

## AN ACT

October 15, 1966  
[H. R. 266]

To amend sections 404 and 406 of title 37, United States Code, relating to travel and transportation allowances of certain members of the uniformed services who are retired, discharged, or released from active duty.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That chapter 7 of title 37, United States Code, is amended as follows:

(1) The first sentence of section 404(c) is amended by striking out the words after the second semicolon and inserting the following in place thereof: "may, not later than one year from the date he is so retired, placed on that list, discharged, or released, except as prescribed in regulations by the Secretaries concerned, select his home for the purposes of the travel and transportation allowances authorized by subsection (a) of this section."

(2) Section 406(d) is amended by striking out the third sentence and inserting the following in place thereof: "The nontemporary storage of baggage and household effects may not be authorized for a period longer than one year from the date the member concerned is separated from the service, retired, placed on the temporary disability retired list, discharged, or released from active duty, except as prescribed in regulations by the Secretaries concerned for a member who, on that date, or at any time during the one-year period following that date, is confined in a hospital, or is in its vicinity, undergoing medical treatment; or in the case of a member who—

"(1) is retired, or is placed on the temporary disability retired list, under chapter 61 of title 10; or

"(2) is retired with pay under any other law, or, immediately following at least eight years of continuous active duty with no single break therein of more than ninety days, is discharged with severance pay or is involuntarily released from active duty with readjustment pay.

Except in the case of a member who, on the date of his separation, discharge, or release, or at any time during the one-year period following that date, is confined in a hospital, or is in its vicinity, undergoing medical treatment, the cost of the storage, for the period that exceeds one year, shall be paid by the member."

(3) The first sentence of section 406(g) is amended by striking out the words after the second semicolon and inserting the following in place thereof: "is, not later than one year from the date he is so retired, placed on that list, discharged, or released, except as prescribed in regulations by the Secretaries concerned, entitled to transportation for his dependents, baggage, and household effects to the home selected under section 404(c) of this title."

Approved October 15, 1966.

Uniformed serv-  
ices.  
Travel and  
transportation  
allowances.  
76 Stat. 472.  
37 USC 404.

37 USC 406.

70A Stat. 91.  
10 USC 1201-  
1221.

37 USC 406.

## Public Law 89-681

## AN ACT

October 15, 1966  
[H. R. 1665]

To amend title 28, entitled "Judiciary and Judicial Procedure", of the United States Code to provide for the reporting of congressional reference cases by commissioners of the United States Court of Claims.

U.S. Court of  
Claims.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 1492 of title 28, United States Code, is amended to read as follows:

**"§ 1492. Congressional reference cases**

"Any bill, except a bill for a pension, may be referred by either House of Congress to the chief commissioner of the Court of Claims for a report in conformity with section 2509 of this title."

SEC. 2. Section 2509 of title 28, United States Code, is amended to read as follows:

**"§ 2509. Congressional reference cases**

Commissioners  
as reviewing  
body.

"(a) Whenever a bill, except a bill for a pension, is referred by either House of Congress to the chief commissioner of the Court of Claims pursuant to section 1492 of this title, the chief commissioner shall designate a trial commissioner for the case and a panel of three commissioners of the court to serve as a reviewing body. One member of the review panel shall be designated as presiding commissioner of the panel.

"(b) Proceedings in a congressional reference case shall be under rules and regulations prescribed for the purpose by the chief commissioner who is hereby authorized and directed to require the application of the pertinent rules of practice of the Court of Claims insofar as feasible. Each trial commissioner and each review panel shall have authority to do and perform any acts which may be necessary or proper for the efficient performance of their duties, including the power of subpoena and the power to administer oaths and affirmations. None of the rules, rulings, findings, or conclusions authorized by this section shall be subject to judicial review.

"(c) The trial commissioner to whom a congressional reference case is assigned by the chief commissioner shall proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitation should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of fact conclusions sufficient to inform Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

"(d) The findings and conclusions of the trial commissioner shall be submitted by him, together with the record in the case, to the review panel of commissioners for review by it pursuant to such rules as may be provided for the purpose, which shall include provision for submitting the report of the trial commissioner to the parties for consideration, exception, and argument before the panel. The panel, by majority vote, shall adopt or modify the findings or the conclusions of the trial commissioner.

"(e) The panel shall submit its report to the chief commissioner for transmission to the appropriate House of Congress.

"(f) Any act or failure to act or other conduct by a party, a witness, or an attorney which would call for the imposition of sanctions under the rules of practice of the Court of Claims shall be noted by the panel or the trial commissioner at the time of occurrence thereof and upon failure of the delinquent or offending party, witness, or

Findings sub-  
mitted to Con-  
gress and re-  
view panel.

Report to  
Congress.

attorney to make prompt compliance with the order of the panel or the trial commissioner a full statement of the circumstances shall be incorporated in the report of the panel.

“(g) The Court of Claims is hereby authorized and directed, under such regulations as it may prescribe, to provide the facilities and services of the office of the clerk of the court for the filing, processing, hearing, and dispatch of congressional reference cases and to include within its annual appropriations the costs thereof and other costs of administration, including (but without limitation to the items herein listed) the salaries and traveling expenses of the commissioners serving as trial commissioners and panel members, mailing and service of process, necessary physical facilities, equipment, and supplies, and personnel (including secretaries and law clerks).”

Provision of facilities and services.

SEC. 3. Section 792 (a) of title 28, United States Code, is amended by adding at the end thereof the following new sentence: “The Court shall designate one of the commissioners to serve at the will of the court as chief commissioner.”

Commissioners. 67 Stat. 226.

Approved October 15, 1966.

Public Law 89-682

AN ACT

October 15, 1966 [H. R. 3314]

To require premarital examinations in the District of Columbia, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all applications for marriage licenses shall be open to inspection as public records. All such applications upon which licenses have not yet been issued shall be kept together in a separate file readily accessible to public examination.

D.C. Premarital examinations, requirement.

SEC. 2. No application for a marriage license shall be received unless there shall be filed therewith a statement or statements, upon a form prescribed by the Board of Commissioners of the District of Columbia, signed by (1) a person in the District of Columbia certified by the Department of Public Health as duly qualified to administer and interpret a standard laboratory blood test, (2) a physician licensed to practice medicine or osteopathy in the District of Columbia, a State, or a territory or possession of the United States, or (3) a commissioned medical officer in the military service or in Public Health Service of the United States, that the applicant has submitted to a standard laboratory blood test within thirty days prior to the filing of such application, and that, in the opinion of such certified person, physician, or medical officer, based upon the result of that test, the applicant is not infected with syphilis in a stage of that disease in which it can be transmitted to another person. Such statement shall not disclose the technical data upon which it is based. Any such statement shall include the name of the person or laboratory administering the test, the name of the test administered, the exact name of the applicant, and the date of the test.

SEC. 3. If a judge of the United States District Court for the District of Columbia determines that public policy or the physical condition of either of the persons applying for a marriage license requires the intended marriage to be celebrated without delay, he may waive the provisions of section 2 of this Act and section 2 of the Act of August 12, 1937 (D.C. Code, sec. 30-109), and a license may be issued without regard to such sections.

Waiver.

50 Stat. 626.

SEC. 4. In any case in which a person is unable for financial reasons to obtain the services of—

Financial disability provision.

- (1) a private physician, or

(2) any other person in the District of Columbia, certified by the Department of Public Health as duly qualified to administer and interpret a standard laboratory blood test, to conduct such test or sign the statement required by section 2 of this Act, any medical officer of the Department of Public Health of the District of Columbia is authorized to conduct such test and provide such statement at no cost to such person.

SEC. 5. Any information obtained from any laboratory blood test required under section 2 of this Act shall be regarded as confidential by each person, agency, or committee who obtains, transmits, or receives such information.

SEC. 6. Whoever—

(1) knowingly divulges, other than in accordance with the provisions of this Act, any information, derived from the laboratory blood test required by section 2 of this Act, relating to any person suffering, or suspected to be suffering from, syphilis,

(2) knowingly misrepresents any fact called for by the statement required by such section, or knowingly falsifies any material fact in connection with the laboratory blood test required by such section,

(3) knowingly issues a marriage license without having received the statement required under such section or an order of the United States District Court for the District of Columbia issued under section 3 of this Act, or

(4) otherwise fails to comply with any other provision of this Act,

shall be imprisoned for not more than six months, or fined not more than \$250, or both. Prosecutions for violations of this section shall be conducted by the Corporation Counsel for the District of Columbia.

SEC. 7. This Act shall take effect upon the expiration of ninety days after the date of its enactment.

Approved October 15, 1966.

Public Law 89-683

AN ACT

To amend title 10, United States Code, to permit members of the armed forces to be assigned or detailed to the Environmental Science Services Administration, Department of Commerce.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That chapter 41 of title 10, United States Code, is amended—

(1) by adding the following new section:

**“§ 719. Department of Commerce: assignment or detail to Environmental Science Services Administration**

“Upon the request of the Secretary of Commerce, the Secretary of a military department may assign or detail members of the armed forces under his jurisdiction for duty in the Environmental Science Services Administration, Department of Commerce, with reimbursement from the Department of Commerce. Notwithstanding any other provision of law, a member so assigned or detailed may exercise the functions, and assume the title, of any position in that Administration without affecting his status as a member of an armed force, but he is not entitled to the compensation fixed for that position.”; and

(2) by adding the following new item at the end of the analysis:

“719. Department of Commerce: assignment or detail to Environmental Science Services Administration.”

Approved October 15, 1966.

Confidential information.

Penalty.

Effective date.

October 15, 1966  
[H. R. 17119]

Armed Forces.  
Assignment of  
members to Com-  
merce Department.  
70A Stat. 32.  
10 USC 711-718.

## Public Law 89-684

## AN ACT

To amend the District of Columbia minimum wage law to provide broader coverage, improved standards of minimum wage and overtime compensation protection, and improved means of enforcement.

October 15, 1966  
[H. R. 8126]

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

District of Columbia Minimum Wage Amendments Act of 1966.

## AMENDMENT TO DISTRICT OF COLUMBIA MINIMUM WAGE LAW

SECTION 1. Title I of the Act of September 19, 1918 (D.C. Code, secs. 36-401—36-422), is amended to read as follows:

40 Stat. 960;  
55 Stat. 738.

## "TITLE I—MINIMUM WAGES

## "FINDING AND DECLARATION OF POLICY

"SECTION 1. (a) The Congress hereby finds that there are persons employed in some occupations in the District of Columbia at wages insufficient to provide adequate maintenance and to protect health. Such employment impairs the health, efficiency, and well-being of the persons so employed, constitutes unfair competition against other employers and their employees, threatens the stability of industry, reduces the purchasing power of employees, and requires, in many instances, that their wages be supplemented by the payment of public moneys for relief or other public and private assistance. Employment of persons at these insufficient rates of pay threatens the health and well-being of the people of the District of Columbia and injures the overall economy.

"(b) It is hereby declared to be the policy of this Act to correct and as rapidly as practicable to eliminate the conditions referred to above.

## "DEFINITIONS

"SEC. 2. As used in this Act—

"(1) The term 'Commissioners' means the Board of Commissioners of the District of Columbia or their designated agent or representative.

"(2) The term 'wage' means compensation due to an employee by reason of his employment, payable in legal tender of the United States or checks on banks convertible into cash on demand at full face value, including such allowances as may be permitted by any order or regulation issued under section 3, 6, 7, or 8.

"(3) The term 'employ' includes to suffer or permit to work.

"(4) The term 'employer' includes any individual, partnership, association, corporation, business trust, or any person or group of persons, acting directly or indirectly in the interest of an employer in relation to an employee, but shall not include the United States or the District of Columbia.

"(5) The term 'employee' includes any individual employed by an employer, except that such term shall not include—

"(A) any individual who, without payment and without expectation of any gain, directly or indirectly, volunteers to engage in the activities of an educational, charitable, religious, or nonprofit organization;

"(B) any lay member elected or appointed to office within the discipline of any religious organization and engaged in religious functions; or

"(C) any individual employed in domestic service or otherwise employed, in or about the residence of the employer.

“(6) The term ‘occupation’ means any occupation, service, trade, business, industry, or branch or group of occupations or industries, or employment or class of employment, in which employees are gainfully employed.

“(7) The term ‘gratuities’ means voluntary monetary contributions received by an employee from a guest, patron, or customer for services rendered.

“MINIMUM WAGE AND OVERTIME COMPENSATION

“SEC. 3. (a) (1) Except as otherwise provided in paragraph (2), every employer shall pay to each of his employees (A) the wage established for each such employee in a wage order issued under this Act, or (B) wages at the following rates:

“(i) not less than \$1.25 an hour during the year beginning February 1, 1967,

“(ii) not less than \$1.40 an hour during the year beginning February 1, 1968, and

“(iii) not less than \$1.60 an hour thereafter, whichever is higher.

“(2) Every employer shall pay to each of his employees whose wage rates are governed by Minimum Wage Order Numbered 10 (effective August 15, 1964), as revised under subsection (c) (2) of this section, wages at the following rates:

“(A) not less than \$1.25 an hour during the year beginning August 1, 1967,

“(B) not less than \$1.40 an hour during the year beginning August 1, 1968, and

“(C) not less than \$1.60 an hour thereafter.

“(b) (1) Except as otherwise provided in paragraph (2), no employer shall employ any of his employees—

“(A) for a workweek longer than forty-two hours during the six month period beginning six months after the date of enactment of this subsection, or

“(B) for a workweek longer than forty hours thereafter, unless such employee receives compensation for his employment in excess of the hours above specified at a rate not less than one and one-half times the regular rate at which he is employed.

“(2) In the case of an employer whose employees' wage rates are governed by Minimum Wage Order Numbered 10 (effective August 15, 1964), as revised under subsection (c) (2) of this section, during the period beginning on the date of enactment of this paragraph and ending August 14, 1968, such employer shall compensate each such employee for employment in excess of forty hours in any workweek at the rate specified in such Wage Order. Beginning August 15, 1968, such employer shall compensate such employees for employment in excess of forty hours in any workweek at the rate established by the Commissioners after public hearing, which rate may be established without regard to the rate specified in paragraph (1).

“(3) No employer shall be deemed to have violated subsection (b) (1) by employing any employee of a retail or service establishment for a workweek in excess of the applicable workweek specified therein, if (A) the regular rate of pay of such employee is in excess of one and one-half times the minimum hourly rate applicable to him under section 3(a)(1), and (B) more than half his compensation for a representative period (not less than one month) represents commissions on goods or services. In determining the proportion of compensation representing commissions, all earnings resulting from the application of a bona fide commission rate shall be deemed commis-

sions on goods or services without regard to whether the computed commissions exceed the draw or guarantee.

“(c) (1) Each minimum wage order issued prior to February 1, 1967, shall remain in full force and effect. Except as provided in paragraph (2), the Commissioners shall by order revise each such wage order as follows:

“(A) Effective February 1, 1967, each such wage order shall be revised to make it applicable to men as well as women employees.

“(B) Effective February 1, 1967, each such wage order which provides for the payment of minimum wages below those prescribed in subsection (a) (1) of this section shall be revised to provide for the payment of minimum wages in accordance with such subsection.

“(C) Effective six months from the date of enactment of the District of Columbia Minimum Wage Amendments Act of 1966, each such wage order which does not provide for the payment of overtime compensation, or which does not require the payment to an employee of at least one and one-half his regular rate for his employment in excess of forty-two hours in a workweek, shall be revised to provide for the payment of overtime compensation in accordance with subsection (b) (1) of this section.

“(2) The Commissioners shall modify Minimum Wage Order Numbered 10 (effective August 15, 1964), effective February 1, 1967, to apply to men as well as women employees. The Commissioners shall further modify such Wage Order to provide for the payment of minimum wages and overtime compensation in accordance with paragraph (2) of subsection (a) of this section and paragraph (2) of subsection (b) of this section.

“(d) (1) For those occupations with respect to which, on the date of enactment of the District of Columbia Minimum Wage Amendments Act of 1966, there is no existing minimum wage order, the Commissioners shall issue an order, effective February 1, 1967, providing for the payment of minimum wages as prescribed by subsection (a) (1) of this section and for the payment of overtime compensation as prescribed in subsection (b) (1) of this section.

“(2) For those occupations with respect to which on the date of the enactment of the District of Columbia Minimum Wage Amendments Act of 1966 there is no existing minimum wage order, the Commissioners shall, with or without reference to an ad hoc advisory committee, make one or more wage orders which may include unrelated occupations. Such a wage order shall include (A) the minimum wage and overtime provisions prescribed in subsections (a) (1) and (b) (1) of this section, and (B) such definitions and regulations as the Commissioners may prescribe, in accordance with section 8, to prevent the circumvention or evasion of such order and to safeguard the minimum wage rates and overtime provisions established in this Act. The Commissioners shall publish a notice once a week, for four successive weeks, in a newspaper of general circulation printed in the District of Columbia, stating that they will, on a date and at a place named in the notice, hold a public hearing on such order at which all interested persons will be given a reasonable opportunity to be heard. Such notice shall contain a summary of the major provisions of such order. Within thirty days after such hearing, the Commissioners may issue such wage order as may be proper or necessary to effectuate the purposes of this Act. Notice of such order shall be published in a newspaper of general circulation printed in the District of Columbia and such order shall take effect upon the expiration of sixty days after the date on which such order was issued by the Commissioners, but not before February 1, 1967.

“(e) The minimum wage orders issued by the Commissioners prior to February 1, 1967, shall be modified by the Commissioners on or after such date in order to include such regulations as the Commissioners may prescribe in accordance with section 8. Such regulations shall take effect upon the expiration of thirty days after the date on which they were made by the Commissioners, but not before February 1, 1967.

#### “EXEMPTIONS

“SEC. 4. (a) The minimum wage and overtime provisions of section 3 shall not apply with respect to—

“(1) any employee employed in a bona fide executive, administrative, or professional capacity, or in the capacity of outside salesman (as such terms are defined by the Secretary of Labor under the Fair Labor Standards Act of 1938); or

“(2) any employee engaged in the delivery of newspapers to the home of the consumer.

“(b) The overtime provisions of section 3(b) (1) shall not apply with respect to—

“(1) any employee employed as a seaman;

“(2) any employee employed by a railroad;

“(3) any salesman, partsman, or mechanic primarily engaged in selling or servicing automobiles, trailers, or trucks if employed by a nonmanufacturing establishment primarily engaged in the business of selling such vehicles to ultimate purchasers;

“(4) any employee employed primarily to wash automobiles by an employer, more than 50 percent of whose annual dollar volume of sales is derived from washing automobiles, if for such employee's employment in excess of one hundred and sixty hours in a period of four consecutive workweeks, such employee receives compensation at a rate not less than one and one-half times the regular rate at which he is employed; or

“(5) any employee employed as an attendant at a parking lot or parking garage.

#### “POWERS AND DUTIES OF THE COMMISSIONERS

“SEC. 5. The Commissioners or their authorized representative shall have authority—

“(1) to investigate and ascertain the wages of persons employed in any occupation in the District of Columbia;

“(2) to enter and inspect the place of business or employment of any employer in the District of Columbia for the purpose of (A) examining and inspecting any or all books, registers, payrolls, and other records of any such employer that in any way relate to or have a bearing upon the wages, hours, and other conditions of employment of any employees, (B) copying any or all of such books, registers, payrolls, and other records as the Commissioners or their authorized representative may deem necessary or appropriate, and (C) questioning such employee for the purpose of ascertaining whether the provisions of this Act and the orders and regulations issued thereunder have been and are being complied with; and

“(3) to require from any such employer full and correct statements in writing, including sworn statements, with respect to wages, hours, names, addresses, and such other information pertaining to the employment of his employees as the Commissioners or their authorized representative may deem necessary or appropriate to carry out the purposes of this Act.

“REVISION OF WAGE ORDERS

“SEC. 6. (a) At any time after a wage order has been in effect for one year the Commissioners may on their own motion reconsider the wage rates set in such wage order. If, after investigation, the Commissioners are of the opinion that any substantial number of workers in the occupation covered by such wage order are receiving wages insufficient to provide adequate maintenance and to protect health they may convene an ad hoc advisory committee for the purpose of considering and inquiring into and reporting to the Commissioners on the subject investigated by the Commissioners and submitted by them to such committee.

Advisory committee.

“(b) The committee shall be composed of not more than three persons representing the employers in such occupation, of an equal number representing the employees in such occupation, of not more than three persons representing the public, and one or more representatives of the agency designated by the Commissioners to administer this Act. Such agency shall name and appoint all the members of the committee and designate its chairman. Two-thirds of the members of the committee shall constitute a quorum, and any decision, recommendation, or report of the committee on the subject submitted to it shall require an affirmative vote of not less than a majority of all its members.

Membership of committee.

“(c) The Commissioners shall present to the committee such information as they might have relating to the subject they submitted to the committee, and may cause to be brought before the committee any witnesses whose testimony the Commissioners consider material.

“(d) Within sixty days after the convening of the committee by the Commissioners, the committee shall make and transmit to the Commissioners a report containing its findings and recommendations on the subject submitted to it by the Commissioners.

“(e) The committee report shall include a recommendation for minimum wages for the employees in the occupation under consideration, but the minimum wage rates recommended shall not be less than those prescribed in subsection (a) (1) of section 3. In making such recommendation the committee shall take into consideration (1) the amount of wages sufficient to provide adequate maintenance and to protect health, (2) the fair and reasonable value of the work performed, and (3) the wages paid in the District of Columbia by fair employers for work of like or comparable character. The committee report shall also include recommendations for reasonable allowances for board, lodging, or other facilities or services, customarily furnished by the employer to the employees, or reasonable allowances for gratuities customarily received by employees in any occupation in which gratuities have customarily and usually constituted and have been recognized as a part of the remuneration for hiring purposes. The committee report may also recommend suitable minimum wages for learners and apprentices in the occupation under consideration, where it appears proper or necessary, and may recommend the maximum length of time any such employee may be kept at such wages as a learner or apprentice. The minimum wages recommended for learners and apprentices may be less than the minimum wages recommended for other employees in such occupation. The committee may make a separate inquiry into and report on any branch of any occupation and may recommend different minimum wages for such branch of employment in the same occupation.

Committee report.

“(f) If such committee fails to submit a report to the Commissioners within the period specified in subsection (d), the Commissioners may (1) discharge such committee from further consideration of the subject

submitted to it and convene a new committee for the purpose of considering such subject, or (2) consider the subject without the recommendations of an ad hoc advisory committee and prepare and publish a revised wage order for the occupation in accordance with the procedure specified in section 7.

#### “ISSUANCE OF REVISED WAGE ORDERS

“SEC. 7. (a) Upon receipt of the report from the ad hoc advisory committee, or upon the discharge of such committee, in accordance with section 6(f), the Commissioners may prepare a proposed revised wage order for the occupation, giving due consideration to any recommendations contained in the report of such committee. In such order the Commissioners shall provide, among other things, such allowances as are recommended in the report. The Commissioners shall publish a notice once a week, for four successive weeks, in a newspaper of general circulation printed in the District of Columbia, stating that they will, on a date and at a place named in the notice, hold a public hearing at which all interested persons will be given a reasonable opportunity to be heard. Such notice shall contain a summary of the major provisions of the proposed revised wage order.

“(b) Within thirty days after such hearing, the Commissioners may make such an order as may be proper or necessary to effectuate the purposes of this Act. Notice of such order shall be published in a newspaper of general circulation printed in the District of Columbia and such order shall take effect upon the expiration of sixty days after the date on which such order was made by the Commissioners.

“(c) A wage order issued under this section shall define the occupation and classifications to which it is to apply, and shall contain such terms and conditions as the Commissioners find necessary to (1) carry out the purposes of such order, (2) to prevent the circumvention or evasion of it, and (3) to safeguard the minimum wage rates and overtime compensation established in it.

“(d) Nothing in this Act shall be construed so as to authorize the Commissioners to establish a minimum weekly wage which would require an employer to pay an employee in any week an amount greater than the amount such employer would have to pay such employee under section 3 for the hours worked in such week.

#### “REGULATIONS

“SEC. 8. (a) The Commissioners shall make and revise such regulations, including definitions of terms, as they may deem appropriate to carry out the purposes of this Act or necessary to prevent its circumvention or evasion and to safeguard the minimum wage rates and the overtime provisions established in this Act.

“(b) The Commissioners shall make regulations—

“(1) providing reasonable allowances for board, lodging, or services customarily furnished by employers to employees,

“(2) providing reasonable allowances for gratuities in any occupation in which gratuities have customarily and usually constituted and have been recognized as part of the remuneration for hiring purposes, and

“(3) providing allowances for such other special conditions or circumstances which may be usual in a particular employer-employee relationship.

“(c) The Commissioners may make regulations—

“(1) defining and governing the employment of handicapped workers and workers under the age of 18 and providing minimum

wages for such workers at a rate lower than that specified in section 3(a)(1) of this Act,

“(2) governing piece rates, bonuses, and commissions in relation to time rates,

“(3) governing part-time rates,

“(4) governing minimum daily wages,

“(5) relating to wage provisions governing split shift and excessive spread of hours, and

“(6) governing uniforms, tools, travel, and other items of expense incurred by employees as a condition of employment.

“(d) Regulations or revisions thereof issued by the Commissioners pursuant to this section shall be made only after a public hearing by the Commissioners, subsequent to publication of a notice of the hearing at which interested persons may be heard. Such regulations or revisions shall, except as may otherwise be provided by the Commissioners, take effect upon the expiration of thirty days after the date on which such regulations and revisions were made by the Commissioners.

#### “JUDICIAL REVIEW

“SEC. 9. (a) Any person aggrieved by an order of the Commissioners issued under this Act may obtain a review of such order in the District of Columbia Court of Appeals by filing in such court, within sixty days after the issuance of such order, a written petition praying that the order of the Commissioners be modified or set aside in whole or in part. A copy of such petition shall forthwith be transmitted by the clerk of the court to the Commissioners, and thereupon the Commissioners shall file in the court the record upon which the order complained of was entered. Upon the filing of such petition such court shall have exclusive jurisdiction to affirm, modify, or set aside such order in whole or in part, so far as it is applicable to the petitioner. The review by the court shall be limited to questions of law, and findings of fact by the Commissioners when supported by substantial evidence shall be conclusive. No objection to the order of the Commissioners shall be considered by the court unless such objection was presented to the Commissioners, except where there were reasonable grounds for failure to present such objections to the Commissioners. If application is made to the court for leave to offer additional evidence, and it is shown to the satisfaction of the court that such additional evidence may materially affect the result of the proceeding and that there were reasonable grounds for failure to offer such evidence in the proceedings before the Commissioners, the court may order such additional evidence to be taken by the Commissioners in such manner and upon such terms and conditions as the court may prescribe. The Commissioners may modify the initial findings by reason of the additional evidence so taken, and shall file with the court such modified or new findings which, if supported by substantial evidence, shall be conclusive, and shall also file their recommendation, if any, for the modification or setting aside of the original order.

“(b) The commencement of proceedings under subsection (a) shall not, unless specifically ordered by the court, operate as a stay of the Commissioners' order. The court shall not grant any stay of the order unless the person complaining of such order shall file in court an undertaking with a surety or sureties, satisfactory to the court, for the payment to the employees affected by the order, in the event such order is affirmed, of the amount by which the compensation such employees are entitled to receive under the order exceeds the compensation they actually receive while such stay is in effect.

## "AUTHORITY TO TAKE TESTIMONY AND ISSUE SUBPENAS

"SEC. 10. The Commissioners shall have power to administer oaths and require by subpoena the attendance and testimony of witnesses, the production of all books, registers, and other evidence relative to any matters under investigation, at any public hearing or at any meeting of any committee or for the use of the Commissioners in securing compliance with this Act. In case of disobedience to a subpoena the Commissioners may invoke the aid of the District of Columbia Court of General Sessions in requiring the attendance and testimony of witnesses and the production of documentary evidence. In case of contumacy or refusal to obey a subpoena the court may issue an order requiring appearance before the Commissioners, the production of documentary evidence, and the giving of evidence, and any failure to obey such order of the court may be punished by such court as a contempt thereof.

## "KEEPING OF RECORDS

"SEC. 11. (a) Every employer subject to any provision of this Act or of any regulation or order issued under this Act shall make, keep, and preserve for a period of not less than three years a record of (1) the name, address, and occupation of each of his employees, (2) a record of the date of birth of any employee under nineteen years of age, (3) the rate of pay and the amount paid each pay period to each of his employees, (4) the hours worked each day and each workweek by each of his employees, and (5) such other records or information as the Commissioners shall prescribe by regulation as necessary or appropriate for the enforcement of the provisions of this Act or of the regulations or orders issued thereunder. Such records shall be open and made available for inspection or transcription by the Commissioners or their authorized representative at any reasonable time. Every such employer shall furnish to the Commissioners or to their authorized representative on demand a sworn statement of such records and information upon forms prescribed or approved by the Commissioners.

"(b) Every employer shall furnish to each employee at the time of payment of wages an itemized statement showing the date of the wage payment, gross wages paid, deductions from and additions to wages, net wages paid, hours worked during the pay period, and any other information as the Commissioners may prescribe by regulation.

## "POSTING OF LAW AND WAGE ORDERS

"SEC. 12. Every employer subject to any provision of this Act or of any regulation or order issued under this Act shall keep a copy or summary of this Act and of any applicable wage order and regulation issued thereunder, in a form prescribed or approved by the Commissioners, posted in a conspicuous and accessible place in or about the premises wherein any employee covered by such regulation or order is employed. Employers shall be furnished such copies or summaries by the Commissioners on request without charge.

## "PROHIBITED ACTS

"SEC. 13. It shall be unlawful for any employer—

"(1) to violate any of the provisions of section 3 or any of the provisions of any regulation or order issued under this Act;

"(2) to violate any of the provisions of section 11 or 12 or any regulation made under the provisions of section 8, or to make any statement, report, or record filed or kept pursuant to the provisions

of section 11 or any regulation or order issued under section 8, knowing such statement, report, or record to be false in a material respect;

“(3) to discharge or in any other manner discriminate against any employee because such employee has filed any complaint or instituted or caused to be instituted any proceeding under or related to this Act, has testified or is about to testify in any such proceeding, or has served or is about to serve on any ad hoc advisory committee; or

“(4) to hinder or delay the Commissioners or their authorized representative in the performance of their duties in the enforcement of this Act, to refuse to admit the Commissioners or their authorized representative to any place of employment, to refuse to make available to the Commissioners or their authorized representative, upon demand, any record required to be made, kept, or preserved under this Act, or to fail to post a summary or copy of this Act or of any applicable regulation or order, as required under section 12.

#### “PENALTIES

“SEC. 14. Any person who willfully violates any of the provisions of section 13 shall upon conviction thereof be subject to a fine of not more than \$10,000, or to imprisonment of not more than six months, or both. No person shall be imprisoned under this section except for an offense committed after the conviction of such person for a prior offense under this section. Prosecutions for violations of this Act shall be in the District of Columbia Court of General Sessions and shall be conducted by the Corporation Counsel of the District of Columbia.

#### “EMPLOYEE REMEDIES

“SEC. 15. (a) Any employer who pays any employee less than the wage to which such employee is entitled under this Act or any order or regulation issued thereunder, shall be liable to such employee in the amount of such unpaid wages, and in an additional equal amount as liquidated damages, except that if, in any action commenced to recover such unpaid wages or liquidated damages, the employer shows to the satisfaction of the court that the act or omission giving rise to such action was in good faith and that he had reasonable grounds for believing that his act or omission was not a violation of this Act, the court may, in its sound discretion, award no liquidated damages, or award any amount thereof not to exceed the amount specified in this section. Action to recover such liability may be maintained in any court of competent jurisdiction in the District of Columbia by any one or more employees for and in behalf of himself or themselves and other employees similarly situated. No employee shall be a party plaintiff to any such action unless he gives his consent in writing to become such a party and such consent is filed in the court in which such action is brought. The court in such action shall allow a reasonable attorney's fee to be paid by the defendant, and costs of the action. Any agreement between an employer and an employee to work for less than the wages to which such employee is entitled under this Act or any order or regulation issued thereunder shall be no defense to any action to recover such unpaid wages or liquidated damages.

“(b) At the written request of any employee paid less than the wage to which such employee is entitled under this Act or any order or regulation issued thereunder, the Commissioners may take an assignment of such wage claim in trust for the assigning employee and may bring

any legal action necessary to collect such claim. In such an action, the defendant shall be required to pay the costs and such reasonable attorney's fees as may be allowed by the court.

"(c) The Commissioners are authorized to supervise the payment of the unpaid wages owing to any employee under this Act or any order or regulation issued thereunder, and the agreement of any employee to accept such payment shall upon payment in full constitute a waiver by such employee of any right he may have under subsection (a) of this section to such unpaid wages and an additional equal amount as liquidated damages.

#### "STATUTE OF LIMITATIONS

"SEC. 16. Any action commenced on or after the effective date of the District of Columbia Minimum Wage Amendments Act of 1966 to enforce any cause of action for unpaid wages or liquidated damages under this Act or any order or regulation issued thereunder may be commenced within three years after the cause of action accrued, and every such action shall be forever barred unless commenced within three years after the cause of action accrued.

#### "RIGHT OF COLLECTIVE BARGAINING

"SEC. 17. Nothing in this Act shall be deemed to interfere with, impede, or in any way diminish the right of employees to bargain collectively with their employers through representatives of their own choosing in order to establish wages or other conditions of work in excess of the standards applicable under the provisions of this Act.

#### "SEPARABILITY OF PROVISIONS

"SEC. 18. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act and the application thereof to other persons or circumstances shall not be affected thereby.

#### "SHORT TITLE

"SEC. 19. This Act may be cited as the 'District of Columbia Minimum Wage Act'."

#### AUTHORITY TO DELEGATE FUNCTIONS

SEC. 2. No amendments made by this Act shall be construed so as to affect the authority vested in the Board of Commissioners of the District of Columbia by Reorganization Plan Numbered 5 of 1952 (66 Stat. 824). The performance of any function vested by this Act or by amendments made by this Act in the Board of Commissioners or in any office or agency under the jurisdiction and control of said Board of Commissioners may be delegated by said Board of Commissioners in accordance with section 3 of such plan, except the function of making and adopting regulations to carry out the purposes of this Act or of any amendment made by this Act.

#### DISTRICT OF COLUMBIA HOURS LAW

SEC. 3. The Act entitled "An Act to regulate the hours of employment and safeguard the health of females employed in the District of Columbia", approved February 24, 1914 (D.C. Code, sec. 36-301), is amended by adding the following new section:

"SEC. 10. The requirements of sections 1, 3, and 4, and so much of section 5 as relates to keeping records of hours worked, shall not be applicable in the case of a person employed in a bona fide executive, administrative, or professional capacity, or in the capacity of an outside salesperson, as such terms may from time to time be defined in regulations which the Commissioners of the District of Columbia are hereby authorized to adopt and promulgate, except that this sentence shall not be construed as relieving an employer from keeping records relating to the compensation paid any such person."

## EFFECTIVE DATE

SEC. 4. (a) Except as provided in subsection (b), the amendments made by this Act shall take effect February 1, 1967.

(b) Notwithstanding the provisions of subsection (a), the authority to promulgate necessary rules, regulations, and orders with regard to amendments made by this Act may be exercised by the Commissioners on and after the date of enactment of this Act.

## SHORT TITLE

SEC. 5. This Act may be cited as the "District of Columbia Minimum Wage Amendments Act of 1966".

Approved October 15, 1966.

Public Law 89-685

## AN ACT

To amend Public Law 89-284 relating to participation of the United States in the HemisFair 1968 Exposition to be held in San Antonio, Texas, in 1968, and for other purposes.

October 15, 1966  
[H. R. 15098]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 2 of Public Law 89-284 (79 Stat. 1026) is hereby amended by adding a new subsection (c) to read as follows:

HemisFair 1968  
Exposition, Tex.  
U.S. participation.

"(c) The President is authorized to appoint, by and with the advice and consent of the Senate, a Commissioner for a Federal exhibit at HemisFair 1968 who shall be in the Department of Commerce and receive compensation at the rate prescribed for level V of the Federal Executive Salary Schedule. The Commissioner shall perform such duties in the execution of this Act as the Secretary of Commerce may assign."

Commissioner,  
appointment by  
President.

78 Stat. 419.  
5 USC 2211.

SEC. 2. Subsection 3(b) of said Act is amended by (a) striking the words: "assist the planning staff established under subsection (a)." from the end of the first sentence of clause (1) and substituting therefor the words: "carry out the provisions of this Act." and by striking the words "while engaged in the work of such planning staff" and "while so engaged" from the second sentence;

(b) Striking the words: "the members of such planning staff and such secretarial, clerical, and other staff assistants as may be necessary to enable such planning staff to perform its functions," from the first sentence of clause (2) and substituting therefor the words: "persons, other than consultants and experts, referred to in (b) (1), who perform functions to carry out the provisions of this Act,";

(c) Adding new clauses (3), (4), and (5) at the end of such subsection as follows:

Contracts.

“(3) The Secretary of Commerce is authorized to enter into such contracts as may be necessary to provide for United States participation in the exposition.

Erection of buildings, etc.

“(4) The Secretary of Commerce is authorized to erect such buildings and other structures as may be appropriate for the United States participation in the exposition on land (approximately four and five hundred and ninety-five thousandths acres or more and including land necessary for ingress and egress) conveyed to the United States, in consideration of the participation by the United States in the exposition, and without other consideration. The Secretary of Commerce is authorized to accept title to such land or any interest therein: *Provided, however,* That the land or interest may be accepted only if the Secretary determines that no term or condition therein will interfere with the use of the property for purposes of the United States or prevent the disposal of the property as hereinafter set out. Any building constructed by the United States Government as a part of its participation in HemisFair shall not be a ‘public building’ under the Public Buildings Act of 1959 (40 U.S.C. 601 et seq.). In the design and construction of such buildings and other structures, consideration, including consultation with the General Services Administration, shall be given to their utility for governmental purposes, needs, or other benefits following the close of the exposition.

73 Stat. 479.

Expenses authorized.

“(5) The Secretary of Commerce is authorized to incur such other expenses as may be necessary to carry out the purposes of this Act, including but not limited to expenditures involved in the selection, purchase, rental, construction, and other acquisition, of exhibits and materials and equipment therefor and the actual display thereof, and including but not limited to related expenditures for costs of transportation, insurance, installation, safekeeping, maintenance, and operation, rental of space, and dismantling; and to purchase books of references, newspapers, and periodicals.”

79 Stat. 1027.

SEC. 3. Section 4(1) of said Act is amended by striking the words: “determining the manner in which and the extent to which the United States shall be a participant in and an exhibitor at the exposition” and substituting therefor the words: “carrying out any of the provisions of this Act”.

Report to Congress.

SEC. 4. Section 5 of said Act is amended by designating the existing language in section 5 as subsection (a) and by adding a new subsection (b) as follows: “(b) The Secretary of Commerce shall report to the Congress within six months after the date of the official close of the exposition on the activities of the Federal Government pursuant to this Act, including a detailed statement of expenditures. Upon transmission of such report to the Congress, all appointments made under this Act shall terminate, except those which may be extended by the President for such additional period of time as he deems necessary to carry out the purposes of this Act.”

Appropriation.

SEC. 5. Section 6 of said Act is renumbered as section 8 and amended by adding a new sentence at the end thereof as follows: “In addition there are authorized to be appropriated, to remain available until expended, not to exceed \$7,500,000, to carry out United States participation in the international exposition HemisFair, 1968.”

SEC. 6. Said Act is further amended by inserting new sections 6 and 7 to read as follows:

Surplus property, disposition.

“SEC. 6. After the close of the exposition, all property purchased or erected with funds provided pursuant to this Act shall be disposed of in accordance with provisions of this Act and with the Federal Property and Administrative Services Act of 1949, and other applicable Federal laws relating to the disposition of excess and surplus property.

63 Stat. 377.  
40 USC 471 note.

"SEC. 7. The functions authorized by this Act may be performed without regard to the prohibitions and limitations of the following laws:

"(1) That part of section 15 of the Administrative Expenses Act of 1946 (ch. 744, August 2, 1946; 60 Stat. 810), as amended (5 U.S.C. 55a), which reads '(not in excess of one year)'.

"(2) Section 16(a) of the Administrative Expenses Act of 1946 (ch. 744, August 2, 1946; 60 Stat. 810; 5 U.S.C. 78) to the extent that it pertains to hiring automobiles.

"(3) Section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), (advance of public moneys).

"(4) Sections 302-305 of the Federal Property and Administrative Services Act of 1949 (June 30, 1949, ch. 288, 63 Stat. 393 et seq.), as amended (41 U.S.C. 252-255), (competitive bids; negotiated contracts, advances).

"(5) Section 322 of the Act of June 30, 1932 (ch. 314, 47 Stat. 412; 40 U.S.C. 278a) (lease of buildings to Government; maximum rental).

"(6) Section 3709 of the Revised Statutes, as amended (41 U.S.C. 5) (advertisement of proposals for competitive bids).

"(7) Section 3710 of the Revised Statutes (41 U.S.C. 8) (opening of bids).

"(8) Section 2 of the Act of March 3, 1933 (ch. 212, 47 Stat. 1520; 41 U.S.C. 10a) (Buy American Act).

"(9) Section 3735 of the Revised Statutes (41 U.S.C. 13) (contracts limited to one year).

"(10) The second proviso of section 11 of the Act of March 1, 1919 (ch. 86, 40 Stat. 1270), as amended (44 U.S.C. 111), to the extent that it pertains to printing by the Government Printing Office.

"(11) Section 1 of the Act of June 20, 1878 (ch. 359, 20 Stat. 216), as amended (44 U.S.C. 322) (rates of payment for advertisements).

"(12) Section 3828 of the Revised Statutes (44 U.S.C. 324) (no advertisements without authority)."

SEC. 7. Said Act is further amended by inserting at the end thereof the following new section:

"SEC. 9. (a) No funds made available under this Act shall be expended to provide for United States participation in the exposition, unless the Secretary of Commerce has received satisfactory assurances from the San Antonio Fair, Incorporated, a nonprofit corporation of the State of Texas, that—

Expenditure of funds, conditions.

"(1) there is and at all times will be full participation by all segments of the San Antonio community, as evidenced by the membership of the executive committee of such corporation, or any other body thereof which exercises general administrative control and direction with respect to the planning or operation of the exposition, and by such other criteria as the Secretary shall determine to be relevant, and

"(2) the public shall be kept fully informed as to the activities of such corporation, and that the activities of such corporation shall at all times, to the maximum extent practicable, be conducted openly, including assurances that the meetings of the executive committee of such corporation, or any other body thereof which exercises general administrative control and direction with respect to the planning or operation of the exposition, will be held in open sessions at regularly scheduled times and places after public notice of the times and places for such meetings, and such other assurances as the Secretary of Commerce shall determine to be relevant, and

"(3) no person shall be an officer, or member, or ex officio member of the executive committee of such corporation who shall have a substantial financial interest in any organization doing business with such corporation or in any personal business arrangement with such corporation or who shall be an elected officer of any political organization, and

"(4) historic structures in the area encompassed by the exposition will be preserved to the maximum extent possible.

Definitions.

For the purposes of this subsection (A) the term 'metropolitan area of San Antonio' includes the municipal limits of San Antonio and such surrounding areas as the Secretary of Commerce may determine to constitute, the metropolitan limits of San Antonio, and (B) the term 'substantial financial interest in any organization' includes having a financial interest in any organization through serving as an officer, director, trustee, partner, or executive of such organization, or through negotiating with or having any arrangement concerning prospective employment with such organization, or through holding legal title to or any beneficial interest in or control over more than 5 per centum of the total of issued and subscribed share capital of such organization.

"(b) Whenever the Secretary of Commerce, after reasonable notice and opportunity to hearing to the San Antonio Fair, Incorporated, finds that—

"(1) such corporation will not or cannot make any of the assurances required by subsection (a); or

"(2) any assurance given under subsection (a) is not being or cannot be complied with by such corporation,

the Secretary of Commerce shall forthwith notify such corporation that no funds will be made available under this Act to provide for United States participation in the exposition until satisfactory assurances are given as required by subsection (a), or if any construction or other activity has commenced to provide for or carry out United States participation in the exposition, that no further funds will be made available under this Act with respect to such United States participation until the assurances required to be given by subsection (a) are being complied with by such corporation. Until the Secretary of Commerce is given satisfactory assurances as required by subsection (a), or is satisfied that such corporation will comply with such assurances, as the case may be, no funds shall be made available under this Act to provide for United States participation in the exposition other than any funds previously expended for such purposes, and no construction, display, or other activity may be commenced or continued for such purpose.

"(c) The action of the Secretary of Commerce or his designee in allowing or denying the expenditure of funds under this Act to provide for United States participation in the exposition shall be final and conclusive for all purposes, except as otherwise provided in subsection (b) and not subject to review by any court by mandamus or otherwise."

Future exhibitions.  
U.S. participation, requirement.

SEC. 8. The Congress declares it to be the policy of the United States that, hereafter, United States participation shall not be authorized in any international fair, exposition, celebration or other international exhibition proposed to be held in the United States unless such exhibition is registered in the first category by an established international organization.

Approved October 15, 1966.

Public Law 89-686

AN ACT

To amend the Federal Seed Act (53 Stat. 1275), as amended.

October 15, 1966  
[H. R. 15662]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 101(a) (1), 101(a) (8) (A) (ii), 101(a) (9) (A) (ii) and 101(a) (10) of the Federal Seed Act (53 Stat. 1275, 1277, 1278; 70 Stat. 908, 7 U.S.C. 1561(a) (1), 1561(a) (8) (A) (ii), 1561(a) (9) (A) (ii), and 1561(a) (10)) are hereby amended by deleting therefrom the words "Alaska" and "Hawaii" and the commas appearing after such words.

Federal Seed Act, amendment.

SEC. 2. Section 101(a) (7) (A) of said Act (53 Stat. 1276; 72 Stat. 476, 7 U.S.C. 1561(a) (7) (A)) is amended to read as follows:

"(A) 'Agricultural seeds' shall mean grass, forage, and field crop seeds which the Secretary of Agriculture finds are used for seeding purposes in the United States and which he lists in the rules and regulations prescribed under section 402 of this Act."

"Agricultural seeds."

7 USC 1592.

SEC. 3. Section 101(a) (11) of said Act (53 Stat. 1278; 7 U.S.C. 1561(a) (11)) is amended by substituting for the words "wheat", "oats", "vetch", and "sweetclover" the words "soybean", "flax", "carrot", and "radish."

SEC. 4. Section 201(a) of said Act (53 Stat. 1279; 7 U.S.C. 1571(a)) is amended by changing the introductory portion thereof to read as follows:

"(a) Any agricultural seeds or any mixture of agricultural seeds for seeding purposes, unless each container bears a label giving the following information, except as provided in paragraph (j) of this section for seed mixtures intended for lawn and turf purposes, in accordance with rules and regulations prescribed under section 402 of this Act:"

Labeling requirements.

Post, p. 977.

SEC. 5. Section 201(a) (1) of said Act (53 Stat. 1279; 7 U.S.C. 1571(a) (1)) is amended to read as follows:

"(1) The name of the kind or kind and variety for each agricultural seed component present in excess of 5 per centum of the whole and the percentage by weight of each: *Provided*, That if any such component is one which the Secretary of Agriculture has determined, in rules and regulations prescribed under section 402 of this Act, is generally labeled as to variety, the label shall bear, in addition to the name of the kind, either the name of such variety or the statement 'Variety Not Stated': *And provided further*, That in the case of any such component which is a hybrid seed it shall, in addition to the above requirements, be designated as hybrid on the label;"

Name of kind, etc.

SEC. 6. Section 201(a) of said Act (53 Stat. 1279; 7 U.S.C. 1571(a)) is amended by adding at the end thereof a new paragraph (10), to read as follows:

"(10) The year and month beyond which an inoculant, if shown in the labeling, is no longer claimed to be effective."

Inoculant.

SEC. 7. Section 201(b) of said Act (53 Stat. 1280, 72 Stat. 476; 7 U.S.C. 1571 (b)) is amended to read as follows:

"(b) Any vegetable seeds, for seeding purposes, in containers, unless each container bears a label giving the following information in accordance with rules and regulations prescribed under section 402 of this Act:

Vegetable seeds.

"(1) For containers of one pound or less of seed that germinates equal to or above the standard last established by the Secretary of Agriculture, as provided under section 403(c) of this Act—

7 USC 1593.

"(A) The name of each kind and variety of seed, and if two or more kinds or varieties are present, the percentage of each, and

further, that in the case of any such component which is a hybrid seed, it shall be designated as hybrid on the label; and

“(B) Name and address of—

“(i) the person who transports, or delivers for transportation, said seed in interstate commerce; or

“(ii) the person to whom the seed is sold or shipped for resale, together with a code designation approved by the Secretary of Agriculture under rules and regulations prescribed under section 402 of this Act, indicating the person who transports or delivers for transportation said seed in interstate commerce;

“(2) For containers of one pound or less of seed that germinates less than the standard last established by the Secretary of Agriculture, as provided under section 403(c) of this Act—

“(A) The name of each kind and variety of seed, and if two or more kinds or varieties are present, the percentage of each, and further, that in the case of any such component which is a hybrid seed, it shall be designated as hybrid on the label; and

“(B) For each named kind and variety of seed—

“(i) the percentage of germination, exclusive of hard seed;

“(ii) the percentage of hard seed, if present;

“(iii) the calendar month and year the test was completed to determine such percentages;

“(iv) the words ‘Below Standard’; and

“(C) Name and address of—

“(i) the person who transports, or delivers for transportation, said seed in interstate commerce; or

“(ii) the person to whom the seed is sold or shipped for resale, together with a code designation approved by the Secretary of Agriculture under rules and regulations prescribed under section 402 of this Act, indicating the person who transports or delivers for transportation said seed in interstate commerce.

“(3) For containers of more than one pound of seed—

“(A) The name of each kind and variety of seed, and if two or more kinds or varieties are present, the percentage of each and, further, that in the case of any such component which is a hybrid seed, it shall be designated as hybrid on the label;

“(B) Lot number or other lot identification;

“(C) For each named kind and variety of seed—

“(i) the percentage of germination, exclusive of hard seed;

“(ii) the percentage of hard seed, if present;

“(iii) the calendar month and year the test was completed to determine such percentages; and

“(D) Name and address of—

“(i) the person who transports, or delivers for transportation, said seed in interstate commerce; or

“(ii) the person to whom the seed is sold or shipped for resale, together with a code designation approved by the Secretary of Agriculture under rules and regulations prescribed under section 402 of this Act, indicating the person who transports or delivers for transportation said seed in interstate commerce.”

SEC. 8. Clause (b) of section 201(c) of said Act (53 Stat. 1280; 7 U.S.C. 1571(c)) is amended to read as follows:

“(b) a longer period for any kind of agricultural or vegetable seed which is packaged in such container materials and under such other conditions prescribed by the Secretary of Agriculture as he finds will, during such longer period, maintain the viability of said seed under ordinary conditions of handling.”

SEC. 9. Section 201(i)(4) of said Act (72 Stat. 477; 7 U.S.C. 1571(i)(4)) is amended to read as follows:

“(4) A description, approved by the Secretary of Agriculture as adequate for the protection of the public, of any process used in such treatment.”

SEC. 10. Section 201 of said Act (53 Stat. 1279; 7 U.S.C. 1571) is amended by adding at the end thereof a new subsection (j) to read as follows:

“(j) Any agricultural seed mixtures intended for lawn and turf seed purposes, in containers of fifty pounds or less, unless each container thereof bears a label giving the following information and statements in accordance with rules and regulations prescribed under section 402 of this Act:

Lawn and turf  
seed mixtures.

7 USC 1592.

“(1) The headings ‘Fine-textured Grasses’ and ‘Coarse Kinds’, and specified in tabular form thereunder in type no larger than the headings, for each lawn and turf seed component present in excess of 5 per centum of the whole or named on the label:

“(i) the name of the kind, or kind and variety,

“(ii) the percentage by weight of each, in order of its predominance under the appropriate heading required above,

“(iii) the percentage of germination of each, exclusive of hard seed,

“(iv) the percentage of hard seed, if present, and

“(v) the calendar month and year the test was completed to determine such percentages.

“(2) The heading ‘Other Ingredients’, and specified thereunder in type no larger than the heading the following information:

“(A) Percentage by weight of weed seeds, including noxious-weed seeds;

“(B) Percentage by weight of agricultural seeds other than those included under paragraph (1) of this subsection;

“(C) Percentage by weight of inert matter.

“(3) The following additional information:

“(A) Lot number or other identification;

“(B) Kinds of noxious-weed seeds and the rate of occurrence of each, which rate shall be expressed in accordance with and shall not exceed the rate allowed for shipment, movement, or sale of such noxious-weed seeds by the law and regulations of the State into which the seed is offered for transportation or transported, or in accordance with the rules and regulations of the Secretary of Agriculture, when under the provisions of section 101(a)(9)(A)(iii) he shall determine that weeds other than those designated by State requirements are noxious;

7 USC 1561.

“(C) Name and address of—

“(i) the person who transports, or delivers for transportation, said seed in interstate commerce, or

“(ii) the person to whom the seed is sold or shipped for resale, together with a code designation approved by the Secre-

7 USC 1592.

tary of Agriculture under rules and regulations prescribed under section 402 of this Act, indicating the person who transports or delivers for transportation said seed in interstate commerce.”

SEC. 11. Section 202 of said Act (53 Stat. 1281, 72 Stat. 477; 7 U.S.C. 1572) is amended by inserting the word “treatment” followed by a comma immediately preceding the word “germination” wherever said word appears in said section.

SEC. 12. (a) Section 203(d) of said Act (53 Stat. 1282; 7 U.S.C. 1573(d)) is amended to read as follows:

Unidentified seeds.  
Ante, p. 975.

“(d) The provisions of sections 201 (a) and (b) relative to the labeling of agricultural and vegetable seeds with the percentages of the kind or kind and variety of seeds shall not be deemed violated if there are seeds in the container or bulk which could not be, or were not, identified because of their indistinguishability in appearance from the seeds intended to be transported or delivered for transportation in interstate commerce: *Provided*, That the records of the person charged with the duty under said section of labeling or invoicing the seeds, kept in accordance with the rules and regulations of the Secretary of Agriculture, together with other pertinent facts, disclose that said person has taken reasonable precautions to insure the identity of the seeds to be that stated.

(b) Section 203 of said Act is amended by adding at the end thereof a new subsection (e) reading as follows:

Treatment substance.  
7 USC 1571.

“(e) The provisions of section 201(i) relative to the labeling of agricultural and vegetable seeds with the name of any substance used in the treatment of seeds shall not be deemed violated if the substance or substances used in such treatment could not be or were not identified because of their indistinguishability from the substance or substances intended to be used in the treatment of the seeds: *Provided*, That the records of the person charged with the duty under said section of labeling or invoicing the seeds, kept in accordance with the rules and regulations of the Secretary of Agriculture, together with other pertinent facts, disclosed that said person has taken reasonable precautions to insure the identity of the substance or substances to be as stated.”

SEC. 13. Section 301(a)(4) of said Act (72 Stat. 478; 7 U.S.C. 1581(a)(4)) is amended to read as follows:

Importation prohibitions.

“(4) any seed containing 10 per centum or more of any agricultural or vegetable seeds, unless the invoice pertaining to such seed and any other labeling of such seed bear a lot identification and the name of each kind and variety of vegetable seed present in any amount and each kind or kind and variety of agricultural seed present in excess of 5 per centum of the whole, and unless in the case of hybrid seed present in excess of 5 per centum of the whole it is designated as hybrid.”

SEC. 14. Section 301(a) of said Act (53 Stat. 1282; 7 U.S.C. 1581(a)) is further amended by adding at the end thereof a new paragraph (5) to read as follows:

“(5) any agricultural seeds or any mixture thereof, or any vegetable seeds or any mixture thereof, for seeding purposes, that have been treated, unless each container thereof bears a label giving the following information and statements in accordance with rules and regulations prescribed under section 402 of this Act:

“(A) A word or statement indicating that the seeds have been treated;

“(B) The commonly accepted coined, chemical (generic), or abbreviated chemical name of any substance used in such treatment;

“(C) If the substance used in such treatment in the amount remaining with the seeds is harmful to humans or other vertebrate

animals, an appropriate caution statement approved by the Secretary of Agriculture as adequate for the protection of the public, such as 'Do not use for food or feed or oil purposes': *Provided*, That the caution statement for mercurials and similarly toxic substances, as defined in said rules and regulations, shall be a representation of a skull and crossbones and a statement such as 'This seed has been treated with POISON', in red letters on a background of distinctly contrasting color; and

"(D) A description, approved by the Secretary of Agriculture as adequate for the protection of the public, of any process used in such treatment."

SEC. 15. Section 302(a) of said Act (53 Stat. 1283, 72 Stat. 478; 7 U.S.C. 1582(a)) is amended by inserting after the first sentence thereof the following sentence:

Importation  
procedures.

"The Secretary of Agriculture may apply statistical sampling and inspection techniques to said samples and screenings to determine whether the pure-live seed requirement of any kind of seed is being met, in which case, he shall advise the importer of each lot of seed not examined for pure-live seed percentage."

SEC. 16. Section 302(d) of the Act (72 Stat. 479; 7 U.S.C. 1582(d)) is amended by adding at the end thereof a new paragraph (3) reading as follows:

"(3) when seed not meeting the pure-live seed requirements of section 304 of this title will not be sold within the United States and will be used for seed production only by or for the importer or consignee: *Provided*, That the importer of record or consignee files a statement in accordance with the rules and regulations prescribed under section 402 of this Act certifying that such seed will be used only for seed production by or for the importer or consignee."

7 USC 159.2.

SEC. 17. Section 302 of said Act (53 Stat. 1283, 72 Stat. 479, 7 U.S.C. 1582) is further amended by adding at the end thereof a new paragraph (e) reading as follows:

"(e) The provisions of this title requiring certain seeds to be stained shall not apply when such seed will not be sold within the United States and will be used for seed production only by or for the importer or consignee: *Provided*, That the importer of record or consignee files a statement in accordance with the rules and regulations prescribed under section 402 of this Act certifying that such seed will be used only for seed production by or for the importer or consignee."

SEC. 18. Section 304 of said Act (53 Stat. 1284, 7 U.S.C. 1584) is amended to read as follows:

Seed unfit for  
seeding purposes.  
7 USC 1581.

"SEC. 304. Seed subject to the provisions of section 301 is unfit for seeding purposes: (a) if any such seed contains noxious-weed seeds, or (b) if any such seed contains more than 2 per centum by weight of weed seeds, or (c) if any such seed contains less than 75 per centum of pure-live seed, or if any component of such seed present to the extent of 10 per centum or more contains less than 75 per centum of live seed: *Provided*, That when the Secretary of Agriculture shall find that any such seed or any kind of seed present to the extent of 10 per centum or more cannot be produced to contain 75 per centum of pure-live seed, he may set up such standards from time to time for pure-live seed as he finds can be produced and seed conforming to such standards shall not be deemed to be unfit for seeding purposes."

SEC. 19. Section 101(a)(4) of said Act (53 Stat. 1275, 7 U.S.C. 1561(a)(4)) is amended by inserting the word "treatment," before the word "variety".

Approved October 15, 1966.

## Public Law 89-687

## AN ACT

October 15, 1966  
[H. R. 15941]

Making appropriations for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes.

Department of  
Defense Appropri-  
ation Act, 1967.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1967, for military functions administered by the Department of Defense, and for other purposes, namely:

## TITLE I

## MILITARY PERSONNEL

## MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty (except members of reserve components provided for elsewhere); \$6,164,400,000.

## MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; \$3,652,100,000.

## MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); \$1,183,200,000.

## MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; \$5,015,800,000.

## RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 265 and 3033 of title 10, United States Code, or while undergoing reserve training or while performing drills or equivalent duty, and for members of the Reserve Officers' Training Corps, as

authorized by law; \$288,211,000: *Provided*, That the Army Reserve will be programed to attain an average strength of not less than two hundred sixty thousand for fiscal year 1967: *Provided further*, That—

(a) Notwithstanding any other provision of law, until June 30, 1968, the President may order to active duty any member of the Ready Reserve of an armed force who—

(1) is not assigned to, or participating satisfactorily in, a unit in the Selected Reserve, and

(2) has not fulfilled his statutory reserve obligation, and

(3) has not served on active duty or active duty for training for a total of twenty-four months.

(b) Notwithstanding the provisions of any other law, until June 30, 1968, the President may order to active duty any member of the Ready Reserve of an armed force who had become a member of a reserve component prior to July 1, 1966; and who

(1) has not served on active duty or active duty for training for a period of one hundred and twenty days or more, and

(2) has not fulfilled his statutory reserve military obligation.

(c) A member ordered to active duty under this section may be required to serve on active duty until his total service on active duty or active duty for training equals twenty-four months. If the enlistment or period of military service of a member of the Ready Reserve ordered to active duty under subsection (a) or (b) of this section would expire before he has served the required period of active duty prescribed herein, his enlistment or period of military service may be extended until that service on active duty has been completed.

(d) In order to achieve fair treatment as between members in the Ready Reserve who are being considered for active duty under this section, appropriate consideration shall be given to—

(1) family responsibilities; and

(2) employment necessary to maintain the national health, safety, or interest.

(e) Notwithstanding any other provision of law, until June 30, 1968, the President may, when he deems it necessary, order to active duty any unit of the Ready Reserve of an armed force for a period of not to exceed twenty-four months.

#### RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Naval Reserve on active duty under section 265 of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Reserve Officers' Training Corps, as authorized by law; \$112,600,000.

70A Stat. 11.

#### RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve and the Marine Corps platoon leaders class on active duty under section 265 of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, as authorized by law; \$36,500,000.

#### RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty

Ready Reserve.  
Call to active  
duty.  
Presidential au-  
thority.

70A Stat. 11,  
491.

under sections 265 or 8033 of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Air Reserve Officers' Training Corps, as authorized by law; \$69,700,000.

#### NATIONAL GUARD PERSONNEL, ARMY

70A Stat. 161,  
198, 614.

70A Stat. 599.

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under sections 265, 3033, or 3496 of title 10 or section 708 of title 32, United States Code, or while undergoing training or while performing drills or equivalent duty, as authorized by law; \$346,533,000: *Provided*, That obligations may be incurred under this appropriation without regard to section 107 of title 32, United States Code: *Provided further*, That the Army National Guard will be programed to attain an average strength of not less than three hundred eighty thousand for fiscal year 1967.

#### NATIONAL GUARD PERSONNEL, AIR FORCE

70A Stat. 524.

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under sections 265, 8033, or 8496 of title 10 or section 708 of title 32, United States Code, or while undergoing training or while performing drills or equivalent duty, as authorized by law; \$82,000,000: *Provided*, That obligations may be incurred under this appropriation without regard to section 107 of title 32, United States Code.

#### RETIRED PAY, DEFENSE

70A Stat. 108,  
10 USC 1431-  
1446.

For retired pay and retirement pay, as authorized by law, of military personnel on the retired lists of the Army, Navy, Marine Corps, and the Air Force, including the reserve components thereof, retainer pay for personnel of the inactive Fleet Reserve, and payments under chapter 73 of title 10, United States Code; \$1,780,000,000.

### TITLE II

#### OPERATION AND MAINTENANCE

##### OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, including administration; medical and dental care of personnel entitled thereto by law or regulation (including charges of private facilities for care of military personnel on duty or leave, except elective private treatment), and other measures necessary to protect the health of the Army; care of the dead; chaplains' activities; awards and medals; welfare and recreation; recruiting expenses; transportation services; communications services; maps and similar data for military purposes; military surveys and engineering planning; repair of facilities; hire of passenger motor vehicles; tuition and fees incident to training of military personnel at civilian institutions; field exercises and maneuvers; expenses for the Reserve Officers' Training Corps and other units at educational institutions, as authorized by law; and not to exceed \$3,896,000 for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, and his

determination shall be final and conclusive upon the accounting officers of the Government; \$5,122,427,000, of which not less than \$264,300,000 shall be available only for the maintenance of real property facilities.

#### OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, including aircraft and vessels; modification of aircraft, missiles, missile systems, and other ordnance; design and alteration of vessels; training and education of members of the Navy; administration; procurement of military personnel; hire of passenger motor vehicles; welfare and recreation; medals, awards, emblems, and other insignia; transportation of things (including transportation of household effects of civilian employees); industrial mobilization; medical and dental care; care of the dead; charter and hire of vessels; relief of vessels in distress; maritime salvage services; military communications facilities on merchant vessels; dissemination of scientific information; administration of patents, trademarks, and copyrights; annuity premiums and retirement benefits for civilian members of teaching services; tuition, allowances, and fees incident to training of military personnel at civilian institutions; repair of facilities; departmental salaries; conduct of schoolrooms, service clubs, chapels, and other instructional, entertainment, and welfare expenses for the enlisted men; procurement of services, special clothing, supplies, and equipment; installation of equipment in public or private plants; exploration, prospecting, conservation, development, use, and operation of the naval petroleum and oil shale reserves, as authorized by law; and not to exceed \$10,825,000 for emergency and extraordinary expenses, as authorized by section 7202 of title 10, United States Code, to be expended on the approval and authority of the Secretary and his determination shall be final and conclusive upon the accounting officers of the Government; \$3,980,300,000, of which not less than \$142,700,000 shall be available only for maintenance of real property facilities, and not to exceed \$1,330,000 may be transferred to the appropriation for "Salaries and expenses", Environmental Science Services Administration, Department of Commerce, for the current fiscal year for the operation of ocean weather stations.

70 A Stat. 442.

#### OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, necessary for the operation and maintenance of the Marine Corps including equipment and facilities; procurement of military personnel; training and education of regular and reserve personnel, including tuition and other costs incurred at civilian schools; welfare and recreation; conduct of schoolrooms, service clubs, chapels, and other instructional, entertainment, and welfare expenses for the enlisted men; procurement and manufacture of military supplies, equipment, and clothing; hire of passenger motor vehicles; transportation of things; medals, awards, emblems, and other insignia; operation of station hospitals, dispensaries and dental clinics; and departmental salaries; \$325,600,000, of which not less than \$20,499,000 shall be available only for the maintenance of real property facilities.

#### OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation, maintenance, and administration of the Air Force, including the Air Force Reserve and the Air Reserve Officers' Training Corps;

operation, maintenance, and modification of aircraft and missiles; transportation of things; repair and maintenance of facilities; field printing plants; hire of passenger motor vehicles; recruiting advertising expenses; training and instruction of military personnel of the Air Force, including tuition and related expenses; pay, allowances, and travel expenses of contract surgeons; repair of private property and other necessary expenses of combat maneuvers; care of the dead; chaplain and other welfare and morale supplies and equipment; conduct of schoolrooms, service clubs, chapels, and other instructional, entertainment, and welfare expenses for enlisted men and patients not otherwise provided for; awards and decorations; industrial mobilization, including maintenance of reserve plants and equipment and procurement planning; special services by contract or otherwise; and not to exceed \$3,240,000, for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes, and his determination shall be final and conclusive upon the accounting officers of the Government; \$4,943,100,000, of which not less than \$250,000,000 shall be available only for the maintenance of real property facilities, and not to exceed \$200,000 may be transferred to the appropriation for "Salaries and expenses", Environmental Science Services Administration, Department of Commerce, for the current fiscal year, for the operation of the Marcus Island upper-air station.

#### OPERATION AND MAINTENANCE, DEFENSE AGENCIES

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments and the Office of Civil Defense), including administration; hire of passenger motor vehicles; welfare and recreation; awards and decorations; travel expenses, including expenses of temporary duty travel of military personnel; transportation of things (including transportation of household effects of civilian employees); industrial mobilization; care of the dead; dissemination of scientific information; administration of patents, trademarks, and copyrights; tuition and fees incident to the training of military personnel at civilian institutions; repair of facilities; departmental salaries; procurement of services, special clothing, supplies, and equipment; field printing plants; information and educational services for the Armed Forces; communications services; and not to exceed \$3,754,000 for emergency and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense for such purposes as he deems appropriate, and his determination thereon shall be final and conclusive upon the accounting officers of the Government; \$806,500,000, of which not less than \$11,900,000 shall be available only for the maintenance of real property facilities.

#### OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personal services in the National Guard Bureau and services of personnel of the National Guard employed as civilians without regard to their military rank, and the number of caretakers authorized to be employed under provisions of law (32 U.S.C. 709), and those necessary to provide reimbursable services for the military departments, may be such as is deemed necessary by the Secretary of the Army; travel

expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard of the several States, Commonwealth of Puerto Rico, and the District of Columbia, as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft); \$231,000,000, of which not less than \$1,900,000 shall be available only for the maintenance of real property facilities: *Provided*, That obligations may be incurred under this appropriation without regard to section 107 of title 32, United States Code.

70A Stat. 599.

#### OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For operation and maintenance of the Air National Guard, including medical and hospital treatment and related expenses; maintenance, operation, repair, and other necessary expenses of facilities for the training and administration of the Air National Guard, including repair of facilities, maintenance, operation and modification of aircraft; transportation of things; hire of passenger motor vehicles; supplies, materials, and equipment, as authorized by law for the Air National Guard of the several States, Commonwealth of Puerto Rico, and the District of Columbia; and expenses incident to the maintenance and use of supplies, materials, and equipment, including such as may be furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, of Air National Guard commanders while inspecting units in compliance with National Guard regulations when specifically authorized by the Chief, National Guard Bureau; \$253,300,000, of which not less than \$2,500,000 shall be available only for the maintenance of real property facilities: *Provided*, That the number of caretakers authorized to be employed under the provisions of law (32 U.S.C. 709) may be such as is deemed necessary by the Secretary of the Air Force and such caretakers may be employed without regard to their military rank as members of the Air National Guard: *Provided further*, That not less than twenty-five airlift squadrons shall be maintained during fiscal 1967: *Provided further*, That obligations may be incurred under this appropriation without regard to section 107 of title 32, United States Code.

70A Stat. 614.

#### NATIONAL BOARD FOR THE PROMOTION OF RIFLE PRACTICE, ARMY

For the necessary expenses of construction, equipment, and maintenance of rifle ranges, the instruction of citizens in marksmanship, and promotion of rifle practice, in accordance with law, including travel of rifle teams, military personnel, and individuals attending regional, national, and international competitions, and not to exceed \$21,000 for incidental expenses of the National Board; \$494,000: *Provided*, That travel expenses of civilian members of the National Board shall be paid in accordance with the Standardized Government Travel Regulations, as amended.

#### CLAIMS, DEFENSE

For payment, not otherwise provided for, of claims authorized by law to be paid by the Department of Defense (except for civil functions), including claims for damages arising under training contracts with carriers, and repayment of amounts determined by the Secretary

concerned, or officers designated by him, to have been erroneously collected from military and civilian personnel of the Department of Defense, or from States, territories, or the District of Columbia, or members of National Guard units thereof; \$25,000,000.

#### CONTINGENCIES, DEFENSE

For emergencies and extraordinary expenses arising in the Department of Defense, to be expended on the approval or authority of the Secretary of Defense and such expenses may be accounted for solely on his certificate that the expenditures were necessary for confidential military purposes; \$15,000,000: *Provided*, That a report of disbursements under this item of appropriation shall be made quarterly to the Appropriations Committees of the Congress.

Report to congressional committees.

#### COURT OF MILITARY APPEALS, DEFENSE

For salaries and expenses necessary for the Court of Military Appeals; \$600,000.

### TITLE III—PROCUREMENT

#### PROCUREMENT OF EQUIPMENT AND MISSILES, ARMY

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, ammunition, equipment, vehicles, vessels, and aircraft for the Army and the Reserve Officers' Training Corps; purchase of not to exceed two thousand one hundred and seventy-five passenger motor vehicles (including seventeen medium sedans at not to exceed \$3,000 each) for replacement only; expenses which in the discretion of the Secretary of the Army are necessary in providing facilities for production of equipment and supplies for national defense purposes, including construction, and the furnishing of Government-owned facilities and equipment at privately owned plants; and ammunition for military salutes at institutions to which issue of weapons for salutes is authorized; \$3,483,300,000, to remain available until expended, of which \$153,500,000 shall be available only for the NIKE-X antiballistic missile system.

#### PROCUREMENT OF AIRCRAFT AND MISSILES, NAVY

For construction, procurement, production, modification, and modernization of aircraft, missiles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands, and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title by the Attorney General as required by section 355, Revised Statutes, as amended; and procurement and installation of equipment, appliances, and machine tools in public or private plants; \$1,789,900,000, to remain available until expended: *Provided*, That no part of the funds provided in this Act shall be available for the procurement of F-111B aircraft, but this proviso shall not apply to advance procurement of equipment the total cost of which shall not exceed \$7,800,000.

40 USC 255.

#### SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools, and instal-

lation thereof in public or private plants; procurement of critical, long leadtime components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such land, and interests therein, may be acquired and construction prosecuted thereon prior to approval of title by the Attorney General as required by section 355, Revised Statutes, as amended; \$1,756,700,000, to remain available until expended: *Provided*, That none of the funds herein provided for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign shipyards for the construction of major components of the hull or superstructure of such vessel.

40 USC 255.

#### OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment, and materials not otherwise provided for, Navy ordnance and ammunition (except ordnance for new aircraft, new ships, and ships authorized for conversion), purchase of not to exceed one thousand five hundred and fifty-eight passenger motor vehicles (including five medium sedans at not to exceed \$3,000 each) for replacement only; expansion of public and private plants, including the land necessary therefor, and such lands, and interests therein may be acquired, and construction prosecuted thereon prior to approval of title by the Attorney General as required by section 355, Revised Statutes, as amended; and procurement and installation of equipment, appliances, and machine tools in public or private plants; \$1,968,300,000, to remain available until expended.

#### PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, ammunition, military equipment, and vehicles for the Marine Corps, including purchase of not to exceed two hundred and nineteen passenger motor vehicles for replacement only; \$262,900,000, to remain available until expended.

#### AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft, and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land without regard to section 9774 of title 10, United States Code, for the foregoing purposes, and such land, and interests therein, may be acquired and construction prosecuted thereon prior to the approval of title by the Attorney General as required by section 355, Revised Statutes, as amended; reserve plant and equipment layaway; and other expenses necessary for the foregoing purposes, including rents and transportation of things; \$4,017,300,000, to remain available until expended.

70A Stat. 590.

#### MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation

70A Stat. 590.

40 USC 255.

thereof in such plants, erection of structures, and acquisition of land without regard to section 9774 of title 10, United States Code, for the foregoing purposes, and such land, and interests therein, may be acquired and construction prosecuted thereon prior to the approval of title by the Attorney General as required by section 355, Revised Statutes, as amended; reserve plant and equipment layaway; and other expenses necessary for the foregoing purposes, including rents and transportation of things; \$1,189,500,000, to remain available until expended.

#### OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of not to exceed three thousand five hundred and ninety-two passenger motor vehicles (including six replacement medium sedans at not to exceed \$3,000 each), of which two thousand seven hundred and ninety-nine shall be for replacement only; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land without regard to section 9774 of title 10, United States Code, for the foregoing purposes, and such land, and interests therein, may be acquired and construction prosecuted thereon prior to the approval of title by the Attorney General as required by section 355, Revised Statutes, as amended; \$2,122,600,000, to remain available until expended.

#### PROCUREMENT, DEFENSE AGENCIES

For expenses of activities and agencies of the Department of Defense (other than the military departments and the Office of Civil Defense) necessary for procurement, production, and modification of equipment, supplies, materials and spare parts therefor not otherwise provided for; purchase of seventy-nine passenger motor vehicles of which sixty-six shall be for replacement only (including two medium sedans at not to exceed \$3,000 each); expansion of public and private plants, equipment and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such land and interest therein may be acquired and construction prosecuted thereon prior to the approval of title by the Attorney General as required by section 355, Revised Statutes, as amended; \$51,300,000, to remain available until expended.

### TITLE IV

#### RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

##### RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test, and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; \$1,528,700,000, to remain available until expended: *Provided*, That of the funds appropriated in this paragraph, \$431,400,000 shall be available only for the NIKE-X antiballistic missile system.

## RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test, and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; \$1,758,600,000, to remain available until expended: *Provided*, That of the funds appropriated in this paragraph, \$24,000,000 shall be available only for the Deep Submergence Systems project.

Deep Submergence  
Systems project.

## RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test, and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; \$3,112,600,000, to remain available until expended: *Provided*, That of the funds appropriated in this paragraph, \$22,800,000 shall be available only for the Advanced Manned Strategic Aircraft program, and \$200,000,000 shall be available only for the Manned Orbiting Laboratory (MOL) project.

Advanced Manned  
Strategic Aircraft  
program.  
Manned Orbiting  
Laboratory project.

## RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE AGENCIES

For expenses of activities and agencies of the Department of Defense (other than the military departments and the Office of Civil Defense), necessary for basic and applied scientific research, development, test, and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law, to remain available until expended; \$459,059,000: *Provided*, That such amounts as may be determined by the Secretary of Defense to have been made available in other appropriations available to the Department of Defense during the current fiscal year for programs related to advanced research may be transferred to and merged with this appropriation to be available for the same purposes and time period: *Provided further*, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to carry out the purposes of advanced research to those appropriations for military functions under the Department of Defense which are being utilized for related programs, to be merged with and to be available for the same time period as the appropriation to which transferred, and not to exceed \$1,000,000 may be transferred to the appropriation for "Salaries and expenses," Environmental Science Services Administration, Department of Commerce, for the current fiscal year, for the expenses of the Worldwide Seismological Network Program.

Transfer of  
funds.

Worldwide Seis-  
mological Net-  
work Program.

## EMERGENCY FUND, DEFENSE

For transfer by the Secretary of Defense, with the approval of the Bureau of the Budget, to any appropriation for military functions under the Department of Defense available for research, development, test, and evaluation, or procurement or production related thereto, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation to which transferred; \$125,000,000, and, in addition, not to exceed \$150,000,000, to be used upon determination by the Secretary of Defense that such funds can be wisely, profitably, and practically used in the interest of national defense and to be derived by transfer from such appropriations available to the Department of Defense for obligation during the current fiscal

year as the Secretary of Defense may designate: *Provided*, That any appropriations transferred shall not exceed 7 per centum of the appropriation from which transferred.

## TITLE V

### SPECIAL FOREIGN CURRENCY PROGRAM

For payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States, for expenses of carrying out programs of the Department of Defense as authorized by law, \$7,348,000, to remain available until expended: *Provided*, That this appropriation shall be available, in addition to other appropriations to such Department, for payments in the foregoing currencies.

## TITLE VI

### GENERAL PROVISIONS

Experts or consultants.

SEC. 601. During the current fiscal year, the Secretary of Defense and the Secretaries of the Army, Navy, and Air Force, respectively, if they should deem it advantageous to the national defense, and if in their opinions the existing facilities of the Department of Defense are inadequate, are authorized to procure services in accordance with section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), under regulations prescribed by the Secretary of Defense, and to pay in connection therewith travel expenses of individuals, including actual transportation and per diem in lieu of subsistence while traveling from their homes or places of business to official duty station and return as may be authorized by law: *Provided*, That such contracts may be renewed annually.

60 Stat. 810.

Employment of noncitizens.

SEC. 602. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense.

Availability of appropriations.

SEC. 603. Appropriations contained in this Act shall be available for insurance of official motor vehicles in foreign countries, when required by laws of such countries; payments in advance of expenses determined by the investigating officer to be necessary and in accord with local custom for conducting investigations in foreign countries incident to matters relating to the activities of the department concerned; reimbursement of General Services Administration for security guard services for protection of confidential files; reimbursement of the Federal Bureau of Investigation for expenses in connection with investigation of defense contractor personnel; and all necessary expenses, at the seat of government of the United States of America or elsewhere, in connection with communication and other services and supplies as may be necessary to carry out the purposes of this Act: *Provided*, That no appropriation contained in this Act, and no funds available from prior appropriations to component departments and agencies of the Department of Defense, shall be used to pay tuition or to make other payments to educational institutions in connection with the instruction or training of file clerks, stenographers, and typists receiving, or prospective file clerks, stenographers, and typists who will receive compensation at a rate below the minimum rate of pay for positions allocated to grade GS-5 under the Classification Act of 1949, as amended.

*Ante*, p. 288.

SEC. 604. Any appropriation available to the Army, Navy, or the Air Force may, under such regulations as the Secretary concerned may prescribe, be used for expenses incident to the maintenance, pay, and allowances of prisoners of war, other persons in Army, Navy, or Air Force custody whose status is determined by the Secretary concerned to be similar to prisoners of war, and persons detained in such custody pursuant to Presidential proclamation.

SEC. 605. Appropriations available to the Department of Defense for the current fiscal year for maintenance or construction shall be available for acquisition of land as authorized by section 2672 of title 10, United States Code.

SEC. 606. Appropriations for the Department of Defense for the current fiscal year shall be available, (a) except as authorized by the Act of September 30, 1950 (20 U.S.C. 236-244), for primary and secondary schooling for minor dependents of military and civilian personnel of the Department of Defense residing on military or naval installations or stationed in foreign countries, as authorized for the Navy by section 7204 of title 10, United States Code, in amounts not exceeding an average of \$490 per student, when the Secretary of the Department concerned finds that schools, if any, available in the locality, are unable to provide adequately for the education of such dependents: *Provided*, That notwithstanding any other provision of law the Secretary of Defense shall establish rates of compensation for teachers in the Overseas Dependents Schools System in accordance with the per pupil limitation established in this section, but in no event at less than the rates of compensation in effect on June 30, 1966; (b) for expenses in connection with administration of occupied areas; (c) for payment of rewards as authorized for the Navy by section 7209 (a) of title 10, United States Code, for information leading to the discovery of missing naval property or the recovery thereof; (d) for payment of deficiency judgments and interests thereon arising out of condemnation proceedings; (e) for leasing of buildings and facilities including payment of rentals for special purpose space at the seat of government and, in the conduct of field exercises and maneuvers or, in administering the provisions of 43 U.S.C. 315q, rentals may be paid in advance; (f) payments under contracts for maintenance of tools and facilities for twelve months beginning at any time during the fiscal year; (g) maintenance of Defense access roads certified as important to national defense in accordance with section 210 of title 23, United States Code; (h) for the purchase of milk for enlisted personnel of the Department of Defense heretofore made available pursuant to section 1446a, title 7, United States Code, and the cost of milk so purchased, as determined by the Secretary of Defense, shall be included in the value of the commuted ration.

SEC. 607. Appropriations for the Department of Defense for the current fiscal year shall be available for: (a) donations of not to exceed \$25 to each prisoner upon each release from confinement in military or contract prison and to each person discharged for fraudulent enlistment; (b) authorized issues of articles to prisoners, applicants for enlistment and persons in military custody; (c) subsistence of selective service registrants called for induction, applicants for enlistment, prisoners, civilian employees as authorized by law, and supernumeraries when necessitated by emergent military circumstances; (d) reimbursement for subsistence of enlisted personnel while sick in hospitals; (e) expenses of prisoners confined in nonmilitary facilities; (f) military courts, boards, and commissions; (g) utility services for buildings erected at private cost, as authorized by law, and buildings on military reservations authorized by regulations to be used for wel-

Prisoners of war, etc.

Land acquisition.

72 Stat. 1459;  
76 Stat. 511.  
Dependents' schooling.

64 Stat. 1100;  
79 Stat. 27.

70A Stat. 442.

Occupied areas.  
Rewards.

70A Stat. 444.

Deficiency judgments.

Special purpose space.

56 Stat. 654.

Tools, maintenance.

Access roads.

72 Stat. 908.  
Milk program.

68 Stat. 900.

Articles for prisoners, etc.

fare and recreational purposes; (h) exchange fees, and losses in the accounts of disbursing officers or agents in accordance with law; (i) expenses of Latin-American cooperation as authorized for the Navy by law (10 U.S.C. 7208); and (j) expenses of apprehension and delivery of deserters, prisoners, and members absent without leave, including payment of rewards of not to exceed \$25 in any one case.

70A Stat. 443.

Assistance to small business.

SEC. 608. Insofar as practicable, the Secretary of Defense shall assist American small business to participate equitably in the furnishing of commodities and services financed with funds appropriated under this Act by making available or causing to be made available to suppliers in the United States, and particularly to small independent enterprises, information, as far in advance as possible, with respect to purchases proposed to be financed with funds appropriated under this Act, and by making available or causing to be made available to purchasing and contracting agencies of the Department of Defense information as to commodities and services produced and furnished by small independent enterprises in the United States, and by otherwise helping to give small business an opportunity to participate in the furnishing of commodities and services financed with funds appropriated by this Act.

Mess operations.

SEC. 609. No appropriation contained in this Act shall be available for expenses of operation of messes (other than organized messes the operating expenses of which are financed principally from nonappropriated funds) at which meals are sold to officers or civilians except under regulations approved by the Secretary of Defense, which shall (except under unusual or extraordinary circumstances) establish rates for such meals sufficient to provide reimbursement of operating expenses and food costs to the appropriations concerned: *Provided*, That officers and civilians in a travel status receiving a per diem allowance in lieu of subsistence shall be charged at the rate of not less than \$2.50 per day: *Provided further*, That for the purposes of this section payments for meals at the rates established hereunder may be made in cash or by deduction from the pay of civilian employees: *Provided further*, That members of organized nonprofit youth groups sponsored at either the national or local level, when extended the privilege of visiting a military installation and permitted to eat in the general mess by the commanding officer of the installation, shall pay the commuted ration cost of such meal or meals.

SEC. 610. No part of any appropriation contained in this Act shall be available until expended unless expressly so provided elsewhere in this or some other appropriation Act.

Reimbursable appropriations.

SEC. 611. Appropriations of the Department of Defense available for operation and maintenance, may be reimbursed during the current fiscal year for all expenses involved in the preparation for disposal and for the disposal of military supplies, equipment, and materiel, and for all expenses of production of lumber or timber products pursuant to section 2665 of title 10, United States Code, from amounts received as proceeds from the sale of any such property: *Provided*, That a report of receipts and disbursements under this limitation shall be made quarterly to the Committees on Appropriations of the Congress: *Provided further*, That no funds available to agencies of the Department of Defense shall be used for the operation, acquisition, or construction of new facilities or equipment for new facilities in the continental limits of the United States for metal scrap baling or shearing or for melting or sweating aluminum scrap unless the Secretary of Defense or an Assistant Secretary of Defense designated by him determines, with respect to each facility involved, that the operation of such facility is in the national interest.

70A Stat. 149.

Report to congressional committees.

SEC. 612. (a) During the current fiscal year, the President may exempt appropriations, funds, and contract authorizations, available for military functions under the Department of Defense, from the provisions of subsection (c) of section 3679 of the Revised Statutes, as amended, whenever he deems such action to be necessary in the interests of national defense.

Apportionment of funds, exemption.

31 USC 665.

(b) Upon determination by the President that such action is necessary, the Secretary of Defense is authorized to provide for the cost of an airborne alert as an excepted expense in accordance with the provisions of Revised Statutes 3732 (41 U.S.C. 11).

Airborne alert expenses.

(c) Upon determination by the President that it is necessary to increase the number of military personnel on active duty beyond the number for which funds are provided in this Act, the Secretary of Defense is authorized to provide for the cost of such increased military personnel, as an excepted expense in accordance with the provisions of Revised Statutes 3732 (41 U.S.C. 11).

Infra.

Increased military personnel, expenses.

(d) The Secretary of Defense shall immediately advise the Committees on Appropriations of the Congress of the exercise of any authority granted in this section, and shall report monthly on the estimated obligations incurred pursuant to subsections (b) and (c).

Report to congressional committees.

(e) Section 3732 of the Revised Statutes (41 U.S.C. 11) is amended as follows:

Designate the existing paragraph as "(a)" and add the following paragraph:

"(b) The Secretary of Defense shall immediately advise the Congress of the exercise of the authority granted in subsection (a) of this section, and shall report quarterly on the estimated obligations incurred pursuant to the authority granted in subsection (a) of this section."

SEC. 613. No appropriation contained in this Act shall be available in connection with the operation of commissary stores of the agencies of the Department of Defense for the cost of purchase (including commercial transportation in the United States to the place of sale but excluding all transportation outside the United States) and maintenance of operating equipment and supplies, and for the actual or estimated cost of utilities as may be furnished by the Government and of shrinkage, spoilage, and pilferage of merchandise under the control of such commissary stores, except as authorized under regulations promulgated by the Secretaries of the military departments concerned, with the approval of the Secretary of Defense, which regulations shall provide for reimbursement therefor to the appropriations concerned and, notwithstanding any other provision of law, shall provide for the adjustment of the sales prices in such commissary stores to the extent necessary to furnish sufficient gross revenue from sales of commissary stores to make such reimbursement: *Provided*, That under such regulations as may be issued pursuant to this section all utilities may be furnished without cost to the commissary stores outside the continental United States and in Alaska: *Provided further*, That no appropriation contained in this Act shall be available in connection with the operation of commissary stores within the continental United States unless the Secretary of Defense has certified that items normally procured from commissary stores are not otherwise available at a reasonable distance and a reasonable price in satisfactory quality and quantity to the military and civilian employees of the Department of Defense.

Commissary stores.

SEC. 614. Notwithstanding any other provision of law, Executive order, or regulation, no part of the appropriations in this Act shall be available for any expenses of operating aircraft under the jurisdiction

Proficiency flying.

of the Armed Forces for the purpose of proficiency flying except in accordance with the regulations issued by the Secretaries of the Departments concerned and approved by the Secretary of Defense which shall establish proficiency standards and maximum and minimum flying hours for this purpose: *Provided*, That without regard to any provision of law or Executive order prescribing minimum flight requirements, such regulations may provide for the payment of flight pay at the rates prescribed in section 301 of title 37, United States Code, to certain members of the Armed Forces otherwise entitled to receive flight pay during the current fiscal year (1) who have held aeronautical ratings or designations for not less than fifteen years, or (2) whose particular assignment outside the United States or in Alaska makes it impractical to participate in regular aerial flights.

Household  
goods.

SEC. 615. No part of any appropriation contained in this Act shall be available for expense of transportation, packing, crating, temporary storage, drayage, and unpacking of household goods and personal effects in any one shipment having a net weight in excess of thirteen thousand five hundred pounds.

Vessel trans-  
fer.

SEC. 616. Vessels under the jurisdiction of the Department of Commerce, the Department of the Army, Department of the Air Force, or the Department of the Navy may be transferred or otherwise made available without reimbursement to any such agencies upon the request of the head of one agency and the approval of the agency having jurisdiction of the vessels concerned.

Legal training,  
restriction.

SEC. 617. None of the funds provided in this Act shall be available for training in any legal profession nor for the payment of tuition for training in such profession: *Provided*, That this limitation shall not apply to the off-duty training of military personnel as prescribed by section 621 of this Act.

Obligated funds,  
1967.

SEC. 618. Not more than 20 per centum of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last two months of the fiscal year: *Provided*, That this section shall not apply to obligations for support of active duty training of civilian components or summer camp training of the Reserve Officers' Training Corps.

Use of foreign  
real property.

SEC. 619. During the current fiscal year the agencies of the Department of Defense may accept the use of real property from foreign countries for the United States in accordance with mutual defense agreements or occupational arrangements and may accept services furnished by foreign countries as reciprocal international courtesies or as services customarily made available without charge; and such agencies may use the same for the support of the United States forces in such areas without specific appropriation therefor.

In addition to the foregoing, agencies of the Department of Defense may accept real property, services, and commodities from foreign countries for the use of the United States in accordance with mutual defense agreements or occupational arrangements and such agencies may use the same for the support of the United States forces in such areas, without specific appropriations therefor: *Provided*, That within thirty days after the end of each quarter the Secretary of Defense shall render to the Committees on Appropriations of the Senate and the House of Representatives and to the Bureau of the Budget a full report of such property, supplies, and commodities received during such quarter.

Report to con-  
gressional com-  
mittees and Budget  
Bureau.

Research and  
development.

SEC. 620. During the current fiscal year, appropriations available to the Department of Defense for research and development may be used for the purposes of section 2353 of title 10, United States Code, and for purposes related to research and development for which ex-

penditures are specifically authorized in other appropriations of the service concerned.

SEC. 621. No appropriation contained in this Act shall be available for the payment of more than 75 per centum of charges of educational institutions for tuition or expenses for off-duty training of military personnel, nor for the payment of any part of tuition or expenses for such training for commissioned personnel who do not agree to remain on active duty for two years after completion of such training.

Tuition payments, etc., restriction.

SEC. 622. No part of the funds appropriated herein shall be expended for the support of any formally enrolled student in basic courses of the senior division, Reserve Officers' Training Corps, who has not executed a certificate of loyalty or loyalty oath in such form as shall be prescribed by the Secretary of Defense.

ROTC, loyalty requirement.

SEC. 623. No part of any appropriation contained in this Act shall be available for the procurement of any article of food, clothing, cotton, woven silk or woven silk blends, spun silk yarn for cartridge cloth, or wool (whether in the form of fiber or yarn or contained in fabrics, materials, or manufactured articles) not grown, reprocessed, reused, or produced in the United States or its possessions, except to the extent that the Secretary of the Department concerned shall determine that a satisfactory quality and sufficient quantity of any articles of food or clothing or any form of cotton, woven silk and woven silk blends, spun silk yarn for cartridge cloth, or wool grown, reprocessed, reused, or produced in the United States or its possessions cannot be procured as and when needed at United States market prices and except procurements outside the United States in support of combat operations, procurements by vessels in foreign waters and emergency procurements or procurements of perishable foods by establishments located outside the United States for the personnel attached thereto: *Provided*, That nothing herein shall preclude the procurement of foods manufactured or processed in the United States or its possessions: *Provided further*, That no funds herein appropriated shall be used for the payment of a price differential on contracts hereafter made for the purpose of relieving economic dislocations: *Provided further*, That none of the funds appropriated in this Act shall be used except that, so far as practicable, all contracts shall be awarded on a formally advertised competitive bid basis to the lowest responsible bidder.

Procurement restrictions.

SEC. 624. None of the funds appropriated in this Act shall be used for the construction, replacement, or reactivation of any bakery, laundry, or dry-cleaning facility in the United States, its Territories or possessions, as to which the Secretary of Defense does not certify in writing, giving his reasons therefor, that the services to be furnished by such facilities are not obtainable from commercial sources at reasonable rates.

Bakery, laundry facilities.

SEC. 625. During the current fiscal year, appropriations of the Department of Defense shall be available for reimbursement to the Post Office Department for payment of costs of commercial air transportation of military mail between the United States and foreign countries.

Airmail, reimbursement.

SEC. 626. Appropriations contained in this Act shall be available for the purchase of household furnishings, house trailers (for the purpose of relieving unusual individual losses occasioned by the relocation of personnel from installations in France), and automobiles from military and civilian personnel on duty outside the continental United States, for the purpose of resale at cost to incoming personnel, and for providing furnishings, without charge, in other than public quarters occupied by military or civilian personnel of the Department

Furnishings and automobiles, resale.

of Defense on duty outside the continental United States or in Alaska, upon a determination, under regulations approved by the Secretary of Defense, that such action is advantageous to the Government.

Uniforms.

SEC. 627. During the current fiscal year, appropriations available to the Department of Defense for pay of civilian employees shall be available for uniforms, or allowances therefor, as authorized by the Act of September 1, 1954, as amended (5 U.S.C. 2131).

68 Stat. 1114.  
Ammunition,  
transfer.

SEC. 628. During the current fiscal year, the Secretary of Defense shall, upon requisition of the National Board for the Promotion of Rifle Practice, and without reimbursement, transfer from agencies of the Department of Defense to the Board ammunition from stock or which has been procured for the purpose in such amounts as he may determine.

Travel ex-  
penses.

Such appropriations of the Department of Defense available for obligation during the current fiscal year as may be designated by the Secretary of Defense shall be available for the travel expenses of military and naval personnel, including the reserve components, and members of the Reserve Officers' Training Corps attending regional, national, or international rifle matches.

Congressional  
liaison activities.

SEC. 629. Funds provided in this Act for congressional liaison activities of the Department of the Army, the Department of the Navy, the Department of the Air Force, and the Office of the Secretary of Defense shall not exceed \$950,000: *Provided*, That this amount shall be available for apportionment to the Department of the Army, the Department of the Navy, the Department of the Air Force, and the Office of the Secretary of Defense as determined by the Secretary of Defense.

Civil reserve  
air fleet.

SEC. 630. Of the funds made available by this Act for the services of the Military Airlift Command, \$100,000,000 shall be available only for procurement of commercial transportation service from carriers participating in the civil reserve air fleet program; and the Secretary of Defense shall utilize the services of such carriers which qualify as small businesses to the fullest extent found practicable: *Provided*, That the Secretary of Defense shall specify in such procurement, performance characteristics for aircraft to be used based upon modern aircraft operated by the civil air fleet.

Motor vehicle  
hire.

SEC. 631. Not to exceed \$11,746,000 of the funds made available in this Act for the purpose shall be available for the hire of motor vehicles: *Provided*, That the Secretary of Defense, under circumstances where the immediate movement of persons is imperative, may, if he deems it to be in the national interest, hire motor vehicles for such purposes without regard to this limitation.

Sea transporta-  
tion.

SEC. 632. Not less than \$7,500,000 of the funds made available in this Act for travel expenses in connection with temporary duty and permanent change of station of civilian and military personnel of the Department of Defense shall be available only for the procurement of commercial passenger sea transportation service on American-flag vessels.

Civilian cloth-  
ing.

SEC. 633. During the current fiscal year, appropriations available to the Department of Defense for operation may be used for civilian clothing, not to exceed \$40 in cost for enlisted personnel: (1) discharged for misconduct, unfitness, unsuitability, or otherwise than honorably; (2) sentenced by a civil court to confinement in a civil prison or interned or discharged as an alien enemy; (3) discharged prior to completion of recruit training under honorable conditions for dependency, hardship, minority, disability, or for the convenience of the Government.

SEC. 634. No part of the funds appropriated herein shall be available for paying the costs of advertising by any defense contractor, except advertising for which payment is made from profits, and such advertising shall not be considered a part of any defense contract cost. The prohibition contained in this section shall not apply with respect to advertising conducted by any such contractor, in compliance with regulations which shall be promulgated by the Secretary of Defense, solely for (1) the recruitment by that contractor of personnel required for the performance by the contractor of obligations arising under a defense contract, (2) the procurement of scarce items required by the contractor for the performance of a defense contract, or (3) the disposal of scrap or surplus materials acquired by the contractor in the performance of a defense contract.

Defense contractors.  
Advertising costs, prohibition.

SEC. 635. Funds appropriated in this Act for maintenance and repair of facilities and installations shall not be available for acquisition of new facilities, or alteration, expansion, extension, or addition of existing facilities, as defined in Department of Defense Directive 7040.2, dated January 18, 1961, in excess of \$25,000: *Provided*, That the Secretary of Defense may amend or change the said directive during the current fiscal year, consistent with the purpose of this section.

Facilities, maintenance and repair.

SEC. 636. During the current fiscal year, the Secretary of Defense may, if he deems it vital to the security of the United States and in the national interest to further improve the readiness of the Armed Forces, including the reserve components, transfer under the authority and terms of the Emergency Fund an additional \$200,000,000: *Provided*, That the transfer authority made available under the terms of the Emergency Fund appropriation contained in this Act is hereby broadened to meet the requirements of this section: *Provided further*, That the Secretary of Defense shall notify the Appropriations Committees of the Congress promptly of all transfers made pursuant to this authority.

Transfer of funds, authority.

SEC. 637. None of the funds appropriated in this Act may be used to make payments under contracts for any program, project, or activity in a foreign country unless the Secretary of Defense or his designee, after consultation with the Secretary of the Treasury or his designee, certifies to the Congress that the use, by purchase from the Treasury, of currencies of such country acquired pursuant to law is not feasible for the purpose, stating the reason therefor.

Report to congressional committees.

Contract payments in foreign countries.

SEC. 638. None of the funds provided herein shall be used to pay any recipient of a grant for the conduct of a research project an amount equal to as much as the entire cost of such project.

Research project costs.

SEC. 639. Only upon the approval by the Congress, through the enactment of law hereafter, of a realignment or reorganization of the Army Reserve Components, the Secretary may transfer the balances of appropriations made in this Act for the support of the Army Reserve Components to the extent necessary to implement such a realignment or reorganization; and the provisions in this Act establishing strengths for the Army Reserve and the Army National Guard shall cease to be effective.

Army Reserve Components.

SEC. 640. (a) Appropriations available to the Department of Defense during the fiscal year 1967 shall be available for their stated purposes to support Vietnamese and other free world forces in Vietnam and for related costs on such terms and conditions as the Secretary of Defense may determine.

Vietnamese support.

(b) Within thirty days after the end of each quarter, the Secretary of Defense shall render to the Committees on Armed Services and Appropriations of the House of Representatives and the Senate a report with respect to the estimated value by purpose, by country, of support furnished from such appropriations.

Report to congressional committees.

Working capital funds.

76 Stat. 521.

Restriction.

Short title.

SEC. 641. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: *Provided*, That transfers may be made between such funds in such amounts as may be determined by the Secretary of Defense, with the approval of the Bureau of the Budget.

SEC. 642. None of the funds provided in this Act shall be available for the expenses of the Special Training Enlistment Program (STEP).

SEC. 643. This Act may be cited as the "Department of Defense Appropriation Act, 1967".

Approved October 15, 1966.

## Public Law 89-688

### AN ACT

To amend the Marine Resources and Engineering Development Act of 1966 to authorize the establishment and operation of sea grant colleges and programs by initiating and supporting programs of education and research in the various fields relating to the development of marine resources, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Marine Resources and Engineering Development Act of 1966 is amended by adding at the end thereof the following new title:

## "TITLE II—SEA GRANT COLLEGES AND PROGRAMS

### "SHORT TITLE

"SEC. 201. This title may be cited as the 'National Sea Grant College and Program Act of 1966'.

### "DECLARATION OF PURPOSE

"SEC. 202. The Congress hereby finds and declares—

"(a) that marine resources, including animal and vegetable life and mineral wealth, constitute a far-reaching and largely untapped asset of immense potential significance to the United States; and

"(b) that it is in the national interest of the United States to develop the skilled manpower, including scientists, engineers, and technicians, and the facilities and equipment necessary for the exploitation of these resources; and

"(c) that aquaculture, as with agriculture on land, and the gainful use of marine resources can substantially benefit the United States, and ultimately the people of the world, by providing greater economic opportunities, including expanded employment and commerce; the enjoyment and use of our marine resources; new sources of food; and new means for the development of marine resources; and

"(d) that Federal support toward the establishment, development, and operation of programs by sea grant colleges and Federal support of other sea grant programs designed to achieve the gainful use of marine resources, offer the best means of promoting programs toward the goals set forth in clauses (a), (b), and (c), and should be undertaken by the Federal Government; and

October 15, 1966  
[H. R. 16559]

National Sea Grant College and Program Act of 1966.  
Ante, p. 203.

“(e) that in view of the importance of achieving the earliest possible institution of significant national activities related to the development of marine resources, it is the purpose of this title to provide for the establishment of a program of sea grant colleges and education, training, and research in the fields of marine science, engineering, and related disciplines.

“GRANTS AND CONTRACTS FOR SEA GRANT COLLEGES AND PROGRAMS

“SEC. 203. (a) The provisions of this title shall be administered by the National Science Foundation (hereafter in this title referred to as the ‘Foundation’). Administration  
by National  
Science Found-  
ation.

“(b)(1) For the purpose of carrying out this title, there is authorized to be appropriated to the Foundation for the fiscal year ending June 30, 1967, not to exceed the sum of \$5,000,000, for the fiscal year ending June 30, 1968, not to exceed the sum of \$15,000,000, and for each subsequent fiscal year only such sums as the Congress may hereafter specifically authorize by law.

“(2) Amounts appropriated under this title are authorized to remain available until expended.

“MARINE RESOURCES

“Sec. 204. (a) In carrying out the provisions of this title the Foundation shall (1) consult with those experts engaged in pursuits in the various fields related to the development of marine resources and with all departments and agencies of the Federal Government (including the United States Office of Education in all matters relating to education) interested in, or affected by, activities in any such fields, and (2) seek advice and counsel from the National Council on Marine Resources and Engineering Development as provided by section 205 of this title.

“(b) The Foundation shall exercise its authority under this title by— Research pro-  
grams, etc.

“(1) initiating and supporting programs at sea grant colleges and other suitable institutes, laboratories, and public or private agencies for the education of participants in the various fields relating to the development of marine resources;

“(2) initiating and supporting necessary research programs in the various fields relating to the development of marine resources, with preference given to research aimed at practices, techniques, and design of equipment applicable to the development of marine resources; and

“(3) encouraging and developing programs consisting of instruction, practical demonstrations, publications, and otherwise, by sea grant colleges and other suitable institutes, laboratories, and public or private agencies through marine advisory programs with the object of imparting useful information to persons currently employed or interested in the various fields related to the development of marine resources, the scientific community, and the general public.

“(c) Programs to carry out the purposes of this title shall be accomplished through contracts with, or grants to, suitable public or private institutions of higher education, institutes, laboratories, and public or private agencies which are engaged in, or concerned with, activities in the various fields related to the development of marine resources, for the establishment and operation by them of such programs. Contracts or  
grants.

“(d) (1) The total amount of payments in any fiscal year under any grant to or contract with any participant in any program to be carried out by such participant under this title shall not exceed  $66\frac{2}{3}$  per centum of the total cost of such program. For purposes of computing the amount of the total cost of any such program furnished by any participant in any fiscal year, the Foundation shall include in such computation an amount equal to the reasonable value of any buildings, facilities, equipment, supplies, or services provided by such participant with respect to such program (but not the cost or value of land or of Federal contributions).

Disposition of  
funds, restrictions.

“(2) No portion of any payment by the Foundation to any participant in any program to be carried out under this title shall be applied to the purchase or rental of any land or the rental, purchase, construction, preservation, or repair of any building, dock, or vessel.

“(3) The total amount of payments in any fiscal year by the Foundation to participants within any State shall not exceed 15 per centum of the total amount appropriated to the Foundation for the purposes of this title for such fiscal year.

“(e) In allocating funds appropriated in any fiscal year for the purposes of this title the Foundation shall endeavor to achieve maximum participation by sea grant colleges and other suitable institutes, laboratories, and public or private agencies throughout the United States, consistent with the purposes of this title.

“(f) In carrying out its functions under this title, the Foundation shall attempt to support programs in such a manner as to supplement and not duplicate or overlap any existing and related Government activities.

“(g) Except as otherwise provided in this title, the Foundation shall, in carrying out its functions under this title, have the same powers and authority it has under the National Science Foundation Act of 1950 to carry out its functions under that Act.

64 Stat. 149.  
42 USC 1861  
note.

Personnel, fa-  
cilities, etc.,  
availability.

“(h) The head of each department, agency, or instrumentality of the Federal Government is authorized, upon request of the Foundation, to make available to the Foundation, from time to time, on a reimbursable basis, such personnel, services, and facilities as may be necessary to assist the Foundation in carrying out its functions under this title.

Definitions.

“(i) For the purposes of this title—

“(1) the term ‘development of marine resources’ means scientific endeavors relating to the marine environment, including, but not limited to, the fields oriented toward the development, conservation, or economic utilization of the physical, chemical, geological, and biological resources of the marine environment; the fields of marine commerce and marine engineering; the fields relating to exploration or research in, the recovery of natural resources from, and the transmission of energy in, the marine environment; the fields of oceanography and oceanology; and the fields with respect to the study of the economic, legal, medical, or sociological problems arising out of the management, use, development, recovery, and control of the natural resources of the marine environment;

“(2) the term ‘marine environment’ means the oceans; the Continental Shelf of the United States; the Great Lakes; the seabed and subsoil of the submarine areas adjacent to the coasts of the United States to the depth of two hundred meters, or beyond that limit, to where the depths of the superjacent waters admit of the exploitation of the natural resources of the area;

the seabed and subsoil of similar submarine areas adjacent to the coasts of islands which comprise United States territory; and the natural resources thereof;

“(3) the term ‘sea grant college’ means any suitable public or private institution of higher education supported pursuant to the purposes of this title which has major programs devoted to increasing our Nation’s utilization of the world’s marine resources; and

“(4) the term ‘sea grant program’ means (A) any activities of education or research related to the development of marine resources supported by the Foundation by contracts with or grants to institutions of higher education either initiating, or developing existing, programs in fields related to the purposes of this title, (B) any activities of education or research related to the development of marine resources supported by the Foundation by contracts with or grants to suitable institutes, laboratories, and public or private agencies, and (C) any programs of advisory services oriented toward imparting information in fields related to the development of marine resources supported by the Foundation by contracts with or grants to suitable institutes, laboratories, and public or private agencies.

#### “ADVISORY FUNCTIONS

“SEC. 205. The National Council on Marine Resources and Engineering Development established by section 3 of title I of this Act shall, as the President may request—

*Ante*, p. 204.

“(1) advise the Foundation with respect to the policies, procedures, and operations of the Foundation in carrying out its functions under this title;

“(2) provide policy guidance to the Foundation with respect to contracts or grants in support of programs conducted pursuant to this title, and make such recommendations thereon to the Foundation as may be appropriate; and

“(3) submit an annual report on its activities and its recommendations under this section to the Speaker of the House of Representatives, the Committee on Merchant Marine and Fisheries of the House of Representatives, the President of the Senate, and the Committee on Labor and Public Welfare of the Senate.”

Report to Congress.

SEC. 2. (a) The Marine Resources and Engineering Development Act of 1966 is amended by striking out the first section and inserting in lieu thereof the following:

*Ante*, p. 203.

### “TITLE I—MARINE RESOURCES AND ENGINEERING DEVELOPMENT

#### “SHORT TITLE

“SECTION 1. This title may be cited as the ‘Marine Resources and Engineering Development Act of 1966’.”

Citation of title I.

(b) Such Act is further amended by striking out “this Act” the first place it appears in section 4(a), and also each place it appears in sections 5(a), 8, and 9, and inserting in lieu thereof in each such place “this title”.

Approved October 15, 1966.

## Public Law 89-689

October 15, 1966  
[H. R. 17787]

## AN ACT

Making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, the Saint Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1967, and for other purposes.

Public Works  
Appropriation  
Act, 1967.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1967, for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, the Saint Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and the Water Resources Council, and for other purposes, namely:

## TITLE I—DEPARTMENT OF DEFENSE—CIVIL

## DEPARTMENT OF THE ARMY

## CEMETERIAL EXPENSES

## SALARIES AND EXPENSES

For necessary cemeterial expenses as authorized by law, including maintenance, operation, and improvement of national cemeteries, and purchase of headstones and markers for unmarked graves; purchase of three passenger motor vehicles for replacement only; maintenance of that portion of Congressional Cemetery to which the United States has title, Confederate burial places under the jurisdiction of the Department of the Army, and graves used by the Army in commercial cemeteries; \$15,098,000: *Provided*, That this appropriation shall not be used to repair more than a single approach road to any national cemetery: *Provided further*, That this appropriation shall not be obligated for construction of a superintendent's lodge or family quarters at a cost per unit in excess of \$17,000, but such limitation may be increased by such additional amounts as may be required to provide office space, public comfort rooms, or space for the storage of Government property within the same structure: *Provided further*, That reimbursement shall be made to the applicable military appropriation for the pay and allowances of any military personnel performing services primarily for the purposes of this appropriation.

## CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to rivers and harbors, flood control, beach erosion, and related purposes:

## GENERAL INVESTIGATIONS

For expenses necessary for the collection and study of basic information pertaining to river and harbor, flood control, shore protection, and related projects, and when authorized by law, surveys and studies of projects prior to authorization for construction, \$32,450,000, to remain available until expended: *Provided*, That \$441,000 of this appropriation shall be transferred to the Bureau of Sport Fisheries and Wildlife for studies, investigations, and reports thereon as required by the Fish and Wildlife Coordination Act of 1958 (72 Stat. 563-565) to provide that wildlife conservation shall receive equal consideration and be coordinated with other features of water-resource development programs of the Department of the Army.

16 USC 661 note.

## CONSTRUCTION, GENERAL

For the prosecution of river and harbor, flood control, shore protection, and related projects authorized by law; and detailed studies, and plans and specifications, or projects (including those for development with participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such studies shall not constitute a commitment of the Government to construction); \$967,460,000, to remain available until expended: *Provided*, That no part of this appropriation shall be used for projects not authorized by law or which are authorized by law limiting the amount to be appropriated therefor, except as may be within the limits of the amount now or hereafter authorized to be appropriated: *Provided further*, That the Chief of Engineers shall, in lieu of altering the existing obsolescent bridge, provide a new four-lane high-level bridge as a replacement for the United States Highway Numbered 64 bridge immediately west of Fort Smith, Arkansas: *Provided further*, That at the discretion of the Chief of Engineers, funds appropriated for the Robert S. Kerr Lock and Dam, Oklahoma, may be used to provide appropriate navigational clearances for bridges crossing the Sans Bois Creek which are to be relocated under the existing project: *Provided further*, That the Lost Creek Project in Oregon and the Wynoochee Project in Washington shall not be operated for irrigation purposes until such time as the Secretary of the Interior makes the necessary arrangements with non-Federal interests to recover the costs, in accordance with Federal Reclamation Law, which are allocated to the irrigation purpose: *Provided further*, That appropriations under this head shall be available to the Chief of Engineers for the purposes authorized by section 6 of the Flood Control Act of 1946; *provided further* that the authority contained therein is extended to include the Libby Dam and Reservoir project in Montana: *Provided further*, That \$550,000 of this appropriation shall be transferred to the Bureau of Sport Fisheries and Wildlife for studies, investigations, and reports thereon as required by the Fish and Wildlife Coordination Act of 1958 (72 Stat. 563-565) to provide that wildlife conservation shall receive equal consideration and be coordinated with other features of water-resource development programs of the Department of the Army.

Restriction.

32 Stat. 388.  
43 USC 391 note.

60 Stat. 642.

## OPERATION AND MAINTENANCE, GENERAL

For expenses necessary for the preservation, operation, maintenance, and care of existing river and harbor, flood control, and related works, including such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality or other public agency, out-

side of harbor lines, and serving essential needs of general commerce and navigation; financing the United States share of the cost of pumping water from Lake Okeechobee to the Everglades National Park; financing the United States share of the cost of operation and maintenance of the remedial works in the Niagara River; activities of the California Debris Commission; administration of laws pertaining to preservation of navigable waters; surveys and charting of northern and northwestern lakes and connecting waters; clearing and straightening channels; and removal of obstructions to navigation; \$179,000,000, to remain available until expended.

FLOOD CONTROL AND COASTAL EMERGENCIES

For expenses necessary for emergency flood control, hurricane and shore protection activities, as authorized by section 5 of the Flood Control Act approved August 18, 1941, as amended, \$7,000,000, to remain available until expended.

69 Stat. 186;  
76 Stat. 1194.  
33 USC 701n.

GENERAL EXPENSES

For expenses necessary for general administration and related functions in the Office of the Chief of Engineers and offices of the Division Engineers; activities of the Board of Engineers for Rivers and Harbors and the Coastal Engineering Research Center; commercial statistics; and miscellaneous investigations; \$17,550,000.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES

For expenses necessary for prosecuting work of flood control, and rescue work, repair, restoration, or maintenance of flood control projects threatened or destroyed by flood, as authorized by law (33 U.S.C. 702a, 702g-1), \$87,135,000, to remain available until expended, of which \$75,000 shall be available for the planning of road crossings of the Panola-Quitman Floodway at Crowder and Paducah Wells, Mississippi.

45 Stat. 534;  
49 Stat. 1511.

ADMINISTRATIVE PROVISIONS

Appropriations in this title shall be available for expenses of attendance by military personnel at meetings in the manner authorized by section 19(b) of the Act of July 7, 1958 (72 Stat. 336), uniforms, or allowances therefor, as authorized by the Act of September 1, 1954, as amended (5 U.S.C. 2131), and for printing, either during a recess or session of Congress, of survey reports authorized by law, and such survey reports as may be printed during a recess of Congress shall be printed, with illustrations, as documents of the next succeeding session of Congress; and during the current fiscal year the revolving fund, Corps of Engineers, shall be available for purchase (not to exceed one hundred and ninety-seven, of which one hundred and sixty-eight shall be for replacement only) and hire of passenger motor vehicles: *Provided*, That the total capital of said fund shall not exceed \$149,000,000.

5 USC 2318.

68 Stat. 1114;  
79 Stat. 1122.

THE PANAMA CANAL  
CANAL ZONE GOVERNMENT  
OPERATING EXPENSES

For operating expenses necessary for the Canal Zone Government, including operation of the Postal Service of the Canal Zone; hire of passenger motor vehicles; uniforms or allowances therefor, as authorized by the Act of September 1, 1954, as amended (5 U.S.C. 2131); expenses incident to conducting hearings on the Isthmus; expenses of special training of employees of the Canal Zone Government as authorized by law (5 U.S.C. 2301 et seq.); contingencies of the Governor; residence for the Governor; medical aid and support of the insane and of lepers and aid and support of indigent persons legally within the Canal Zone, including expenses of their deportation when practicable; maintaining and altering facilities of other Government agencies in the Canal Zone for Canal Zone Government use; and payments of not to exceed \$50 in any one case to persons within the Government service who shall furnish blood for transfusions, \$33,404,000.

68 Stat. 1114;  
79 Stat. 1122.

72 Stat. 327.

CAPITAL OUTLAY

For acquisition of land and land under water and acquisition, construction, and replacement of improvements, facilities, structures, and equipment, as authorized by law (2 C.Z. Code, Sec. 2; 2 C.Z. Code, Sec. 371), including the purchase of not to exceed ten passenger motor vehicles for replacement only, of which eight are for police-type use without regard to the general purchase price limitation for the current fiscal year; improving facilities of other Government agencies in the Canal Zone for Canal Zone Government use; and expenses incident to the retirement of such assets; \$2,000,000, to remain available until expended: *Provided*, That notwithstanding the limitation under this head in the Second Supplemental Appropriation Act, 1961, appropriations for "capital outlay" may be used for expenses related to the construction of quarters of non-U.S. citizen employees at a unit cost not exceeding \$16,500.

76A Stat. 7, 26.

74 Stat. 827.

PANAMA CANAL COMPANY  
CORPORATION

The Panama Canal Company is hereby authorized to make such expenditures within the limits of funds and borrowing authority available to it and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 849), as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation, including maintaining and improving facilities of other Government agencies in the Canal Zone for Panama Canal Company use.

61 Stat. 584.

LIMITATION ON GENERAL AND ADMINISTRATIVE EXPENSES

Not to exceed \$12,000,000 of the funds available to the Panama Canal Company shall be available during the current fiscal year for general and administrative expenses of the Company, including operation of tourist vessels and guide services, which shall be computed

on an accrual basis. Funds available to the Panama Canal Company for operating expenses shall be available for the purchase of not to exceed eighteen passenger motor vehicles for replacement only, including five light sedans at not to exceed \$2,000, and for uniforms or allowances therefor, as authorized by the Act of September 1, 1954, as amended (5 U.S.C. 2131).

68 Stat. 1114;  
79 Stat. 1122.

#### GENERAL PROVISIONS—THE PANAMA CANAL

The Governor of the Canal Zone is authorized to employ services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), in an amount not exceeding \$30,000: *Provided*, That the rates for individuals shall not exceed \$100 per diem.

68 Stat. 810.

Funds appropriated for operating expenses of the Canal Zone Government may be apportioned notwithstanding section 3679 of the Revised Statutes, as amended (31 U.S.C. 665), to the extent necessary to permit payment of such pay increases for officers or employees as may be authorized by administrative action pursuant to law which are not in excess of statutory increases granted for the same period in corresponding rates of compensation for other employees of the Government in comparable positions.

### TITLE II—DEPARTMENT OF THE INTERIOR

#### BUREAU OF RECLAMATION

For carrying out the functions of the Bureau of Reclamation as provided in the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto) and other Acts applicable to that Bureau, as follows:

43 USC 371 note.

#### GENERAL INVESTIGATIONS

For engineering and economic investigations of proposed Federal reclamation projects and studies of water conservation and development plans and activities preliminary to the reconstruction, rehabilitation and betterment, financial adjustment, or extension of existing projects, including not to exceed \$450,000 for investigations of projects in Alaska, to remain available until expended, \$15,075,000, of which \$13,473,000 shall be derived from the reclamation fund and \$500,000 shall be derived from the Colorado River development fund: *Provided*, That none of this appropriation shall be used for more than one-half of the cost of an investigation requested by a State, municipality, or other interest: *Provided further*, That not to exceed \$35,000 of this appropriation shall be available for payment to the Salt River Pima-Maricopa and Ft. McDowell Indian tribes for economic studies in connection with the potential construction of Orme Dam on the Salt River in Arizona: *Provided further*, That \$425,000 of this appropriation shall be transferred to the Bureau of Sport Fisheries and Wildlife for studies, investigations, and reports thereon as required by the Fish and Wildlife Coordination Act of 1958 (72 Stat. 563-565) to provide that wildlife conservation shall receive equal consideration and be coordinated with other features of water-resource development programs of the Bureau of Reclamation.

Restriction.

16 USC 661 note.

#### CONSTRUCTION AND REHABILITATION

For construction and rehabilitation of authorized reclamation projects or parts thereof (including power transmission facilities) and for

other related activities, as authorized by law, to remain available until expended, \$192,375,000, of which \$95,000,000 shall be derived from the reclamation fund: *Provided*, That no part of this appropriation shall be used to initiate the construction of transmission facilities within those areas covered by power wheeling service contracts which include provision for service to Federal establishments and preferred customers, except those transmission facilities for which construction funds have been heretofore appropriated, those facilities which are necessary to carry out the terms of such contracts or those facilities for which the Secretary of the Interior finds the wheeling agency is unable or unwilling to provide for the integration of Federal projects or for service to a Federal establishment or preferred customer: *Provided further*, That the final point of discharge for the interceptor drain for the San Luis unit shall not be determined until (1) completion of a pollution study by the Department of Health, Education, and Welfare, (2) development of a plan to minimize any detrimental effect of the San Luis drainage waters on San Francisco Bay, and (3) agreement is reached by the Secretary with the State of California, subject to the approval of the President, limiting the Federal share of the costs of the drain to Antioch to not more than 60 per centum thereof, and if found necessary to extend the drain beyond Antioch, the Federal share of such extension shall be determined on the basis of an equitable apportionment of the additional costs between the Federal Government and the non-Federal entities who are to use the facilities: *Provided further*, That no funds shall be made available under this appropriation for the construction in Contra Costa County, California, of any portion of the interceptor drain in connection with the San Luis unit which terminates at any point east of Port Chicago except for piers and abutments at a crossing site of the drain over the intake channel of the pumping plant for the California aqueduct.

#### OPERATION AND MAINTENANCE

For operation and maintenance of reclamation projects or parts thereof and other facilities, as authorized by law; and for a soil and moisture conservation program on lands under the jurisdiction of the Bureau of Reclamation, pursuant to law, \$41,000,000, of which \$29,416,000 shall be derived from the reclamation fund and \$2,128,000 shall be derived from the Colorado River Dam fund: *Provided*, That funds advanced by water users for operation and maintenance of reclamation projects or parts thereof shall be deposited to the credit of this appropriation and may be expended for the same objects and in the same manner as sums appropriated herein may be expended, and the unexpended balances of such advances shall be credited to the appropriation for the next succeeding fiscal year.

#### LOAN PROGRAM

For loans to irrigation districts and other public agencies for construction of distribution systems on authorized Federal reclamation projects, and for loans and grants to non-Federal agencies for construction of projects, as authorized by the Acts of July 4, 1955, as amended (43 U.S.C. 421a-421d), and August 6, 1956 (43 U.S.C. 422a-422k), as amended (71 Stat. 48), including expenses necessary for carrying out the program, \$12,995,000, to remain available until expended: *Provided*, That any contract under the Act of July 4, 1955 (69 Stat. 244), as amended, not yet executed by the Secretary, which calls for the making of loans beyond the fiscal year in which the

contract is entered into shall be made only on the same conditions as those prescribed in section 12 of the Act of August 4, 1939 (53 Stat. 1187, 1197).

43 USC 388.

## UPPER COLORADO RIVER STORAGE PROJECT

For the Upper Colorado River Storage Project, as authorized by the Act of April 11, 1956 (43 U.S.C. 620d), to remain available until expended, \$50,198,000, of which \$46,398,000 shall be available for the "Upper Colorado River Basin Fund" authorized by section 5 of said Act of April 11, 1956, and \$3,800,000 shall be available for construction, operation and maintenance of recreational and fish and wildlife facilities authorized by section 8 thereof, and may be expended by bureaus of the Department through or in cooperation with State or other Federal agencies, and advances to such Federal agencies are hereby authorized: *Provided*, That no part of the funds herein appropriated shall be available for construction or operation of facilities to prevent waters of Lake Powell from entering any national monument: *Provided further*, That \$148,000 of the funds herein appropriated for the Upper Colorado River Basin Fund shall be available for operation of the Page, Arizona, Accommodation School, and to be nonreimbursable and nonreturnable.

70 Stat. 107.

43 USC 620g.

Restriction.

## EMERGENCY FUND

For an additional amount for the "Emergency fund", as authorized by the Act of June 26, 1948 (43 U.S.C. 502), to remain available until expended for the purposes specified in said Act, \$1,000,000, to be derived from the reclamation fund.

62 Stat. 1052.

## GENERAL ADMINISTRATIVE EXPENSES

For necessary expenses of general administration and related functions in the offices of the Commissioner of Reclamation and in the regional offices of the Bureau of Reclamation, \$11,300,000, to be derived from the reclamation fund and to be nonreimbursable pursuant to the Act of April 19, 1945 (43 U.S.C. 377): *Provided*, That no part of any other appropriation in this Act shall be available for activities or functions budgeted for the current fiscal year as general administrative expenses.

59 Stat. 54.

## SPECIAL FUNDS

Sums herein referred to as being derived from the reclamation fund, the Colorado River Dam fund, or the Colorado River development fund, are appropriated from the special funds in the Treasury created by the Act of June 17, 1902 (43 U.S.C. 391), the Act of December 21, 1928 (43 U.S.C. 617a), and the Act of July 19, 1940 (43 U.S.C. 618a), respectively. Such sums shall be transferred, upon request of the Secretary, to be merged with and expended under the heads herein specified; and the unexpended balances of sums transferred for expenditure under the heads "Operation and Maintenance" and "General Administrative Expenses" shall revert and be credited to the special fund from which derived.

32 Stat. 388.

45 Stat. 1057.

54 Stat. 774.

## ADMINISTRATIVE PROVISIONS

Appropriations to the Bureau of Reclamation shall be available for purchase of not to exceed forty-one passenger motor vehicles for replacement only; purchase of one aircraft; payment of claims for dam-

age to or loss of property, personal injury, or death arising out of activities of the Bureau of Reclamation; payment, except as otherwise provided for, of compensation and expense of persons on the rolls of the Bureau of Reclamation appointed as authorized by law to represent the United States in the negotiation and administration of interstate compacts without reimbursement or return under the reclamation laws; rewards for information or evidence concerning violations of law involving property under the jurisdiction of the Bureau of Reclamation; performance of the functions specified under the head "Operation and Maintenance Administration", Bureau of Reclamation, in the Interior Department Appropriation Act, 1945; preparation and dissemination of useful information including recordings, photographs, and photographic prints; and studies of recreational uses of reservoir areas, and investigation and recovery of archeological and paleontological remains in such areas in the same manner as provided for in the Act of August 21, 1935 (16 U.S.C. 461-467): *Provided*, That no part of any appropriation made herein shall be available pursuant to the Act of April 19, 1945 (43 U.S.C. 377), for expenses other than those incurred on behalf of specific reclamation projects except "General Administrative Expenses" and amounts provided for reconnaissance, basin surveys, and general engineering and research under the head "General Investigations".

32 Stat. 388.  
43 USC 391 note.

58 Stat. 487.

49 Stat. 666.

59 Stat. 54.

Allotments to the Missouri River Basin project from the appropriation under the head "Construction and Rehabilitation" shall be available additionally for said project for those functions of the Bureau of Reclamation provided for under the head "General Investigations" (but this authorization shall not preclude use of the appropriation under said head within that area), and for the continuation of investigations by agencies of the Department on a general plan for the development of the Missouri River Basin. Such allotments may be expended through or in cooperation with State and other Federal agencies, and advances to such agencies are hereby authorized.

Sums appropriated herein which are expended in the performance of reimbursable functions of the Bureau of Reclamation shall be returnable to the extent and in the manner provided by law.

No part of any appropriation for the Bureau of Reclamation, contained in this Act or in any prior Act, which represents amounts earned under the terms of a contract but remaining unpaid, shall be obligated for any other purpose, regardless of when such amounts are to be paid: *Provided*, That the incurring of any obligation prohibited by this paragraph shall be deemed a violation of section 3679 of the Revised Statutes, as amended (31 U.S.C. 665).

No funds appropriated to the Bureau of Reclamation for operation and maintenance, except those derived from advances by water users, shall be used for the particular benefits of lands (a) within the boundaries of an irrigation district, (b) of any member of a water users' organization, or (c) of any individual when such district, organization, or individual is in arrears for more than twelve months in the payment of charges due under a contract entered into with the United States pursuant to laws administered by the Bureau of Reclamation.

Not to exceed \$225,000 may be expended from the appropriation "Construction and rehabilitation" for work by force account on any one project or Missouri River Basin unit and then only when such work is unsuitable for contract or no acceptable bid has been received and, other than otherwise provided in this paragraph or as may be necessary to meet local emergencies, not to exceed 12 per centum of the construction allotment for any project from the appropriation "Construction and rehabilitation" contained in this Act shall be available

for construction work by force account: *Provided*, That this paragraph shall not apply to work performed under the Rehabilitation and Betterment Act of 1949 (63 Stat. 724).

43 USC 504  
and note.

64 Stat. 1109.  
42 USC 1855-  
1855g.

Any appropriations made heretofore or hereafter to the Bureau of Reclamation which are expended in connection with national disaster relief under Public Law 81-875 as administered by the Office of Emergency Planning shall be reimbursed in full by that Office to the account for which the funds were originally appropriated.

### BONNEVILLE POWER ADMINISTRATION

#### CONSTRUCTION

For construction and acquisition of transmission lines, substations, and appurtenant facilities, as authorized by law, and purchase of three aircraft, of which two shall be for replacement only, \$109,000,000, to remain available until expended: *Provided*, That the Bonneville Power Administration shall not supply power directly, or indirectly through any preference customer, to any phosphorous electric furnace plant in southern Idaho, Utah, or Wyoming.

#### OPERATION AND MAINTENANCE

For necessary expenses of operation and maintenance of the Bonneville transmission system and of marketing electric power and energy, \$17,010,000.

#### ADMINISTRATIVE PROVISIONS

Appropriations of the Bonneville Power Administration shall be available to carry out all the duties imposed upon the Administrator pursuant to law. Appropriations made herein to the Bonneville Power Administration shall be available in one fund, except that the appropriation herein made for operation and maintenance shall be available only for the service of the current fiscal year.

Other than as may be necessary to meet local emergencies, not to exceed 12 per centum of the appropriation for construction herein made for the Bonneville Power Administration shall be available for construction work by force account or on a hired-labor basis.

### SOUTHEASTERN POWER ADMINISTRATION

#### OPERATION AND MAINTENANCE

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy pursuant to the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, including purchase of one passenger motor vehicle for replacement only, \$1,000,000.

58 Stat. 890.

### SOUTHWESTERN POWER ADMINISTRATION

#### CONSTRUCTION

For construction and acquisition of transmission lines, substations, and appurtenant facilities, and for administrative expenses connected therewith, in carrying out the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southwestern power area, \$3,950,000, to remain available until expended.

## OPERATION AND MAINTENANCE

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy pursuant to the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southwestern power area, including purchase of, not to exceed five passenger motor vehicles, for replacement only, \$2,115,000.

58 Stat. 890.

## CONTINUING FUND

Not to exceed \$3,700,000 shall be available during the current fiscal year from the continuing fund for all costs in connection with the purchase of electric power and energy, and rentals for the use of transmission facilities.

## GENERAL PROVISIONS—DEPARTMENT OF THE INTERIOR

SEC. 201. Appropriations in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided*, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted.

Emergency construction.

SEC. 202. The Secretary may authorize the expenditure or transfer (within each bureau or office) of any appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of forest or range fires on or threatening lands under jurisdiction of the Department of the Interior.

Fire prevention.

SEC. 203. Appropriations in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency or economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by the Act of June 30, 1932 (31 U.S.C. 686): *Provided*, That reimbursements for costs of supplies, materials, and equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

Operation of warehouses.

47 Stat. 417.

SEC. 204. No part of any funds made available by this Act to the Southwestern Power Administration may be made available to any other agency, bureau, or office for any purposes other than for services rendered pursuant to law to the Southwestern Power Administration.

Southwestern Power Administration funds.

## TITLE III—ATOMIC ENERGY COMMISSION

## ATOMIC ENERGY COMMISSION

## OPERATING EXPENSES

For necessary operating expenses of the Commission in carrying out the purposes of the Atomic Energy Act of 1954, as amended, including the employment of aliens; services authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); hire, maintenance and operation of aircraft; publication and dissemination of atomic information; purchase, repair and cleaning of uniforms; official entertainment expenses (not to exceed \$30,000); reimbursement of the General Services Administration for security guard services; hire of pas-

68 Stat. 919.  
42 USC 2011  
note.

60 Stat. 810.

69 Stat. 471.

senger motor vehicles; \$1,923,000,000 and any moneys (except sums received from disposal of property under the Atomic Energy Community Act of 1955, as amended, (42 U.S.C. 2301)) received by the Commission, notwithstanding the provisions of section 3617 of the Revised Statutes (31 U.S.C. 484), to remain available until expended: *Provided*, That of such amount \$100,000 may be expended for objects of a confidential nature and in any such case the certificate of the Commission as to the amount of the expenditure and that it is deemed inadvisable to specify the nature thereof shall be deemed a sufficient voucher for the sum therein expressed to have been expended: *Provided further*, That from this appropriation transfers of sums may be made to other agencies of the Government for the performance of the work for which this appropriation is made, and in such cases the sums so transferred may be merged with the appropriation to which transferred: *Provided further*, That no part of this appropriation shall be used in connection with the payment of a fixed fee to any contractor or firm of contractors engaged under a cost-plus-a-fixed-fee contract or contracts at any installation of the Commission, where that fee for community management is at a rate in excess of \$90,000 per annum, or for the operation of a transportation system where that fee is at a rate in excess of \$45,000 per annum.

Restriction.

## PLANT AND CAPITAL EQUIPMENT

68 Stat. 919.  
42 USC 2011  
note.

For expenses of the Commission, as authorized by law, in connection with the purchase and construction of plant and the acquisition of capital equipment and other expenses incidental thereto necessary in carrying out the purposes of the Atomic Energy Act of 1954, as amended, including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; purchase of not to exceed four hundred and fifty-one, for replacement only, of which six for police-type use may exceed by \$300 each the general purchase price limitation for the current fiscal year, and hire of passenger motor vehicles; and purchase of one aircraft; \$276,030,000, to remain available until expended.

## GENERAL PROVISIONS

Procurement  
of materials,  
etc.

Any appropriation available to the Atomic Energy Commission may initially be used subject to limitations in this Act during the current fiscal year to finance the procurement of materials, services, or other costs which are a part of work or activities for which funds have been provided in any other appropriation available to the Commission: *Provided*, That appropriate transfers or adjustments between such appropriations shall subsequently be made for such costs on the basis of actual application determined in accordance with generally accepted accounting principles.

Transfer of  
funds.  
Report to con-  
gressional com-  
mittees.

Not to exceed 5 per centum of appropriations made available for the current fiscal year for "Operating expenses" and "Plant and capital equipment" may be transferred between such appropriations, but neither such appropriation, except as otherwise provided herein, shall be increased by more than 5 per centum by any such transfers, and any such transfers shall be reported promptly to the Appropriations Committees of the House and Senate.

Restriction on  
fellowships.

No part of any appropriation herein shall be used to confer a fellowship on any person who advocates or who is a member of an organization or party that advocates the overthrow of the Government of the United States by force or violence or with respect to whom the Commission finds, upon investigation and report by the Civil Service Com-

mission on the character, associations, and loyalty of whom, that reasonable grounds exist for belief that such person is disloyal to the Government of the United States: *Provided*, That any person who advocates or who is a member of an organization or party that advocates the overthrow of the Government of the United States by force or violence and accepts employment or a fellowship the salary, wages, stipend, grant, or expenses for which are paid from any appropriation contained herein shall be guilty of a felony, and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Penalty.

## TITLE IV—INDEPENDENT OFFICES

### ATLANTIC-PACIFIC INTEROCEANIC CANAL STUDY COMMISSION

#### SALARIES AND EXPENSES

For expenses necessary for an investigation and study, including surveys, to determine the feasibility of, and the most suitable site for construction of a sea-level canal connecting the Atlantic and Pacific Oceans: not to exceed \$1,000 for official reception and representation expenses, \$4,000,000, to remain available until expended: *Provided*, That the unobligated balances of appropriations to the Interoceanic Canal Commission for "Salaries and expenses," shall be merged with this appropriation.

### DELAWARE RIVER BASIN COMMISSION

#### SALARIES AND EXPENSES

For expenses necessary to carry out the functions of the United States member of the Delaware River Basin Commission, as authorized by law (75 Stat. 716), \$45,000.

#### CONTRIBUTION TO DELAWARE RIVER BASIN COMMISSION

For payment of the United States share of the current expenses of the Delaware River Basin Commission, as authorized by law (75 Stat. 706, 707), \$115,000.

### SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to such Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such Corporation, except as hereinafter provided.

61 Stat. 584.  
31 USC 849.

#### LIMITATION ON ADMINISTRATIVE EXPENSES, SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

Not to exceed \$515,000 shall be available for administrative expenses which shall be computed on an accrual basis, including not to

exceed \$4,000 for official entertainment expenses to be expended upon the approval or authority of the Administrator, hire of passenger motor vehicles, uniforms or allowances therefor for operation and maintenance personnel, as authorized by law (5 U.S.C. 2131), and services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), at rates for individuals not to exceed \$100 per day: *Provided*, That not to exceed \$5,000 may be expended for services of individuals employed at rates in excess of \$50 per day.

68 Stat. 1114;  
79 Stat. 1122.

60 Stat. 810.

TENNESSEE VALLEY AUTHORITY

PAYMENT TO TENNESSEE VALLEY AUTHORITY FUND

For the purpose of carrying out the provisions of the Tennessee Valley Authority Act of 1933, as amended (16 U.S.C., ch. 12A), including purchase of two aircraft, of which one shall be for replacement only, hire, maintenance, and operation of aircraft, and purchase (not to exceed two hundred and forty of which two hundred shall be for replacement only) and hire of passenger motor vehicles, \$63,700,000, to remain available until expended.

48 Stat. 58.  
16 USC 831.

WATER RESOURCES COUNCIL

WATER RESOURCES PLANNING

For expenses necessary in carrying out the provisions of titles I and II of the Water Resources Planning Act of 1965 (Public Law 89-80, approved July 22, 1965), including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), but at rates not to exceed \$100 per diem for individuals, and hire of passenger motor vehicles, \$600,000.

79 Stat. 245.  
42 USC 1962a-  
1962b-6.  
60 Stat. 810.

FINANCIAL ASSISTANCE TO STATES

For expenses necessary in carrying out the provisions of title III of the Water Resources Planning Act of 1965 (Public Law 89-80, approved July 22, 1965), including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), but at rates not to exceed \$100 per diem for individuals, and hire of passenger motor vehicles, \$1,875,000, to remain available until expended.

42 USC 1962c-  
1962c-6.

TITLE V—GENERAL PROVISIONS

DEPARTMENTS, AGENCIES, AND CORPORATIONS

SEC. 501. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with section 16 of the Act of August 2, 1946 (5 U.S.C. 78), for the purchase of any passenger motor vehicle (exclusive of buses and ambulances), is hereby fixed at \$1,500 except station wagons for which the maximum shall be \$1,950.

Purchase of  
motor vehicles.  
60 Stat. 810.

SEC. 502. Unless otherwise specified and during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in continental United States unless such person (1) is a citizen of the United States, (2) is a person in the service of the United States on the date of enactment of this Act, who, being eligible for citizenship, had filed a declaration

Compensation  
payments.  
Citizenship  
status re-  
quirement.

of intention to become a citizen of the United States prior to such date, (3) is a person who owes allegiance to the United States, or (4) is an alien from Poland or the Baltic countries lawfully admitted to the United States for permanent residence: *Provided*, That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his status have been complied with: *Provided further*, That any person making a false affidavit shall be guilty of a felony, and, upon conviction, shall be fined not more than \$4,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of the Republic of the Philippines or to nationals of those countries allied with the United States in the current defense effort, or to temporary employment of translators, or to temporary employment in the field service (not to exceed sixty days) as a result of emergencies.

Penalty.

Exceptions.

SEC. 503. Appropriations of the executive departments and independent establishments for the current fiscal year, available for expenses of travel or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with title II of the Act of September 6, 1960 (74 Stat. 793).

Quarters allowances, etc.

SEC. 504. No part of any appropriation for the current fiscal year contained in this or any other Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve the nomination of said person.

5 USC 3033-3038.

SEC. 505. No part of any appropriation contained in this or any other Act for the current fiscal year shall be used to pay in excess of \$4 per volume for the current and future volumes of the United States Code, Annotated, and such volumes shall be purchased on condition and with the understanding that latest published cumulative annual pocket parts issued prior to the date of purchase shall be furnished free of charge, or in excess of \$4.25 per volume for the current or future volumes of the Lifetime Federal Digest, or in excess of \$6.50 per volume for the current or future volumes of the Modern Federal Practice Digest.

U.S. Code Annotated, etc., price limitation.

SEC. 506. Funds made available by this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to the Government Corporation Control Act, as amended (31 U.S.C. 841), shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in accordance with section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: *Provided*, That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

59 Stat. 597.

60 Stat. 810.

SEC. 507. Pursuant to section 1415 of the Act of July 15, 1952 (66 Stat. 662), foreign credits (including currencies) owed to or owned by the United States may be used by Federal agencies for any purpose for which appropriations are made for the current fiscal year (including the carrying out of Acts requiring or authorizing the use of such

Foreign credits, use. 31 USC 724.

credits), only when reimbursement therefor is made to the Treasury from applicable appropriations of the agency concerned: *Provided*, That such credits received as exchange allowances or proceeds of sales of personal property may be used in whole or part payment for acquisition of similar items, to the extent and in the manner authorized by law, without reimbursement to the Treasury.

SEC. 508. During the current fiscal year, any foreign currencies held by the United States which have been or may be reserved or set aside for specified programs or activities of any agency may be carried on the books of the Treasury in unfunded accounts.

SEC. 509. No part of any appropriation contained in this or any other Act, or of the funds available for expenditure by any corporation or agency, shall be used for publicity or propaganda purposes designed to support or defeat legislation pending before Congress.

SEC. 510. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

This Act may be cited as the "Public Works Appropriation Act, 1967".

Approved October 15, 1966.

Publicity or  
propaganda.

Time limita-  
tion.

Short title.

## Public Law 89-690

### AN ACT

October 15, 1966  
[H. R. 16646]

To amend title 10, United States Code, to authorize the award of Exemplary Rehabilitation Certificates to certain individuals after considering their character and conduct in civilian life after discharge or dismissal from the armed forces, and for other purposes.

Armed Forces.  
Postdischarge  
awards.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That part II of sub-title A of title 10, United States Code, is amended by inserting immediately after chapter 79 thereof the following new chapter:

### **"Chapter 80.—EXEMPLARY REHABILITATION CERTIFICATES**

"Sec.

"1571. Establishment of Exemplary Rehabilitation Certificates.

"1572. Consideration and issuance of certificate.

"1573. Matters considered.

"1574. Other benefits.

"1575. Job counseling and employment placement.

"1576. Reports.

#### **"§ 1571. Establishment of Exemplary Rehabilitation Certificates**

"The Secretary of Labor shall act on any application for an Exemplary Rehabilitation Certificate received under this chapter from any person who was discharged or dismissed under conditions other than honorable, or who received a general discharge, at least three years before the date of receipt of such application.

#### **"§ 1572. Consideration and issuance of certificate**

"In the case of any person discharged or dismissed from an armed force under conditions other than honorable before or after the enactment of this chapter, the Secretary of Labor may consider an application for, and issue to that person, an 'Exemplary Rehabilitation Certificate' dated as of the date of issuance, if it is established to his satisfaction that such person has rehabilitated himself, that his character is good, and that his conduct, activities, and habits since he was so discharged or dismissed have been exemplary for a reasonable period

of time, but not less than three years. The Secretary of Labor shall supply a copy of each such Exemplary Rehabilitation Certificate which is issued, to the Secretary of Defense, who shall place such copy in the military personnel record of the individual to whom the certificate is issued.

**“§ 1573. Matters considered**

“(a) For the purposes of section 1572, oral and written evidence, or both, may be used, including—

“(1) a notarized statement from the chief law enforcement officer of the town, city, or county in which the applicant resides, attesting to his general reputation so far as police and court records are concerned;

“(2) a notarized statement from his employer, if employed, giving the employer’s address, and attesting to the applicant’s general reputation and employment record;

“(3) notarized statements from not less than five persons, attesting that they have personally known him for at least three years as a person of good reputation and exemplary conduct, and the extent of personal contact they have had with him; and

“(4) such independent investigation as the Secretary of Labor may make.

“(b) Any person making application under this chapter may appear in person or by counsel before the Secretary of Labor.

**“§ 1574. Other benefits**

“No benefits under any laws of the United States (including but not limited to those relating to pensions, compensation, hospitalization, military pay and allowances, education, loan guarantees, retired pay, or other benefits based on military service) shall accrue to any person to whom an Exemplary Rehabilitation Certificate is issued under section 1572 unless he would be entitled to those benefits under his original discharge or dismissal.

**“§ 1575. Job counseling and employment placement**

“The Secretary of Labor shall require that the national system of public employment offices established under the Act of June 6, 1933 (48 Stat. 113), accord to any person who has been discharged or dismissed under conditions other than honorable but who has been issued an Exemplary Rehabilitation Certificate under this chapter special counseling and job development assistance.

29 USC 49-49k.

**“§ 1576. Reports**

“The Secretary of Labor shall report to Congress not later than January 15 of each year the number of cases reviewed by him under this chapter, and the number of Exemplary Rehabilitation Certificates issued.

**“§ 1577. Administration**

“In carrying out the provisions of this Act the Secretary of Labor is authorized to (a) issue regulations; (b) delegate his authority; (c) utilize the services of the Civil Service Commission for making such investigations as may be mutually agreeable.”

SEC. 2. The analysis of part II of subtitle A of title 10, United States Code, is amended by inserting immediately below

“79. Correction of military records..... 1551”

the following:

“80. Exemplary Rehabilitation Certificates..... 1571”.

Approved October 15, 1966.

## Public Law 89-691

## AN ACT

October 15, 1966  
[H. R. 17788]

Making appropriations for Foreign Assistance and related agencies for the fiscal year ending June 30, 1967, and for other purposes.

Foreign Assistance and Related Agencies Appropriation Act, 1967.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Foreign Assistance and related agencies for the fiscal year ending June 30, 1967, and for other purposes, namely:

## TITLE I—FOREIGN ASSISTANCE

## FUNDS APPROPRIATED TO THE PRESIDENT

75 Stat. 424.  
22 USC 2151  
note.

For expenses necessary to enable the President to carry out the provisions of the Foreign Assistance Act of 1961, as amended, to remain available until June 30, 1967, unless otherwise specified herein, as follows:

## ECONOMIC ASSISTANCE

*Ante*, p. 797.

Technical cooperation and development grants: For expenses authorized by section 212, \$200,000,000.

*Ante*, p. 798.

American schools and hospitals abroad: For expenses authorized by section 214(c), \$10,989,000.

American schools and hospitals abroad (special foreign currency program): For assistance authorized by section 214(d), \$1,000,000 in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States.

*Ante*, p. 801.

International organizations and programs: For expenses authorized by section 302, \$140,433,000: *Provided*, That the President shall seek to assure that no contribution to the United Nations Development Program authorized by the Foreign Assistance Act of 1961, as amended, shall be used for projects for economic or technical assistance to the Government of Cuba, so long as Cuba is governed by the Castro regime.

Supporting assistance: For expenses authorized by section 402, \$690,000,000.

Contingency fund: For expenses authorized by section 451(a), \$35,000,000.

*Ante*, p. 799.

Alliance for Progress, technical cooperation and development grants: For expenses authorized by section 252, \$87,700,000.

76 Stat. 258.  
22 USC 2213.

Alliance for Progress, development loans: For expenses authorized by section 252, \$420,300,000, together with such dollar amounts as are authorized to be made available for assistance under section 253, all such amounts to remain available until expended.

*Ante*, p. 796.

22 USC 2163.

Development loans: For expenses authorized by section 202(a), \$500,000,000, together with such amounts as are authorized to be made available for expenses under section 203, all such amounts to remain available until expended: *Provided*, That this appropriation shall be available without regard to the provisions of section 205 of the Foreign Assistance Act of 1961, as amended, and the President, after consideration of the extent of additional participation by other countries, may make available, on such terms and conditions as he determines, not to exceed 10 per centum of this appropriation to the International Bank for Reconstruction and Development, the International Development Association, or the International Finance Corporation for use pursuant to the laws governing United States participation in such institutions, if any, and the governing statutes thereof and without

*Ante*, p. 797.

regard to section 201 or any other requirements of the Foreign Assistance Act of 1961, as amended.

Administrative expenses: For expenses authorized by section 637 (a), \$55,813,500.

Administrative and other expenses: For expenses authorized by section 637 (b) of the Foreign Assistance Act of 1961, as amended, and by section 305 of the Mutual Defense Assistance Control Act of 1951, as amended, \$3,255,000.

Unobligated balances as of June 30, 1966, of funds heretofore made available under the authority of the Foreign Assistance Act of 1961, as amended, except as otherwise provided by law, are hereby continued available for the fiscal year 1967, for the same general purposes for which appropriated and amounts certified pursuant to section 1311 of the Supplemental Appropriation Act, 1955, as having been obligated against appropriations heretofore made under the authority of the Mutual Security Act of 1954, as amended, and the Foreign Assistance Act of 1961, as amended, for the same general purpose as any of the subparagraphs under "Economic Assistance" are hereby continued available for the same period as the respective appropriations in such subparagraphs for the same general purpose: *Provided*, That such purpose relates to a project or program previously justified to Congress and the Committees on Appropriations of the House of Representatives and the Senate are notified prior to the reobligation of funds for such projects or programs.

*Ante*, p. 808.

75 Stat. 460.  
22 USC 2397.

75 Stat. 463.  
22 USC 1613d.

68 Stat. 830.  
31 USC 200.

68 Stat. 832;  
75 Stat. 460.  
22 USC 1750  
*et seq.*

Notification of  
congressional  
committees.

#### MILITARY ASSISTANCE

Military assistance: For expenses authorized by section 504(a) of the Foreign Assistance Act of 1961, as amended, including administrative expenses authorized by section 636(g)(1) of such Act, which shall not exceed \$23,000,000 for the current fiscal year, and purchase of passenger motor vehicles for replacement only for use outside the United States, \$792,000,000: *Provided*, That none of the funds contained in this paragraph shall be available for the purchase of new automotive vehicles outside of the United States.

*Ante*, p. 802.

75 Stat. 460.  
22 USC 2396.

#### GENERAL PROVISIONS

SEC. 101. None of the funds herein appropriated (other than funds appropriated under the authorization for "International organizations and programs") shall be used to finance the construction of any new flood control, reclamation, or other water or related land resource project or program which has not met the standards and criteria used in determining the feasibility of flood control, reclamation, and other water and related land resource programs and projects proposed for construction within the United States of America as per memorandum of the President dated May 15, 1962.

Flood control  
and reclamation  
programs, etc.

SEC. 102. Obligations made from funds herein appropriated for engineering and architectural fees and services to any individual or group of engineering and architectural firms on any one project in excess of \$25,000 shall be reported to the Committees on Appropriations of the Senate and House of Representatives at least twice annually.

Engineering and  
architectural  
fees, reports  
to congressional  
committees.

SEC. 103. Except for the appropriations entitled "Contingency Fund", "Alliance for Progress, development loans", and "Development loans", not more than 20 per centum of any appropriation item made available by this title shall be obligated and/or reserved during the last month of availability.

Restrictions.

SEC. 104. None of the funds herein appropriated nor any of the counterpart funds generated as a result of assistance hereunder or

any prior Act shall be used to pay pensions, annuities, retirement pay or adjusted service compensation for any persons heretofore or hereafter serving in the armed forces of any recipient country.

Seating of Communist China in U.N., opposition.

59 Stat. 1031.

SEC. 105. The Congress hereby reiterates its opposition to the seating in the United Nations of the Communist China regime as the representative of China, and it is hereby declared to be the continuing sense of the Congress that the Communist regime in China has not demonstrated its willingness to fulfill the obligations contained in the Charter of the United Nations and should not be recognized to represent China in the United Nations. In the event of the seating of representatives of the Chinese Communist regime in the Security Council or General Assembly of the United Nations the President is requested to inform the Congress insofar as is compatible with the requirements of national security, of the implications of this action upon the foreign policy of the United States and our foreign relationships, including that created by membership in the United Nations, together with any recommendations which he may have with respect to the matter.

Racial or religious discrimination.

SEC. 106. It is the sense of Congress that any attempt by foreign nations to create distinctions because of their race or religion among American citizens in the granting of personal or commercial access or any other rights otherwise available to United States citizens generally is repugnant to our principles; and in all negotiations between the United States and any foreign state arising as a result of funds appropriated under this title these principles shall be applied as the President may determine.

Restriction on assistance to countries.

75 Stat. 424.  
22 USC 2151  
note.

65 Stat. 645.  
22 USC 1611-  
1611d.

SEC. 107. (a) No assistance shall be furnished under the Foreign Assistance Act of 1961, as amended, to any country which sells, furnishes, or permits any ships under its registry to carry to Cuba, so long as it is governed by the Castro regime, in addition to those items contained on the list maintained by the Administrator pursuant to title I of the Mutual Defense Assistance Control Act of 1951, as amended, any arms, ammunition, implements of war, atomic energy materials, or any other articles, materials, or supplies of primary strategic significance used in the production of arms, ammunition, and implements of war or of strategic significance to the conduct of war, including petroleum products.

(b) No economic assistance shall be furnished under the Foreign Assistance Act of 1961, as amended, to any country which sells, furnishes, or permits any ships under its registry to carry items of economic assistance to Cuba, so long as it is governed by the Castro regime, or to North Vietnam.

Procurement outside U.S., reports to congressional committees.

75 Stat. 439.  
22 USC 2354.

SEC. 108. Any expenditure made from funds provided in this title for procurement outside the United States of any commodity in bulk and in excess of \$100,000 shall be reported to the Committees on Appropriations of the Senate and the House of Representatives at least twice annually: *Provided*, That each such report shall state the reasons for which the President determined, pursuant to criteria set forth in section 604(a) of the Foreign Assistance Act of 1961, as amended, that foreign procurement will not result in adverse effects upon the economy of the United States or the industrial mobilization base which outweigh the economic or other advantages to United States of less costly procurement outside the United States.

Furnishing strategic materials to communist nations, prohibition.

SEC. 109. (a) No assistance shall be furnished to any nation, whose government is based upon that theory of government known as communism under the Foreign Assistance Act of 1961, as amended, for any arms, ammunition, implements of war, atomic energy materials, or any articles, materials, or supplies, such as petroleum, transportation materials of strategic value, and items of primary strategic significance used in the production of arms, ammunition, and implements

of war, contained on the list maintained by the Administrator pursuant to title I of the Mutual Defense Assistance Control Act of 1951, as amended.

(b) No economic assistance shall be furnished to any nation whose government is based upon that theory of government known as communism under the Foreign Assistance Act of 1961, as amended (except section 214(b)), unless the President determines that the withholding of such assistance would be contrary to the national interest and reports such determination to the Foreign Affairs and Appropriations Committees of the House of Representatives and Foreign Relations and Appropriations Committees of the Senate. Reports made pursuant to this subsection shall be published in the Federal Register within seven days of submission to the committees and shall contain a statement by the President of the reasons for such determination.

SEC. 110. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, as amended, may be used for making payments on any contract for procurement to which the United States is a party entered into after the date of enactment of this Act which does not contain a provision authorizing the termination of such contract for the convenience of the United States.

SEC. 111. None of the funds appropriated or made available by this or any predecessor Act for the years subsequent to fiscal year 1962 for carrying out the Foreign Assistance Act of 1961, as amended, may be used on or after 60 days from the date of enactment of this Act to make payments with respect to any contract for the performance of services outside the United States by United States citizens unless the President shall have promulgated regulations that provide for the investigation of such citizens for loyalty and security to the extent necessary to protect the security and other interests of the United States: *Provided*, That such regulations shall require that any such United States citizen who will have access, in connection with the performance of such services, to information or material classified for security reasons shall be subject to such investigation as may otherwise be provided by law and executive order.

SEC. 112. None of the funds appropriated or made available under this Act for carrying out the Foreign Assistance Act of 1961, as amended, may be used to make payments with respect to any capital project financed by loans or grants from the United States where the United States has not directly approved the terms of the contracts and the firms to provide engineering, procurement, and construction services on such projects.

SEC. 113. Of the funds appropriated or made available pursuant to this Act not more than \$10,000,000 may be used during the fiscal year ending June 30, 1967, in carrying out section 241 of the Foreign Assistance Act of 1961, as amended.

SEC. 114. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, as amended, may be used to pay in whole or in part any assessments, arrearages, or dues of any member of the United Nations.

SEC. 115. None of the funds made available by this Act for carrying out the Foreign Assistance Act of 1961, as amended, may be obligated on or after April 30, 1964, for financing, in whole or in part, the direct costs of any contract for the construction of facilities and installations in any underdeveloped country, unless the President shall, on or before such date, have promulgated regulations designed to assure, to the maximum extent consistent with the national interest and the avoidance of excessive costs to the United States, that none of the funds made available by this Act and thereafter obligated shall be

65 Stat. 645.  
22 USC 1611-1611d.  
Economic assistance, Presidential determination.  
22 USC 2174.  
Report to congressional committees.

Publication in Federal Register.

75 Stat. 424.  
22 USC 2151 note.

Citizens employed outside U.S., loyalty investigations.

Capital project, U.S. approval.

75 Stat. 433;  
77 Stat. 382.  
22 USC 2201.

Underdeveloped countries, construction work.

used to finance the direct costs under such contracts for construction work performed by persons other than qualified nationals of the recipient country or qualified citizens of the United States: *Provided, however,* That the President may waive the application of this amendment if it is important to the national interest.

Restriction on assistance. North Vietnam.

SEC. 116. No assistance shall be furnished under the Foreign Assistance Act of 1961, as amended, to any country that sells, furnishes, or permits any ships under its registry to carry to North Vietnam any of the items mentioned in subsection 107(a) of this Act.

United Arab Republic.

SEC. 117. None of the funds appropriated or made available in this Act for carrying out the Foreign Assistance Act of 1961, as amended, shall be available for assistance to the United Arab Republic, unless the President determines that such availability is essential to the national interest of the United States.

Iron and steel products for Vietnam, procurement restriction.

SEC. 118. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, as amended, may be used to finance the procurement of iron and steel products for use in Vietnam containing any component acquired by the producer of the commodity, in the form in which imported into the country of production, from sources other than the United States or a country designated as a limited free world country by code number 901 in the September 1964 Geographic Code Book compiled by the Agency for International Development, and at a total cost (delivered to the point of production) that amounts to more than 10 per centum of the lowest price (excluding the cost of ocean transportation and marine insurance) at which the supplier makes the commodity available for export sale (whether or not financed by the Agency for International Development).

TITLE II—FOREIGN ASSISTANCE (OTHER)

FUNDS APPROPRIATED TO THE PRESIDENT

PEACE CORPS

22 USC 2501 note.

For expenses necessary to enable the President to carry out the provisions of the Peace Corps Act (75 Stat. 612), as amended, including purchase of not to exceed five passenger motor vehicles for use outside the United States, \$110,000,000, of which not to exceed \$24,500,000 shall be available for administrative expenses.

DEPARTMENT OF THE ARMY—CIVIL FUNCTIONS

RYUKYU ISLANDS, ARMY

ADMINISTRATION

60 Stat. 810.

For expenses, not otherwise provided for, necessary to meet the responsibilities and obligations of the United States in connection with the government of the Ryukyu Islands, as authorized by the Act of July 12, 1960 (74 Stat. 461), as amended (76 Stat. 742); services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), of individuals not to exceed ten in number; not to exceed \$4,000 for contingencies for the High Commissioner, to be expended in his discretion; hire of passenger motor vehicles and aircraft; purchase of four passenger motor vehicles, for replacement only; and construction, repair, and maintenance of buildings, utilities, facilities, and appurtenances; \$14,893,000, of which not to exceed \$2,893,000 shall be available for administrative and information expenses: *Provided,* That expenditures from this appropriation may be made outside continental

United States when necessary to carry out its purposes, without regard to sections 355 and 3648, Revised Statutes, as amended, section 4774(d) of title 10, United States Code, civil service or classification laws, or provisions of law prohibiting payment of any person not a citizen of the United States: *Provided further*, That funds appropriated hereunder may be used, insofar as practicable, and under such rules and regulations as may be prescribed by the Secretary of the Army to pay ocean transportation charges from United States ports, including territorial ports, to ports in the Ryukyus for the movement of supplies donated to, or purchased by, United States voluntary nonprofit relief agencies registered with and recommended by the Advisory Committee on Voluntary Foreign Aid or of relief packages consigned to individuals residing in such areas: *Provided further*, That the President may transfer to any other department or agency any function or functions provided for under this appropriation, and there shall be transferred to any such department or agency, without reimbursement and without regard to the appropriation from which procured, such property as the Director of the Bureau of the Budget shall determine to relate primarily to any function or functions so transferred: *Provided further*, That reimbursement shall be made to the applicable military appropriation for the pay and allowances of any military personnel performing services primarily for the purposes of this appropriation.

40 USC 255;  
31 USC 529.  
70A Stat. 269.

#### PRETREATY CLAIMS

For payments authorized by the Act of October 27, 1965 (Public Law 89-296), \$21,040,000, to remain available for two years from the effective date of this Act.

79 Stat. 1071.

#### DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

##### ASSISTANCE TO REFUGEES IN THE UNITED STATES

For expenses necessary to carry out the provisions of the Migration and Refugee Assistance Act of 1962 (Public Law 87-510), relating to aid to refugees within the United States, including hire of passenger motor vehicles, and services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), \$51,000,000.

76 Stat. 121.  
22 USC 2601 note.

60 Stat. 810.

For further reimbursement of expenses incurred by Dade County, Florida, in carrying out the provisions of the Migration and Refugee Assistance Act of 1962 (Public Law 87-510), relating to aid to refugees within the United States, or in otherwise providing aid to refugees within the United States \$1,032,997, to be derived from balances of prior year appropriations under this head.

#### DEPARTMENT OF STATE

##### MIGRATION AND REFUGEE ASSISTANCE

For expenses, not otherwise provided for, necessary to enable the Secretary of State to provide, as authorized by law, a contribution to the International Committee of the Red Cross and assistance to refugees, including contributions to the Intergovernmental Committee for European Migration and the United Nations High Commissioner for Refugees; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1946, as amended (22 U.S.C. 801-1158); allowances as authorized by the Overseas Differentials and Allowances Act (5 U.S.C. 3031-3039); hire of passenger motor vehicles; and services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); \$6,050,000, of which not to exceed \$5,050,000

60 Stat. 999.  
74 Stat. 792.

60 Stat. 810.

shall remain available until December 31, 1967: *Provided*, That no funds herein appropriated shall be used to assist directly in the migration to any nation in the Western Hemisphere of any person not having a security clearance based on reasonable standards to insure against Communist infiltration in the Western Hemisphere.

#### FUNDS APPROPRIATED TO THE PRESIDENT

##### INVESTMENT IN INTER-AMERICAN DEVELOPMENT BANK

For subscription to the Inter-American Development Bank for the third installment of the United States share in the increase in the resources of the Fund for Special Operations of the Bank, \$250,000,000, to remain available until expended.

##### SUBSCRIPTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment of the second installment of the supplementary contributions of the United States to the International Development Association, \$104,000,000, to remain available until expended.

#### TITLE III—EXPORT-IMPORT BANK OF WASHINGTON

The Export-Import Bank of Washington is hereby authorized to make such expenditures within the limits of funds and borrowing authority available to such corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, except as hereinafter provided.

61 Stat. 584.  
31 USC 849.

##### LIMITATION ON OPERATING EXPENSES

Not to exceed \$2,108,241,000 (of which not to exceed \$1,330,000,000 shall be for equipment and services loans) shall be authorized during the current fiscal year for other than administrative expenses.

##### LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$4,134,000 (to be computed on an accrual basis) shall be available during the current fiscal year for administrative expenses, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), and not to exceed \$9,000 for entertainment allowances for members of the Board of Directors: *Provided*, That (1) fees or dues to international organizations of credit institutions engaged in financing foreign trade, (2) necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, operation, maintenance, improvement, or disposition of any real or personal property belonging to the Bank or in which it has an interest, including expenses of collections of pledged collateral, or the investigation or appraisal of any property in respect to which an application for a loan has been made, and (3) expenses (other than internal expenses of the Bank) incurred in connection with the issuance and servicing of guarantees, insurance, and reinsurance, shall be considered as nonadministrative expenses for the purposes hereof.

60 Stat. 810.

Extension of  
credit to com-  
munist coun-  
tries, restric-  
tion.

None of the funds made available because of the provisions of this title shall be used by the Export-Import Bank to either guarantee the payment of any obligation hereafter incurred by any Communist

country (as defined in section 620(f) of the Foreign Assistance Act of 1961, as amended) or any agency or national thereof, or in any other way to participate in the extension of credit to any such country, agency, or national, in connection with the purchase of any product by such country, agency, or national, except when the President determines that such guarantees would be in the national interest and reports each such determination to the House of Representatives and the Senate within 30 days after such determination.

76 Stat. 261.  
22 USC 2370.

Report to  
Congress.

#### TITLE IV—GENERAL PROVISIONS

SEC. 401. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not heretofore authorized by the Congress.

Publicity or  
propaganda.

SEC. 402. None of the funds herein appropriated shall be used for expenses of the Inspector General, Foreign Assistance, after the expiration of the thirty-five day period which begins on the date the General Accounting Office or any committee of the Congress, or any duly authorized subcommittee thereof, charged with considering foreign assistance legislation, appropriations, or expenditures, has delivered to the Office of the Inspector General, Foreign Assistance, a written request that it be furnished any document, paper, communication, audit, review, finding, recommendation, report, or other material in the custody or control of the Inspector General, Foreign Assistance, relating to any review, inspection, or audit arranged for, directed, or conducted by him, unless and until there has been furnished to the General Accounting Office or to such committee or subcommittee, as the case may be, (A) the document, paper, communication, audit, review, finding, recommendation, report, or other material so requested or (B) a certification by the President, personally, that he has forbidden the furnishing thereof pursuant to such request and his reason for so doing.

Inspector  
General, Foreign  
Assistance.  
Expenses.

SEC. 403. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 404. Effective October 1, 1966, the Majority Leader of the Senate is authorized to fix the gross compensation of the Secretary for the Majority at not to exceed \$25,611.05 per annum so long as the position is held by the present incumbent.

Senate Majority  
Secretary, com-  
pensation in-  
crease.

This Act may be cited as the "Foreign Assistance and Related Agencies Appropriation Act, 1967."

Short title.

Approved October 15, 1966.

#### Public Law 89-692

##### AN ACT

To continue for a temporary period certain existing rules relating to the deductibility of accrued vacation pay.

October 15, 1966  
[H. R. 16774]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 97 of the Technical Amendments Act of 1958, as amended (26 U.S.C., sec. 162, note), is amended by striking out "January 1, 1967," and inserting in lieu thereof "January 1, 1969,".

72 Stat. 1672;  
78 Stat. 761.

Approved October 15, 1966.

## Public Law 89-693

## AN ACT

October 15, 1966  
[H.R. 16813]

To transfer to the Atomic Energy Commission complete administrative control of approximately seventy-eight acres of public domain land located in the Otowi section near Los Alamos County.

Atomic Energy  
Commission.  
Land acquisition  
in N. Mex.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all land and interests in land owned by the United States within the boundaries described below and located in the county of Santa Fe, State of New Mexico, containing approximately seventy-eight acres, are hereby transferred, without reimbursement or transfer of funds, to the Atomic Energy Commission. The Atomic Energy Commission shall exercise administrative control over all land and interests in land transferred to the Atomic Energy Commission by this Act, notwithstanding the manner of their acquisition by the United States or their status at any time prior to the effective date of this Act.

A certain tract of land situated in sections 7 and 18, township 19 north, range 7 east, New Mexico principal meridian, Santa Fe County, New Mexico, which tract is described as follows:

Beginning at the northwest corner of the parcel herein described, said northwest corner being a point on the county line common to Los Alamos and Santa Fe Counties, New Mexico, which is identified as angle point numbered 1, and which has New Mexico State plane coordinates X equal to 501,333.75 and Y equal to 1,778,638.44; from angle point numbered 1, the westerly section corner between section 7 and 18, township 19 north, range 7 east, New Mexico principal meridian (U.S.G.L.O. brass cap in place), which has New Mexico State plane coordinates X equal to 501,202.94 and Y equal to 1,777,592.78, bears south 07 degrees 04 minutes 35 seconds west, 1,054.15 feet distance:

Thence, south 54 degrees 08 minutes 20 seconds east, 1,380.23 feet distance to angle point numbered 2; thence, south 42 degrees 29 minutes 43 seconds east, 1,538.98 feet distance to angle point numbered 3;

thence, south 53 degrees 11 minutes 59 seconds west, 659.70 feet distance to angle point numbered 4;

thence, south 89 degrees 13 minutes 21 seconds west, 1,179.64 feet distance to angle point numbered 5;

thence, north 86 degrees 48 minutes 43 seconds west, 746.75 feet distance to quarter corner section 13, township 19 north, range 6 east;

thence, north 07 degrees 27 minutes 15 seconds east, 1,277.64 feet distance to the corner between sections 7 and 18 described above;

thence, north 07 degrees 04 minutes 35 seconds east, 1,054.15 feet distance to the point of beginning.

The above-described tract contains 78.1 acres more or less.

The bearings of the preceding description are based on a local grid which conforms to the local grid bearing system used for eastern area subdivision numbered 1, filed for record with the clerk of Los Alamos County, New Mexico, on April 13, 1965, under document numbered 3924 in book 1 of plats at page 55. On the local grid north 00 degrees 00 minutes 00 seconds east is equal to north 00 degrees 01 minutes 36 seconds east on the New Mexico State plane grid, control zone. The distance scale factor from the local grid to the New Mexico State plane grid is 0.999553.

Approved October 15, 1966.

## Public Law 89-694

## AN ACT

To authorize the establishment and operation by Gallaudet College of a model secondary school for the deaf to serve the National Capital region.

October 15, 1966  
[H. R. 17190]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Model Secondary School for the Deaf Act".*

Model Secondary  
School for the  
Deaf Act.

## AUTHORIZATION OF APPROPRIATIONS

SEC. 2. For the purpose of providing day and residential facilities for secondary education for persons who are deaf in order to prepare them for college and other advanced study, and to provide an exemplary secondary school program to stimulate the development of similarly excellent programs throughout the Nation, there are authorized to be appropriated for each fiscal year such sums as may be necessary for the establishment and operation, including construction and equipment, of a model secondary school for the deaf to serve primarily residents of the District of Columbia and of nearby States, including sums necessary for the construction of buildings and other facilities for the school.

## DEFINITIONS

SEC. 3. As used in this Act—

(a) The term "Secretary" means the Secretary of Health, Education, and Welfare.

(b) The term "construction" includes construction and initial equipment of new buildings, expansion, remodeling, and alteration of existing buildings and equipment thereof, including architect's services, but excluding off-site improvements.

(c) The term "secondary school" means a school which provides education in grades nine through twelve, inclusive.

## AGREEMENT WITH GALLAUDET COLLEGE TO ESTABLISH MODEL SECONDARY SCHOOL

SEC. 4. (a) The Secretary, after consultation with the National Advisory Committee on Education of the Deaf (created by Public Law 89-258, 42 U.S.C. 2495) is authorized to enter into an agreement with Gallaudet College for the establishment and operation, including construction and equipment of a model secondary school for the deaf to serve primarily residents of the District of Columbia and of nearby States.

79 Stat. 984.

(b) The agreement shall—

(1) provide that Federal funds appropriated for the benefit of the model secondary school will be used only for the purposes for which paid and in accordance with the applicable provisions of this Act and the agreement made pursuant thereto;

(2) provide for utilization of the National Advisory Committee on Education of the Deaf to advise the college in formulating and carrying out the basic policies governing the establishment and operation of the model secondary school;

(3) provide that the college will make an annual report to the Secretary;

Report.

(4) provide that in the design and construction of any facilities, maximum attention will be given to excellence of architecture and design, works of art, and innovative auditory and visual devices

and installations appropriate for the educational functions of such facilities;

(5) include such other conditions as the Secretary, after consultation with the National Advisory Committee on Education of the Deaf, deems necessary to carry out the purposes of this Act; and

(6) provide that any laborer or mechanic employed by any contractor or subcontractor in the performance of work on any construction aided by Federal funds appropriated for the benefit of the model secondary school will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5); and the Secretary of Labor shall have, with respect to the labor standards specified in this paragraph, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

(c) The Secretary shall submit the annual report of the college (required by clause (3) of subsection (b)) to the Congress with such comments and recommendations as he may deem appropriate.

Approved October 15, 1966.

49 Stat. 1011;  
78 Stat. 238.

64 Stat. 1267.

Report to  
Congress.

Public Law 89-695

AN ACT

October 16, 1966  
[S. 3158]

To strengthen the regulatory and supervisory authority of Federal agencies over insured banks and insured savings and loan associations, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Financial Institutions Supervisory Act of 1966".

Financial Insti-  
tutions Super-  
visory Act of  
1966.

TITLE I—PROVISIONS RELATING TO THE FEDERAL HOME LOAN BANK BOARD AND THE FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

68 Stat. 634.

SEC. 101. (a) Subsection (d) of section 5 of the Home Owners' Loan Act of 1933 (12 U.S.C. 1464(d)) is hereby amended to read as follows:

"(d)(1) The Board shall have power to enforce this section and rules and regulations made hereunder. In the enforcement of any provision of this section or rules and regulations made hereunder, or any other law or regulation, or in any other action, suit, or proceeding to which it is a party or in which it is interested, and in the administration of conservatorships and receiverships, the Board is author-

ized to act in its own name and through its own attorneys. Except as otherwise provided herein, the Board shall be subject to suit (other than suits on claims for money damages) by any Federal savings and loan association or director or officer thereof with respect to any matter under this section or any other applicable law, or rules or regulations thereunder, in the United States district court for the judicial district in which the home office of the association is located, or in the United States District Court for the District of Columbia, and the Board may be served with process in the manner prescribed by the Federal Rules of Civil Procedure.

“(2) (A) If, in the opinion of the Board, an association is violating or has violated, or the Board has reasonable cause to believe that the association is about to violate, a law, rule, regulation, or charter or other condition imposed in writing by the Board in connection with the granting of any application or other request by the association, or written agreement entered into with the Board, or is engaging or has engaged, or the Board has reasonable cause to believe that the association is about to engage, in an unsafe or unsound practice, the Board may issue and serve upon the association a notice of charges in respect thereof. The notice shall contain a statement of the facts constituting the alleged violation or violations or the unsafe or unsound practice or practices, and shall fix a time and place at which a hearing will be held to determine whether an order to cease and desist therefrom should issue against the association. Such hearing shall be fixed for a date not earlier than thirty days nor later than sixty days after service of such notice unless an earlier or a later date is set by the Board at the request of the association. Unless the association shall appear at the hearing by a duly authorized representative, it shall be deemed to have consented to the issuance of the cease-and-desist order. In the event of such consent, or if upon the record made at any such hearing the Board shall find that any violation or unsafe or unsound practice specified in the notice of charges has been established, the Board may issue and serve upon the association an order to cease and desist from any such violation or practice. Such order may, by provisions which may be mandatory or otherwise, require the association and its directors, officers, employees, and agents to cease and desist from the same, and, further, to take affirmative action to correct the conditions resulting from any such violation or practice.

“(B) A cease-and-desist order shall become effective at the expiration of thirty days after service of such order upon the association concerned (except in the case of a cease-and-desist order issued upon consent, which shall become effective at the time specified therein), and shall remain effective and enforceable, except to such extent as it is stayed, modified, terminated, or set aside by action of the Board or a reviewing court.

28 USC app.  
Cease-and-desist proceedings.

Temporary  
cease-and-desist  
orders.

“(3) (A) Whenever the Board shall determine that the violation or threatened violation or the unsafe or unsound practice or practices, specified in the notice of charges served upon the association pursuant to paragraph (2) (A) of this subsection, or the continuation thereof, is likely to cause insolvency (as defined in paragraph (6) (A) (i) of this subsection) or substantial dissipation of assets or earnings of the association, or is likely to otherwise seriously prejudice the interests of its savings account holders, the Board may issue a temporary order requiring the association to cease and desist from any such violation or practice. Such order shall become effective upon service upon the association and, unless set aside, limited, or suspended by a court in proceedings authorized by subparagraph (B) of this paragraph, shall remain effective and enforceable pending the completion of the administrative proceedings pursuant to such notice and until such time as the Board shall dismiss the charges specified in such notice or, if a cease-and-desist order is issued against the association, until the effective date of any such order.

“(B) Within ten days after the association concerned has been served with a temporary cease-and-desist order, the association may apply to the United States district court for the judicial district in which the home office of the association is located, or the United States District Court for the District of Columbia, for an injunction setting aside, limiting, or suspending the enforcement, operation, or effectiveness of such order pending the completion of the administrative proceedings pursuant to the notice of charges served upon the association under paragraph (2) (A) of this subsection, and such court shall have jurisdiction to issue such injunction.

“(C) In the case of violation or threatened violation of, or failure to obey, a temporary cease-and-desist order, the Board may apply to the United States district court, or the United States court of any territory, within the jurisdiction of which the home office of the association is located, for an injunction to enforce such order, and, if the court shall determine that there has been such violation or threatened violation or failure to obey, it shall be the duty of the court to issue such injunction.

Removal of  
director or  
officer.

“(4) (A) Whenever, in the opinion of the Board, any director or officer of an association has committed any violation of law, rule, or regulation, or of a cease-and-desist order which has become final, or has engaged or participated in any unsafe or unsound practice in connection with the association, or has committed or engaged in any act, omission, or practice which constitutes a breach of his fiduciary duty as such director or officer, and the Board determines that the association has suffered or will probably suffer substantial financial loss or other damage or that the interests of its savings account holders could be seriously prejudiced by reason of such violation or practice or breach of fiduciary duty, and that such violation or practice or breach of fiduciary duty is one involving personal dishonesty on the part of such director or officer, the Board may serve upon such director or officer a written notice of its intention to remove him from office.

“(B) Whenever, in the opinion of the Board, any director or officer of an association, by conduct or practice with respect to another savings and loan association or other business institution which resulted in substantial financial loss or other damage, has evidenced his personal dishonesty and unfitness to continue as a director or officer, and, whenever, in the opinion of the Board, any other person participating in the conduct of the affairs of an association, by conduct or practice with respect to such association or other savings and loan association or other business institution which resulted in substantial financial loss or other damage, has evidenced his personal dishonesty and unfitness to participate in the conduct of the affairs of such association, the Board may serve upon such director, officer, or other person a written notice of its intention to remove him from office and/or to prohibit his further participation in any manner in the conduct of the affairs of such association.

“(C) In respect to any director or officer of an association or any other person referred to in subparagraph (A) or (B) of this paragraph, the Board may, if it deems it necessary for the protection of the association or the interests of its savings account holders, by written notice to such effect served upon such director, officer, or other person, suspend him from office and/or prohibit him from further participation in any manner in the conduct of the affairs of the association. Such suspension and/or prohibition shall become effective upon service of such notice and, unless stayed by a court in proceedings authorized by subparagraph (E) of this paragraph, shall remain in effect pending the completion of the administrative proceedings pursuant to the notice served under subparagraph (A) or (B) of this paragraph and until such time as the Board shall dismiss the charges specified in such notice, or, if an order of removal and/or prohibition is issued against the director or officer or other person, until the effective date of any such order. Copies of any such notice shall also be served upon the association of which he is a director or officer or in the conduct of whose affairs he has participated.

“(D) A notice of intention to remove a director, officer, or other person from office and/or to prohibit his participation in the conduct of the affairs of an association, shall contain a statement of the facts constituting grounds therefor, and shall fix a time and place at which a hearing will be held thereon. Such hearing shall be fixed for a date not earlier than thirty days nor later than sixty days after the date of service of such notice, unless an earlier or a later date is set by the Board at the request of (i) such director, officer, or other person, and for good cause shown, or (ii) the Attorney General of the United States. Unless such director, officer, or other person shall appear at the hearing in person or by a duly authorized representative, he shall be deemed to have consented to the issuance of an order of such removal and/or prohibition. In the event of such consent, or if upon the record made at any such hearing the Board shall find that any of the grounds specified in such notice has been established, the Board may issue such orders of suspension or removal from office, and/or prohibition from participation in the conduct of the affairs of the association, as it may deem appropriate. Any such order shall become effective at the expiration of thirty days after service upon such association and the director, officer, or other person concerned (except in the case of an order issued upon consent, which shall become effective at the time specified therein). Such order shall remain effective and enforceable except to such extent as it is stayed, modified, terminated, or set aside by action of the Board or a reviewing court.

“(E) Within ten days after any director, officer, or other person has been suspended from office and/or prohibited from participation in the conduct of the affairs of an association under subparagraph (C) of this paragraph, such director, officer, or other person may apply to the United States district court for the judicial district in which the home office of the association is located, or the United States District Court for the District of Columbia, for a stay of such suspension and/or prohibition pending the completion of the administrative proceedings pursuant to the notice served upon such director, officer, or other person under subparagraph (A) or (B) of this paragraph, and such court shall have jurisdiction to stay such suspension and/or prohibition.

Felony conviction, cause for removal.

“(5) (A) Whenever any director or officer of an association, or other person participating in the conduct of the affairs of such association, is charged in any information, indictment, or complaint authorized by a United States Attorney, with the commission of or participation in a felony involving dishonesty or breach of trust, the Board may, by written notice served upon such director, officer, or other person, suspend him from office and/or prohibit him from further participation in any manner in the conduct of the affairs of the association. A copy of such notice shall also be served upon the association. Such suspension and/or prohibition shall remain in effect until such information, indictment, or complaint is finally disposed of or until terminated by the Board. In the event that a judgment of conviction with respect to such offense is entered against such director, officer, or other person, and at such time as such judgment is not subject to further appellate review, the Board may issue and serve upon such director, officer, or other person an order removing him from office and/or prohibiting him from further participation in any manner in the conduct of the affairs of the association except with the consent of the Board. A copy of such order shall be served upon such association, whereupon such director or officer shall cease to be a director or officer of such association. A finding of not guilty or other disposition of the charge shall not preclude the Board from thereafter instituting proceedings to remove such director, officer, or other person from office and/or to prohibit further participation in association affairs, pursuant to subparagraph (A) or (B) of paragraph (4) of this subsection.

“(B) if at any time, because of the suspension of one or more directors pursuant to this subsection (d), there shall be on the board of directors of an association less than a quorum of directors not so suspended, all powers and functions vested in or exercisable by such board shall vest in and be exercisable by the director or directors on the board and not so suspended, until such time as there shall be a quorum of the board of directors. In the event all of the directors of an association are suspended pursuant to this subsection (d), the Board shall appoint persons to serve temporarily as directors in their place and stead pending the termination of such suspensions, or until such time as those who have been suspended cease to be directors of the association and their respective successors take office.

Appointment of conservator or receiver.

“(6) (A) The grounds for the appointment of a conservator or receiver for an association shall be one or more of the following: (i) insolvency in that the assets of the association are less than its obligations to its creditors and others, including its members; (ii) substantial dissipation of assets or earnings due to any violation or violations of law, rules, or regulations, or to any unsafe or unsound practice or practices; (iii) an unsafe or unsound condition to transact business; (iv) willful violation of a cease-and-desist order which has become final; (v) concealment of books, papers, records, or assets of the association or refusal to submit books, papers, records, or affairs of the

association for inspection to any examiner or to any lawful agent of the Board. The Board shall have exclusive power and jurisdiction to appoint a conservator or receiver. If, in the opinion of the Board, a ground for the appointment of a conservator or receiver as herein provided exists, the Board is authorized to appoint *ex parte* and without notice a conservator or receiver for the association. In the event of such appointment, the association may, within thirty days thereafter, bring an action in the United States district court for the judicial district in which the home office of such association is located, or in the United States District Court for the District of Columbia, for an order requiring the Board to remove such conservator or receiver, and the court shall upon the merits dismiss such action or direct the Board to remove such conservator or receiver. Such proceedings shall be given precedence over other cases pending in such courts, and shall be in every way expedited. Upon the commencement of such an action, the court having jurisdiction of any other action or proceeding authorized under this subsection to which the association is a party shall stay such action or proceeding during the pendency of the action for removal of the conservator or receiver.

“(B) In addition to the foregoing provisions, the Board may, without any requirement of notice, hearing, or other action, appoint a conservator or receiver for an association in the event that (i) the association, by resolution of its board of directors or of its members, consents to such appointment, or (ii) the association is removed from membership in any Federal home loan bank, or its status as an institution the accounts of which are insured by the Federal Savings and Loan Insurance Corporation is terminated.

“(C) Except as otherwise provided in this subsection, no court may take any action for or toward the removal of any conservator or receiver, or, except at the instance of the Board, restrain or affect the exercise of powers or functions of a conservator or receiver.

“(D) A conservator shall have all the powers of the members, the directors, and the officers of the association and shall be authorized to operate the association in its own name or to conserve its assets in the manner and to the extent authorized by the Board. The Board shall appoint only the Federal Savings and Loan Insurance Corporation as receiver for an association, and said Corporation shall have power to buy at its own sale as receiver, subject to approval by the Board. The Board may, without any requirement of notice, hearing, or other action, replace a conservator with another conservator or with a receiver, but any such replacement shall not affect any right which the association may have to obtain judicial review of the original appointment, except that any removal under this paragraph (6) shall be removal of the conservator or receiver in office at the time of such removal.

“(7) (A) Any hearing provided for in this subsection (d) shall be held in the Federal judicial district or in the territory in which the home office of the association is located unless the party afforded the hearing consents to another place, and shall be conducted in accordance with the provisions of chapter 5 of title 5 of the United States Code. Such hearing shall be private, unless the Board, in its discretion, after fully considering the views of the party afforded the hearing, determines that a public hearing is necessary to protect the public interest. After such hearing, and within ninety days after the Board has notified the parties that the case has been submitted to it for final decision, the Board shall render its decision (which shall include findings of fact upon which its decision is predicated) and shall issue and cause to be served upon each party to the proceeding an order or orders consistent with the provisions of this subsection. Judicial review of any

Hearings and  
judicial review.

*Ante*, p. 380.

such order shall be exclusively as provided in this paragraph (7). Unless a petition for review is timely filed in a court of appeals of the United States, as hereinafter provided in subparagraph (B) of this paragraph, and thereafter until the record in the proceeding has been filed as so provided, the Board may at any time, upon such notice and in such manner as it shall deem proper, modify, terminate, or set aside any such order. Upon such filing of the record, the Board may modify, terminate, or set aside any such order with permission of the court.

“(B) Any party to the proceeding, or any person required by an order issued under this subsection to cease and desist from any of the violations or practices stated therein, may obtain a review of any order served pursuant to subparagraph (A) of this paragraph (other than an order issued with the consent of the association or the director or officer or other person concerned, or an order issued under paragraph (5) (A) of this subsection), by filing in the court of appeals of the United States for the circuit in which the home office of the association is located, or in the United States Court of Appeals for the District of Columbia Circuit, within thirty days after the date of service of such order, a written petition praying that the order of the Board be modified, terminated, or set aside. A copy of such petition shall be forthwith transmitted by the clerk of the court to the Board, and thereupon the Board shall file in the court the record in the proceeding, as provided in section 2112 of title 28 of the United States Code. Upon the filing of such petition, such court shall have jurisdiction, which upon the filing of the record shall except as provided in the last sentence of said subparagraph (A) be exclusive, to affirm, modify, terminate, or set aside, in whole or in part, the order of the Board. Review of such proceedings shall be had as provided in chapter 7 of title 5 of the United States Code. The judgment and decree of the court shall be final, except that the same shall be subject to review by the Supreme Court upon certiorari as provided in section 1254 of title 28 of the United States Code.

“(C) The commencement of proceedings for judicial review under subparagraph (B) of this paragraph shall not, unless specifically ordered by the court, operate as a stay of any order issued by the Board.

“(8) The Board may in its discretion apply to the United States district court, or the United States court of any territory, within the jurisdiction of which the home office of the association is located, for the enforcement of any effective and outstanding notice or order issued by the Board under this subsection (d), and such courts shall have jurisdiction and power to order and require compliance therewith; but except as otherwise provided in this subsection no court shall have jurisdiction to affect by injunction or otherwise the issuance or enforcement of any notice or order under this subsection, or to review, modify, suspend, terminate, or set aside any such notice or order. Any court having jurisdiction of any proceeding instituted under this subsection by an association or a director or officer thereof, may allow to any such party such reasonable expenses and attorneys' fees as it deems just and proper; and such expenses and fees shall be paid by the association or from its assets.

“(9) In the course of or in connection with any proceeding under this subsection, the Board or any member thereof or a designated representative of the Board, including any person designated to conduct any hearing under this subsection, shall have power to administer oaths and affirmations, to take or cause to be taken depositions, and to issue, revoke, quash, or modify subpoenas and subpoenas duces tecum; and the Board is empowered to make rules and regulations with respect

72 Stat. 941.

Ante, p. 392.

62 Stat. 928.

Enforcement of orders.

Subpoena power, etc.

to any such proceedings. The attendance of witnesses and the production of documents provided for in this paragraph may be required from any place in any State or in any territory at any designated place where such proceeding is being conducted. Any party to proceedings under this subsection may apply to the United States District Court for the District of Columbia, or the United States district court for the judicial district or the United States court in any territory in which such proceeding is being conducted or where the witness resides or carries on business, for enforcement of any subpoena or subpoena duces tecum issued pursuant to this paragraph, and such courts shall have jurisdiction and power to order and require compliance therewith. Witnesses subpoenaed under this paragraph shall be paid the same fees and mileage that are paid witnesses in the district courts of the United States. All expenses of the Board or of the Federal Savings and Loan Insurance Corporation in connection with this subsection shall be considered as nonadministrative expenses.

“(10) Any service required or authorized to be made by the Board under this subsection may be made by registered mail, or in such other manner reasonably calculated to give actual notice as the Board may by regulation or otherwise provide.

Notice of  
service.

“(11) The Board shall have power to make rules and regulations for the reorganization, consolidation, liquidation, and dissolution of associations, for the merger of associations with other institutions the accounts of which are insured by the Federal Savings and Loan Insurance Corporation, for associations in conservatorship and receivership, and for the conduct of conservatorships and receiverships; and the Board may, by regulation or otherwise, provide for the exercise of functions by members, directors, or officers of an association during conservatorship and receivership.

Regulatory  
authority.

“(12) (A) Any director or officer, or former director or officer, of an association, or any other person, against whom there is outstanding and effective any notice or order (which is an order which has become final) served upon such director, officer, or other person under paragraph (4) (C), (4) (D), or (5) (A) of this subsection, and who (i) participates in any manner in the conduct of the affairs of such association, or directly or indirectly solicits or procures, or transfers or attempts to transfer, or votes or attempts to vote any proxies, consents, or authorizations in respect of any voting rights in such association, or (ii) without the prior written approval of the Board, votes for a director or serves or acts as a director, officer, or employee of any institution the accounts of which are insured by the Federal Savings and Loan Insurance Corporation, shall upon conviction be fined not more than \$5,000 or imprisoned for not more than one year, or both.

Penalties.

“(B) Except with the prior written consent of the Board, no person shall serve as a director, officer, or employee of an association who has been convicted, or who is hereafter convicted, of a criminal offense involving dishonesty or a breach of trust. For each willful violation of this prohibition, the association involved shall be subject to a penalty of not more than \$100 for each day this prohibition is violated, which the Board may recover by suit or otherwise for its own use.

“(C) Whenever a conservator or receiver appointed by the Board demands possession of the property, business, and assets of any association, or of any part thereof, the refusal by any director, officer, employee, or agent of such association to comply with the demand shall be punishable by a fine of not more than \$5,000 or imprisonment for not more than one year, or both.

“(13) (A) As used in this subsection—

Definitions.

“(1) The terms ‘cease-and-desist order which has become final’ and ‘order which has become final’ mean a cease-and-desist order, or an

order, issued by the Board with the consent of the association or the director or officer or other person concerned, or with respect to which no petition for review of the action of the Board has been filed and perfected in a court of appeals as specified in paragraph (7) (B) of this subsection, or with respect to which the action of the court in which said petition is so filed is not subject to further review by the Supreme Court of the United States in proceedings provided for in said paragraph, or an order issued under paragraph (5) (A) of this subsection.

“(2) The term ‘State’ includes the Commonwealth of Puerto Rico.

“(3) The term ‘territory’ includes any possession of the United States and any place subject to the jurisdiction of the United States.

“(4) The terms ‘district’, ‘district court’, ‘district court of the United States’, and ‘judicial district’ shall have the meanings defined in section 451 of title 28 of the United States Code.

“(B) As used in paragraph (4) of this subsection, the term ‘violation’ includes without limitation any action (alone or with another or others) for or toward causing, bringing about, participating in, counseling, or aiding or abetting a violation.

“(14) As used in this subsection, the terms ‘Federal savings and loan association’ and ‘association’ shall include any institution with respect to which the Federal Home Loan Bank Board now or hereafter has any statutory power of examination or supervision under any Act or joint resolution of Congress other than this Act, the Federal Home Loan Bank Act, and the National Housing Act. For the purposes of this paragraph (14), references in this subsection to directors, officers, employees, and agents, or to former directors or officers, of associations shall be deemed to be references respectively to directors, officers, employees, and agents, or to former directors or officers, of such institutions, references therein to savings account holders and to members of associations shall be deemed to be references to holders of withdrawable accounts in such institutions, and references therein to boards of directors of associations shall be deemed to be references to boards of directors or other governing boards of such institutions. Said Board shall have power by regulation to define, for the purposes of this paragraph (14), terms used or referred to in the sentence next preceding and other terms used in this subsection.”

(b) The amendment made by subsection (a) of this section shall be effective only with respect to proceedings commenced on or after the date of enactment of this Act. Section 5(d) of the Home Owners’ Loan Act of 1933 as in effect immediately prior to the date of enactment of this Act shall continue in effect with respect to any proceedings commenced prior to such date.

SEC. 102. (a) Section 407 of the National Housing Act (12 U.S.C. 1730) is hereby amended to read as follows:

“SEC. 407. TERMINATION OF INSURANCE AND ENFORCEMENT PROVISIONS.—

“(a) VOLUNTARY TERMINATION OF INSURANCE.—Any insured institution other than a Federal savings and loan association may terminate its status as an insured institution by written notice to the Corporation specifying a date for such termination.

“(b) INVOLUNTARY TERMINATION OF INSURANCE; NOTICE AND HEARING.—(1) Whenever, in the opinion of the Corporation, any insured institution has violated its duty as such or is engaging or has engaged in an unsafe or unsound practice in conducting the business of such institution, or is in an unsafe or unsound condition to continue operations as an insured institution, or is violating or has violated an applicable law, rule, regulation, or order, or any condition imposed in writing by the Corporation in connection with the granting of any application or other request by the institution, or any written agreement entered into with the Corporation, including any agreement en-

62 Stat. 907.

47 Stat. 725;  
48 Stat. 1246.  
12 USC 1421,  
1701.

Effective date.

64 Stat. 259;  
68 Stat. 633.

tered into under section 403 of this title, the Corporation shall serve upon the institution a statement with respect to such violations or practices or conditions for the purpose of securing the correction thereof, and shall send a copy of such statement to the appropriate State supervisory authority.

“(2) Unless such correction shall be made within one hundred and twenty days after service of such statement, or such shorter period of not less than twenty days after such service as (A) the Corporation shall require in any case where the Corporation determines that its insurance risk with respect to such institution could be unduly jeopardized by further delay in the correction of such violations or practices or conditions, or (B) the appropriate State supervisory authority shall require, or unless within such time the Corporation shall have received acceptable assurances that such correction will be made within a time and in a manner satisfactory to the Corporation, or in the event such assurances are submitted to and accepted by the Corporation but are not carried out in accordance with their terms, the Corporation may, if it shall determine to proceed further, issue and serve upon the institution written notice of intention to terminate the status of the institution as an insured institution.

“(3) Such notice shall contain a statement of the facts constituting the alleged violation or violations or the unsafe or unsound practice or practices or condition, and shall fix a time and place for a hearing thereon. Such hearing shall be fixed for a date not earlier than thirty days after service of such notice. Unless the institution shall appear at the hearing by a duly authorized representative, it shall be deemed to have consented to the termination of its status as an insured institution. In the event of such consent, or if upon the record made at any such hearing the Corporation shall find that any violation or unsafe or unsound practice or condition specified in such notice has been established and has not been corrected within the time above prescribed in which to make correction, the Corporation may issue and serve upon the institution an order terminating the status of the institution as an insured institution; but any such order shall not become effective until it is an order which has become final (except in the case of an order of termination issued upon consent, which shall become effective at the time specified therein).

“(c) DATE OF TERMINATION OF INSURED STATUS.—The effective date of the termination of an institution's status as an insured institution under the foregoing provisions of this section shall be the date specified for such termination in the notice by the institution to the Corporation as provided in subsection (a) of this section, or the date upon which an order of termination issued under subsection (b) (3) of this section becomes effective. The Corporation may from time to time postpone the effective date of the termination of an institution's status as an insured institution at any time before such termination has become effective, but in the case of termination by notice given by the institution such effective date shall be postponed only with the written consent of the institution.

“(d) CONTINUATION OF INSURANCE; EXAMINATION; NOTICE TO MEMBERS; AND PAYMENT OF PREMIUMS.—In the event of the termination of an institution's status as an insured institution, insurance of its accounts to the extent that they were insured on the effective date of such termination as hereinabove provided in subsection (c), less any amounts thereafter withdrawn, repurchased, or redeemed, shall continue for a period of two years, but no investments or deposits made after such date shall be insured. The Corporation shall have the right to examine such institution from time to time during the two-year period aforesaid. Such insured institution shall be obligated to pay, within thirty days after the effective date of such termination, as a final

insurance premium, a sum equivalent to twice the last annual insurance premium payable by it. In the event of the termination of insurance of accounts as herein provided the institution which was the insured institution shall give prompt and reasonable notice to all of its insured members that it has ceased to be an insured institution and it may include in such notice the fact that insured accounts, to the extent not withdrawn, repurchased, or redeemed, remain insured for two years from the date of such termination, but it shall not further represent itself in any manner as an insured institution. In the event of failure to give the notice to insured members as herein provided the Corporation is authorized to give reasonable notice.

“(e) CEASE-AND-DESIST PROCEEDINGS.—(1) If, in the opinion of the Corporation, any insured institution or any institution any of the accounts of which are insured is engaging or has engaged, or the Corporation has reasonable cause to believe that the institution is about to engage, in an unsafe or unsound practice in conducting the business of such institution, or is violating or has violated, or the Corporation has reasonable cause to believe that the institution is about to violate, a law, rule, or regulation, or any condition imposed in writing by the Corporation in connection with the granting of any application or other request by the institution, or written agreement entered into with the Corporation, including any agreement entered into under section 403 of this title, the Corporation may issue and serve upon the institution a notice of charges in respect thereof. The notice shall contain a statement of the facts constituting the alleged violation or violations or the unsafe or unsound practice or practices, and shall fix a time and place at which a hearing will be held to determine whether an order to cease and desist therefrom should issue against the institution. Such hearing shall be fixed for a date not earlier than thirty days nor later than sixty days after service of such notice unless an earlier or a later date is set by the Corporation at the request of the institution. Unless the institution shall appear at the hearing by a duly authorized representative, it shall be deemed to have consented to the issuance of the cease-and-desist order. In the event of such consent, or if upon the record made at any such hearing the Corporation shall find that any violation or unsafe or unsound practice specified in the notice of charges has been established, the Corporation may issue and serve upon the institution an order to cease and desist from any such violation or practice. Such order may, by provisions which may be mandatory or otherwise, require the institution and its directors, officers, employees, and agents to cease and desist from the same, and, further to take affirmative action to correct the conditions resulting from any such violation or practice.

“(2) A cease-and-desist order shall become effective at the expiration of thirty days after service of such order upon the institution concerned (except in the case of a cease-and-desist order issued upon consent, which shall become effective at the time specified therein), and shall remain effective and enforceable except to such extent as it is stayed, modified, terminated, or set aside by action of the Corporation or a reviewing court.

“(f) TEMPORARY CEASE-AND-DESIST ORDERS.—(1) Whenever the Corporation shall determine that the violation or threatened violation or the unsafe or unsound practice or practices, specified in the notice of charges served upon the institution pursuant to subsection (e) (1) of this section, or the continuation thereof, is likely to cause insolvency or substantial dissipation of assets or earnings of the institution, or is likely to otherwise seriously prejudice the interest of its insured members or of the Corporation, the Corporation may issue a temporary order requiring the institution to cease and desist from any such violation or practice. Such order shall become effective upon service upon

the institution and, unless set aside, limited, or suspended by a court in proceedings authorized by paragraph (2) of this subsection, shall remain effective and enforceable pending the completion of the administrative proceedings pursuant to such notice and until such time as the Corporation shall dismiss the charges specified in such notice or, if a cease-and-desist order is issued against the institution, until the effective date of any such order.

“(2) Within ten days after the institution concerned has been served with a temporary cease-and-desist order, the institution may apply to the United States district court for the judicial district in which the principal office of the institution is located, or the United States District Court for the District of Columbia, for an injunction setting aside, limiting, or suspending the enforcement, operation, or effectiveness of such order pending the completion of the administrative proceedings pursuant to the notice of charges served upon the institution under subsection (e)(1) of this section, and such court shall have jurisdiction to issue such injunction.

“(3) In the case of violation or threatened violation of, or failure to obey, a temporary cease-and-desist order, the Corporation may apply to the United States district court, or the United States court of any territory, within the jurisdiction of which the principal office of the institution is located, for an injunction to enforce such order, and, if the court shall determine that there has been such violation or threatened violation or failure to obey, it shall be the duty of the court to issue such injunction.

“(g) SUSPENSION OR REMOVAL OF DIRECTOR OR OFFICER.—(1) Whenever, in the opinion of the Corporation, any director or officer of an insured institution has committed any violation of law, rule, or regulation, or of a cease-and-desist order which has become final, or has engaged or participated in any unsafe or unsound practice in connection with the institution, or has committed or engaged in any act, omission, or practice which constitutes a breach of his fiduciary duty as such director or officer, and the Corporation determines that the institution has suffered or will probably suffer substantial financial loss or other damage or that the interests of its insured members could be seriously prejudiced by reason of such violation or practice or breach of fiduciary duty, and that such violation or practice or breach of fiduciary duty is one involving personal dishonesty on the part of such director or officer, the Corporation may serve upon such director or officer a written notice of its intention to remove him from office.

“(2) Whenever, in the opinion of the Corporation, any director or officer of an insured institution, by conduct or practice with respect to another insured institution or other business institution which resulted in substantial financial loss or other damage, has evidenced his personal dishonesty and unfitness to continue as a director or officer, and, whenever, in the opinion of the Corporation, any other person participating in the conduct of the affairs of an insured institution, by conduct or practice with respect to such institution or other insured institution or other business institution which resulted in substantial financial loss or other damage, has evidenced his personal dishonesty and unfitness to participate in the conduct of the affairs of such insured institution, the Corporation may serve upon such director, officer, or other person a written notice of its intention to remove him from office and/or to prohibit his further participation in any manner in the conduct of the affairs of such institution.

“(3) In respect to any director or officer of an insured institution or any other person referred to in paragraph (1) or (2) of this subsection, the Corporation may, if it deems it necessary for the protection

of the institution or the interests of its insured members or of the Corporation, by written notice to such effect served upon such director, officer, or other person, suspend him from office and/or prohibit him from further participation in any manner in the conduct of the affairs of the institution. Such suspension and/or prohibition shall become effective upon service of such notice and, unless stayed by a court in proceedings authorized by paragraph (5) of this subsection, shall remain in effect pending the completion of the administrative proceedings pursuant to the notice served under paragraph (1) or (2) of this subsection and until such time as the Corporation shall dismiss the charges specified in such notice, or, if an order of removal and/or prohibition is issued against the director or officer or other person, until the effective date of any such order. Copies of any such notice shall also be served upon the institution of which he is a director or officer or in the conduct of whose affairs he has participated.

“(4) A notice of intention to remove a director, officer, or other person from office and/or to prohibit his participation in the conduct of the affairs of an insured institution, shall contain a statement of the facts constituting grounds therefor, and shall fix a time and place at which a hearing will be held thereon. Such hearing shall be fixed for a date not earlier than thirty days nor later than sixty days after the date of service of such notice, unless an earlier or a later date is set by the Corporation at the request of (A) such director, officer, or other person and for good cause shown, or (B) the Attorney General of the United States. Unless such director, officer, or other person shall appear at the hearing in person or by a duly authorized representative, he shall be deemed to have consented to the issuance of an order of such removal and/or prohibition. In the event of such consent, or if upon the record made at any such hearing the Corporation shall find that any of the grounds specified in such notice has been established, the Corporation may issue such orders of suspension or removal from office, and/or prohibition from participation in the conduct of the affairs of the institution, as it may deem appropriate. Any such order shall become effective at the expiration of thirty days after service upon such institution and the director, officer, or other person concerned (except in the case of an order issued upon consent, which shall become effective at the time specified therein). Such order shall remain effective and enforceable except to such extent as it is stayed, modified, terminated, or set aside by action of the Corporation or a reviewing court.

“(5) Within ten days after any director, officer, or other person has been suspended from office and/or prohibited from participation in the conduct of the affairs of an insured institution under paragraph (3) of this subsection, such director, officer, or other person may apply to the United States district court for the judicial district in which the principal office of the institution is located, or the United States District Court for the District of Columbia, for a stay of such suspension and/or prohibition pending the completion of the administrative proceedings pursuant to the notice served upon such director, officer, or other person under paragraph (1) or (2) of this subsection, and such court shall have jurisdiction to stay such suspension and/or prohibition.

“(h) **SUSPENSION OF DIRECTOR OR OFFICER CHARGED WITH FELONY.**—Whenever any director or officer of an insured institution, or other person participating in the conduct of the affairs of such institution, is charged in any information, indictment, or complaint authorized by a United States Attorney, with the commission of or participation in a felony involving dishonesty or breach of trust, the Corporation may, by written notice served upon such director, officer, or other person,

suspend him from office and/or prohibit him from further participation in any manner in the conduct of the affairs of the institution. A copy of such notice shall also be served upon the institution. Such suspension and/or prohibition shall remain in effect until such information, indictment, or complaint is finally disposed of or until terminated by the Corporation. In the event that a judgment of conviction with respect to such offense is entered against such director, officer, or other person, and at such time as such judgment is not subject to further appellate review, the Corporation may issue and serve upon such director, officer, or other person an order removing him from office and/or prohibiting him from further participation in any manner in the conduct of the affairs of the institution except with the consent of the Corporation. A copy of such order shall also be served upon such institution, whereupon such director or officer shall cease to be a director or officer of such institution. A finding of not guilty or other disposition of the charge shall not preclude the Corporation from thereafter instituting proceedings to remove such director, officer, or other person from office and/or to prohibit further participation in institution affairs, pursuant to paragraph (1) or (2) of subsection (g) of this section.

“(i) **TERMINATION OF FEDERAL HOME LOAN BANK MEMBERSHIP.**—Termination under this section or otherwise of the status of an institution as an insured institution shall automatically constitute a removal under subsection (i) of section 6 of the Federal Home Loan Bank Act of the institution from Federal home loan bank membership, if at the time of such termination such institution is a member of a Federal home loan bank; and removal of an institution from Federal home loan bank membership under subsection (i) of section 6 of the Federal Home Loan Bank Act or otherwise shall automatically constitute an order of termination under this section of the status of such institution as an insured institution, if such institution is at the time of such removal an insured institution.

47 Stat. 729;  
69 Stat. 640.  
12 USC 1426.

“(j) **HEARINGS AND JUDICIAL REVIEW.**—(1) Any hearing provided for in this section shall be held in the Federal judicial district or in the territory in which the principal office of the institution is located unless the party afforded the hearing consents to another place, and shall be conducted in accordance with the provisions of chapter 5 of title 5 of the United States Code. Such hearing shall be private, unless the Corporation, in its discretion, after fully considering the views of the party afforded the hearing, determines that a public hearing is necessary to protect the public interest. After such hearing, and within ninety days after the Corporation has notified the parties that the case has been submitted to it for final decision, the Corporation shall render its decision (which shall include findings of fact upon which its decision is predicated) and shall issue and cause to be served upon each party to the proceeding an order or orders consistent with the provisions of this section. Judicial review of any such order shall be exclusively as provided in this subsection. Unless a petition for review is timely filed in a court of appeals of the United States, as hereinafter provided in paragraph (2) of this subsection, and thereafter until the record in the proceeding has been filed as so provided, the Corporation may at any time, upon such notice and in such manner as it shall deem proper, modify, terminate, or set aside any such order. Upon such filing of the record, the Corporation may modify, terminate, or set aside any such order with permission of the court.

*Ante*, p. 380.

“(2) Any party to the proceeding, or any person required by an order issued under this section to cease and desist from any of the violations or practices stated therein, may obtain a review of any order served pursuant to paragraph (1) of this subsection (other

than an order issued with the consent of the institution or the director or officer or other person concerned, or an order issued under subsection (h) of this section), by filing in the court of appeals of the United States for the circuit in which the principal office of the institution is located, or in the United States Court of Appeals for the District of Columbia Circuit, within thirty days after the date of service of such order, a written petition praying that the order of the Corporation be modified, terminated, or set aside. A copy of such petition shall be forthwith transmitted by the clerk of the court to the Corporation, and thereupon the Corporation shall file in the court the record in the proceeding, as provided in section 2112 of title 28 of the United States Code. Upon the filing of such petition, such court shall have jurisdiction, which upon the filing of the record shall, except as provided in the last sentence of said paragraph (1), be exclusive, to affirm, modify, terminate, or set aside, in whole or in part, the order of the Corporation. Review of such proceedings shall be had as provided in chapter 7 of title 5 of the United States Code. The judgment and decree of the court shall be final, except that the same shall be subject to review by the Supreme Court upon certiorari as provided in section 1254 of title 28 of the United States Code.

72 Stat. 941.

Ante, p. 392.

62 Stat. 928.

“(3) The commencement of proceedings for judicial review under paragraph (2) of this subsection shall not, unless specifically ordered by the court, operate as a stay of any order issued by the Corporation.

“(k) JURISDICTION AND ENFORCEMENT.—(1) Notwithstanding any other provision of law, (A) the Corporation shall be deemed to be an agency of the United States within the meaning of section 451 of title 28 of the United States Code; (B) any civil action, suit, or proceeding to which the Corporation shall be a party shall be deemed to arise under the laws of the United States, and the United States district courts shall have original jurisdiction thereof, without regard to the amount in controversy; and (C) the Corporation may, without bond or security, remove any such action, suit, or proceeding from a State court to the United States district court for the district and division embracing the place where the same is pending by following any procedure for removal now or hereafter in effect: *Provided*, That any action, suit, or proceeding to which the Corporation is a party in its capacity as conservator, receiver, or other legal custodian of an insured State-chartered institution and which involves only the rights or obligations of investors, creditors, stockholders, and such institution under State law shall not be deemed to arise under the laws of the United States. No attachment or execution shall be issued against the Corporation or its property before final judgment in any action, suit, or proceeding in any court of any State or of the United States or any territory, or any other court.

62 Stat. 907.

“(2) The Corporation may, in its discretion, apply to the United States district court, or the United States court of any territory, within the jurisdiction of which the principal office of the institution is located, for the enforcement of any effective and outstanding notice or order issued by the Corporation under this section, and such courts shall have jurisdiction and power to order and require compliance therewith; but except as otherwise provided in this section no court shall have jurisdiction to affect by injunction or otherwise the issuance or enforcement of any notice or order under this section, or to review, modify, suspend, terminate, or set aside any such notice or order.

“(1) REPORTING REQUIREMENTS.—(1) Whenever a change occurs in the outstanding voting stock of any insured institution which will result in control or a change in the control of such institution, the

president or other chief executive officer of such institution shall promptly report such facts to the Corporation upon obtaining knowledge of such change. As used in this subsection, the term 'control' means the power to directly or indirectly direct or cause the direction of the management or policies of the insured institution. If there is any doubt as to whether a change in ownership or other change in the outstanding voting stock of any insured institution is sufficient to result in control or a change in the control thereof, such doubt shall be resolved in favor of reporting the facts to the Corporation.

"Control."

"(2) Whenever an insured institution or an insured bank of the Federal Deposit Insurance Corporation makes a loan or loans secured (or to be secured) by 25 per centum or more of the voting stock of an insured institution, the president or other chief executive officer of the lending insured institution or insured bank shall promptly report such fact to the Corporation upon obtaining knowledge of such loan or loans, except that no report need be made in those cases where the borrower has been the owner of record of the stock for a period of one year or more, or the stock is of a newly organized insured institution prior to its opening.

"(3) The reports required by paragraphs (1) and (2) of this subsection shall contain the following information to the extent that it is known by the person making the report: (A) the number of shares involved, (B) the names of the sellers (or transferors), (C) the names of the purchasers (or transferees), (D) the names of the beneficial owners if the shares are of record in another name or other names, (E) the purchase price, (F) the total number of shares owned by the sellers (or transferors), the purchasers (or transferees) and the beneficial owners both immediately before and after the transaction, and in the case of a loan, (G) the name of the borrower, (H) the amount of the loan, and (I) the name of the institution issuing the stock securing the loan and the number of shares securing the loan. In addition to the foregoing, such reports shall contain such other information as may be available to inform the Corporation of the effect of the transaction upon control of the institution whose stock is involved. The reports required by this subsection shall be in addition to any reports that may be required pursuant to other provisions of law.

"(4) Whenever such a change as is described in paragraph (1) of this subsection occurs, the insured institution involved shall report promptly to the Corporation any change or changes, or replacement or replacements, of its chief executive officer or of any director occurring in the next twelve-month period, including in its report a statement of the past and current business and professional affiliations of the new chief executive officer or director.

"(5) Without limitation by or on the foregoing provisions of this subsection, the Corporation may require insured institutions and individuals or other persons who have or have had any connection with the management of any insured institution, as defined by the Corporation, to provide, in such manner and under such civil penalties (which shall be cumulative to any other remedies) as the Corporation may prescribe, such periodic or other reports and disclosures as the Corporation may determine to be necessary or appropriate for the protection of investors or the Corporation.

"(6) As used in this subsection, the term 'stock' means such stock or other equity securities or equity interests in an insured institution, or rights, interests, or powers with respect thereto, regardless of whether such institution is a stock company, a mutual institution, or otherwise, as the Corporation may by regulation define for the purposes of this subsection.

"Stock."

“(m) **ANCILLARY PROVISIONS.**—(1) In making examinations of insured institutions, examiners appointed by the Federal Home Loan Bank Board shall have power, on behalf of the Corporation, to make such examinations of the affairs of all affiliates of such institutions as shall be necessary to disclose fully the relations between such institutions and their affiliates and the effect of such relations upon such institutions. The cost of examinations of such affiliates shall be assessed against and paid by the institution. For purposes of this subsection, the term ‘affiliate’ shall have the same meaning as where used in section 2(b) of the Banking Act of 1933 (12 U.S.C. 221a(b)), except that the term ‘member bank’ in said section 2(b) shall be deemed to refer to an insured institution.

“Affiliate.”

48 Stat. 162;  
Ante, p. 242.

“Member bank.”

Subpena power,  
etc.

“(2) In connection with examinations of insured institutions and affiliates thereof, the Corporation, or its designated representatives, shall have power to administer oaths and affirmations and to examine and to take and preserve testimony under oath as to any matter in respect of the affairs or ownership of any such institution or affiliate thereof, and to issue subpoenas and subpoenas duces tecum, and, for the enforcement thereof, to apply to the United States district court for the judicial district or the United States court in any territory in which the principal office of the institution or affiliate thereof is located, or in which the witness resides or carries on business. Such courts shall have jurisdiction and power to order and require compliance with any such subpoena.

“(3) In the course of or in connection with any proceeding under this section, the Corporation or its designated representatives, including any person designated to conduct any hearing under this section, shall have power to administer oaths and affirmations, to take or cause to be taken depositions, and to issue, revoke, quash, or modify subpoenas and subpoenas duces tecum; and the Corporation is empowered to make rules and regulations with respect to any such proceedings. The attendance of witnesses and the production of documents provided for in this subsection may be required from any place in any State or in any territory at any designated place where such proceeding is being conducted. Any party to proceedings under this section may apply to the United States District Court for the District of Columbia, or the United States district court for the judicial district or the United States court in any territory in which such proceeding is being conducted, or where the witness resides or carries on business, for enforcement of any subpoena or subpoena duces tecum issued pursuant to this subsection, and such courts shall have jurisdiction and power to order and require compliance therewith. Witnesses subpoenaed under this section shall be paid the same fees and mileage that are paid witnesses in the district courts of the United States. All expenses of the Board or of the Federal Savings and Loan Insurance Corporation in connection with this section shall be considered as nonadministrative expenses. Any court having jurisdiction of any proceeding instituted under this section by an insured institution, or a director or officer thereof, may allow to any such party such reasonable expenses and attorneys’ fees as it deems just and proper; and such expenses and fees shall be paid by the institution or from its assets.

“(n) **SERVICE.**—Any service required or authorized to be made by the Corporation under this section may be made by registered mail, or in such other manner reasonably calculated to give actual notice as the Corporation may by regulation or otherwise provide. Copies of any notice or order served by the Corporation upon any State-chartered institution or any director or officer thereof or other person participating in the conduct of its affairs, pursuant to the provisions of this section, shall also be sent to the appropriate State supervisory authority.

“(o) NOTICE TO STATE AUTHORITIES.—In connection with any proceeding under subsection (e), (f) (1), or (g) of this section involving an insured State-chartered institution or any director or officer or other person participating in the conduct of its affairs, the Corporation shall provide the appropriate State supervisory authority with notice of the Corporation's intent to institute such a proceeding and the grounds therefor. Unless within such time as the Corporation deems appropriate in the light of the circumstances of the case (which time must be specified in the notice prescribed in the preceding sentence) satisfactory corrective action is effectuated by action of the State supervisory authority, the Corporation may proceed as provided in this section. No institution or other party who is the subject of any notice or order issued by the Corporation under this section shall have standing to raise the requirements of this subsection as ground for attacking the validity of any such notice or order.

“(p) PENALTIES.—(1) Any director or officer, or former director or officer, of an insured institution or an institution any of the accounts of which are insured, or any other person, against whom there is outstanding and effective any notice or order (which is an order which has become final) served upon such director, officer, or other person under subsection (g) (3), (g) (4), or (h) of this section, and who (A) participates in any manner in the conduct of the affairs of such institution, or directly or indirectly solicits or procures, or transfers or attempts to transfer, or votes or attempts to vote any proxies, consents, or authorizations in respect to any voting rights in such institution, or (B) without the prior written approval of the Corporation, votes for a director or serves or acts as a director, officer, or employee of any insured institution, shall upon conviction be fined not more than \$5,000 or imprisoned for not more than one year, or both.

“(2) Except with the prior written consent of the Corporation, no person shall serve as a director, officer, or employee of an insured institution who has been convicted, or who is hereafter convicted, of a criminal offense involving dishonesty or a breach of trust. For each willful violation of this prohibition, the institution involved shall be subject to a penalty of not more than \$100 for each day this prohibition is violated, which the Corporation may recover by suit or otherwise for its own use.

“(q) DEFINITIONS.—(1) As used in this section—

“(A) The terms ‘cease-and-desist order which has become final’ and ‘order which has become final’ mean a cease-and-desist order, or an order, issued by the Corporation with the consent of the institution or the director or officer or other person concerned, or with respect to which no petition for review of the action of the Corporation has been filed and perfected in a court of appeals as specified in subsection (j) (2) of this section, or with respect to which the action of the court in which said petition is so filed is not subject to further review by the Supreme Court of the United States in proceedings provided for in said subsection, or an order issued under subsection (h) of this section.

“(B) The term ‘State’ includes the Commonwealth of Puerto Rico.

“(C) The term ‘territory’ includes any possession of the United States and any place subject to the jurisdiction of the United States.

“(D) The terms ‘district’, ‘district court’, ‘district court of the United States’, and ‘judicial district’ shall have the meanings defined in section 451 of title 28 of the United States Code.

“(2) As used in subsection (f) of this section, the term ‘insolvency’ means that the assets of an institution are less than its obligations to its creditors and others, including its members.

“(3) As used in subsection (g) of this section, the term ‘violation’ includes without limitation any action (alone or with another or others) for or toward causing, bringing about, participating in, counseling, or aiding or abetting a violation.”

Effective date.

(b) The amendment made by subsection (a) of this section shall be effective only with respect to proceedings commenced on or after the date of enactment of this Act. Section 407 of the National Housing Act as in effect immediately prior to the date of enactment of this Act shall continue in effect with respect to any proceedings commenced prior to such date.

64 Stat. 259.  
12 USC 1730.

73 Stat. 691.

SEC. 103. Subsection (c) of section 408 of the National Housing Act (12 U.S.C. 1730a(c)) is amended to read:

“(c) It shall be unlawful for any company on or after September 23, 1959—

“(1) to acquire the control of more than one insured institution, or

“(2) to acquire the control of an insured institution when it holds the control of any other insured institution, except in a transaction which has been approved by the Federal Home Loan Bank Board upon a determination by it that such transaction is advisable to assist in preventing the commencement or continuance of involuntary liquidation of the insured institution whose control, whether by acquisition of stock or assets or otherwise, as being acquired by such company or an insured institution which it controls.”

## TITLE II—PROVISION RELATING TO THE FEDERAL DEPOSIT INSURANCE CORPORATION, THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM, AND THE COMPTROLLER OF THE CURRENCY

78 Stat. 941.

64 Stat. 873.

“Appropriate Federal banking agency.”

SEC. 201. Paragraph (6) of subsection (j) of section 7 of the Federal Deposit Insurance Act (12 U.S.C. 1817(j)(6)) is repealed and section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813) is amended by adding the following new subsection (q):

“(q) The term ‘appropriate Federal banking agency’ shall mean (1) the Comptroller of the Currency in the case of a national banking association or a District bank, (2) the Board of Governors of the Federal Reserve System in the case of a State member insured bank (except a District bank), and (3) the Federal Deposit Insurance Corporation in the case of a State nonmember insured bank (except a District bank).”

Cease-and-desist proceedings.

SEC. 202. Section 8 of the Federal Deposit Insurance Act (12 U.S.C. 1818), is amended by redesignating subsections (b), (c), and (d) thereof as (o), (p), and (q) and by adding after subsection (a) thereof the following new subsections (b) through (n), inclusive:

“(b) (1) If, in the opinion of the appropriate Federal banking agency, any insured bank or bank which has insured deposits is engaging or has engaged, or the agency has reasonable cause to believe that the bank is about to engage, in an unsafe or unsound practice in conducting the business of such bank, or is violating or has violated, or the agency has reasonable cause to believe that the bank is about to violate, a law, rule, or regulation, or any condition imposed in writing by the agency in connection with the granting of any application or other request by the bank, or any written agreement entered into with the agency, the agency may issue and serve upon the bank a notice of charges in respect thereof. The notice shall contain a statement of the facts constituting the alleged violation or violations or the unsafe or unsound practice or practices, and shall fix a time and place at which a hearing will be held to determine whether an order to cease and desist therefrom should issue against the bank. Such hearing shall be fixed for a date not earlier than thirty days nor later than sixty days after service of such notice unless an earlier or a later date is set by the agency at the request of the bank. Unless the bank shall appear

at the hearing by a duly authorized representative, it shall be deemed to have consented to the issuance of the cease-and-desist order. In the event of such consent, or if upon the record made at any such hearing, the agency shall find that any violation or unsafe or unsound practice specified in the notice of charges has been established, the agency may issue and serve upon the bank an order to cease and desist from any such violation or practice. Such order may, by provisions which may be mandatory or otherwise, require the bank and its directors, officers, employees, and agents to cease and desist from the same, and, further, to take affirmative action to correct the conditions resulting from any such violation or practice.

“(2) A cease-and-desist order shall become effective at the expiration of thirty days after the service of such order upon the bank concerned (except in the case of a cease-and-desist order issued upon consent, which shall become effective at the time specified therein), and shall remain effective and enforceable as provided therein, except to such extent as it is stayed, modified, terminated, or set aside by action of the agency or a reviewing court.

“(c) (1) Whenever the appropriate Federal banking agency shall determine that the violation or threatened violation or the unsafe or unsound practice or practices, specified in the notice of charges served upon the bank pursuant to paragraph (1) of subsection (b) of this section, or the continuation thereof, is likely to cause insolvency or substantial dissipation of assets or earnings of the bank, or is likely to otherwise seriously prejudice the interests of its depositors, the agency may issue a temporary order requiring the bank to cease and desist from any such violation or practice. Such order shall become effective upon service upon the bank and, unless set aside, limited, or suspended by a court in proceedings authorized by paragraph (2) of this subsection, shall remain effective and enforceable pending the completion of the administrative proceedings pursuant to such notice and until such time as the agency shall dismiss the charges specified in such notice, or if a cease-and-desist order is issued against the bank, until the effective date of any such order.

Temporary cease-and-desist orders.

“(2) Within ten days after the bank concerned has been served with a temporary cease-and-desist order, the bank may apply to the United States district court for the judicial district in which the home office of the bank is located, or the United States District Court for the District of Columbia, for an injunction setting aside, limiting, or suspending the enforcement, operation, or effectiveness of such order pending the completion of the administrative proceedings pursuant to the notice of charges served upon the bank under paragraph (1) of subsection (b) of this section, and such court shall have jurisdiction to issue such injunction.

“(d) In the case of violation or threatened violation of, or failure to obey, a temporary cease-and-desist order issued pursuant to paragraph (1) of subsection (c) of this section, the appropriate Federal banking agency may apply to the United States district court, or the United States court of any territory, within the jurisdiction of which the home office of the bank is located, for an injunction to enforce such order, and, if the court shall determine that there has been such violation or threatened violation or failure to obey, it shall be the duty of the court to issue such injunction.

“(e) (1) Whenever, in the opinion of the appropriate Federal banking agency, any director or officer of an insured State bank (other than a District bank) has committed any violation of law, rule, or regulation, or of a cease-and-desist order which has become final, or has engaged or participated in any unsafe or unsound practice in connection with the bank, or has committed or engaged in any act, omis-

Removal of director or officer.

sion, or practice which constitutes a breach of his fiduciary duty as such director or officer, and the agency determines that the bank has suffered or will probably suffer substantial financial loss or other damage or that the interests of its depositors could be seriously prejudiced by reason of such violation or practice or breach of fiduciary duty, and that such violation or practice or breach of fiduciary duty is one involving personal dishonesty on the part of such director or officer, the agency may serve upon such director or officer a written notice of its intention to remove him from office.

“(2) Whenever, in the opinion of the Comptroller of the Currency, any director or officer of a national banking association or a District bank has committed any violation of law, rule, or regulation, or of a cease-and-desist order which has become final, or has engaged or participated in any unsafe or unsound practice in connection with the bank, or has committed or engaged in any act, omission, or practice which constitutes a breach of his fiduciary duty as such director or officer, and the Comptroller determines that the bank has suffered or will probably suffer substantial financial loss or other damage or that the interests of its depositors could be seriously prejudiced by reason of such violation or practice or breach of fiduciary duty, and that such violation or practice or breach of fiduciary duty is one involving personal dishonesty on the part of such director or officer, the Comptroller of the Currency may certify the facts to the Board of Governors of the Federal Reserve System.

“(3) Whenever, in the opinion of the appropriate Federal banking agency, any director or officer of an insured State bank (other than a District bank), by conduct or practice with respect to another insured bank or other business institution which resulted in substantial financial loss or other damage, has evidenced his personal dishonesty and unfitness to continue as a director or officer and, whenever, in the opinion of the appropriate Federal banking agency, any other person participating in the conduct of the affairs of an insured State bank (other than a District bank), by conduct or practice with respect to such bank or other insured bank or other business institution which resulted in substantial financial loss or other damage, has evidenced his personal dishonesty and unfitness to participate in the conduct of the affairs of such insured bank, the agency may serve upon such director, officer, or other person a written notice of its intention to remove him from office and/or to prohibit his further participation in any manner in the conduct of the affairs of the bank.

“(4) Whenever, in the opinion of the Comptroller of the Currency, any director or officer of a national banking association or a District bank, by conduct or practice with respect to another insured bank or other business institution which resulted in substantial financial loss or other damage, has evidenced his personal dishonesty and unfitness to continue as a director or officer and, whenever, in the opinion of the Comptroller, any other person participating in the conduct of the affairs of a national banking association or a District bank, by conduct or practice with respect to such bank or other insured bank or other business institution which resulted in substantial financial loss or other damage, has evidenced his personal dishonesty and unfitness to participate in the conduct of the affairs of such bank, the Comptroller of the Currency may certify the facts to the Board of Governors of the Federal Reserve System.

“(5) In respect to any director or officer of an insured State bank (other than a District bank) or any other person referred to in paragraph (1) or (3) of this subsection, the appropriate Federal banking agency may, if it deems it necessary for the protection of the bank or the interests of its depositors, by written notice to such effect served

upon such director, officer, or other person, suspend him from office and/or prohibit him from further participation in any manner in the conduct of the affairs of the bank. Such suspension and/or prohibition shall become effective upon service of such notice and, unless stayed by a court in proceedings authorized by subsection (f) of this section, shall remain in effect pending the completion of the administrative proceedings pursuant to the notice served under paragraph (1) or (3) of this subsection and until such time as the agency shall dismiss the charges specified in such notice, or, if an order of removal and/or prohibition is issued against the director or officer or other person, until the effective date of any such order. Copies of any such notice shall also be served upon the bank of which he is a director or officer or in the conduct of whose affairs he has participated.

“(6) In respect to any director or officer of a national banking association or a District bank, or any other person referred to in paragraph (2) or (4) of this subsection, the Comptroller of the Currency may, if he deems it necessary for the protection of the bank or the interests of its depositors that such director or officer be suspended from office or prohibited from further participation in any manner in the conduct of the affairs of the bank, certify the facts to the Board of Governors of the Federal Reserve System.

“(7) In the case of a certification to the Board of Governors of the Federal Reserve System under paragraph (2) or (4) of this subsection, the Board may serve upon the director, officer, or other person involved, a written notice of its intention to remove him from office and/or to prohibit him from further participation in any manner in the conduct of the affairs of the bank. In the case of a certification to the Board of Governors of the Federal Reserve System under paragraph (6) of this subsection, the Board may by written notice to such effect served upon such director, officer, or other person, suspend him from office and/or prohibit him from further participation in any manner in the conduct of the affairs of the bank. Such suspension and/or prohibition shall become effective upon service of such notice and, unless stayed by a court in proceedings authorized by subsection (f) of this section, shall remain in effect pending the completion of the administrative proceedings pursuant to the notice served under the first sentence of this paragraph and until such time as the Board shall dismiss the charges specified in such notice, or, if an order of removal and/or prohibition is issued against the director or officer or other person, until the effective date of any such order. Copies of any such notice shall also be served upon the bank of which he is a director or officer or in the conduct of whose affairs he has participated. For the purposes of this paragraph and paragraph (8) of this subsection, the Comptroller of the Currency shall be entitled in any case involving a national bank or a District bank to sit as a member of the Board of Governors of the Federal Reserve System and to participate in its deliberations on any such case and to vote thereon in all respects as a member of such Board.

“(8) A notice of intention to remove a director, officer, or other person from office and/or to prohibit his participation in the conduct of the affairs of an insured bank, shall contain a statement of the facts constituting grounds therefor, and shall fix a time and place at which a hearing will be held thereon. Such hearing shall be fixed for a date not earlier than thirty days nor later than sixty days after the date of service of such notice, unless an earlier or a later date is set by the agency at the request of (A) such director or officer or other person, and for good cause shown, or (B) the Attorney General of the United States. Unless such director, officer, or other person shall appear

at the hearing in person or by a duly authorized representative, he shall be deemed to have consented to the issuance of an order of such removal and/or prohibition. In the event of such consent, or if upon the record made at any such hearing the agency shall find that any of the grounds specified in such notice has been established, the agency may issue such orders of suspension or removal from office, and/or prohibition from participation in the conduct of the affairs of the bank, as it may deem appropriate. Any such order shall become effective at the expiration of thirty days after service upon such bank and the director, officer, or other person concerned (except in the case of an order issued upon consent, which shall become effective at the time specified therein). Such order shall remain effective and enforceable except to such extent as it is stayed, modified, terminated, or set aside by action of the agency or a reviewing court.

“(f) Within ten days after any director, officer, or other person has been suspended from office and/or prohibited from participation in the conduct of the affairs of an insured bank under subsection (e) (5) or (e) (7) of this section, such director, officer, or other person may apply to the United States district court for the judicial district in which the home office of the bank is located, or the United States District Court for the District of Columbia, for a stay of such suspension and/or prohibition pending the completion of the administrative proceedings pursuant to the notice served upon such director, officer, or other person under subsection (e) (1), (e) (3), or (e) (7) of this section, and such court shall have jurisdiction to stay such suspension and/or prohibition.

Felony charge,  
cause for re-  
moval.

“(g) (1) Whenever any director or officer of an insured bank, or other person participating in the conduct of the affairs of such bank, is charged in any information, indictment, or complaint authorized by a United States attorney, with the commission of or participation in a felony involving dishonesty or breach of trust, the appropriate Federal banking agency may, by written notice served upon such director, officer, or other person suspend him from office and/or prohibit him from further participation in any manner in the conduct of the affairs of the bank. A copy of such notice shall also be served upon the bank. Such suspension and/or prohibition shall remain in effect until such information, indictment, or complaint is finally disposed of or until terminated by the agency. In the event that a judgment of conviction with respect to such offense is entered against such director, officer, or other person, and at such time as such judgment is not subject to further appellate review, the agency may issue and serve upon such director, officer, or other person an order removing him from office and/or prohibiting him from further participation in any manner in the conduct of the affairs of the bank except with the consent of the appropriate agency. A copy of such order shall also be served upon such bank, whereupon such director or officer shall cease to be a director or officer of such bank. A finding of not guilty or other disposition of the charge shall not preclude the agency from thereafter instituting proceedings to remove such director, officer, or other person from office and/or to prohibit further participation in bank affairs, pursuant to paragraph (1), (2), (3), (4), or (7) of subsection (e) of this section.

“(2) If at any time, because of the suspension of one or more directors pursuant to this section, there shall be on the board of directors of a national bank less than a quorum of directors not so suspended, all powers and functions vested in or exercisable by such board shall vest in and be exercisable by the director or directors on the board not so suspended, until such time as there shall be a quorum of the board of directors. In the event all of the directors of a national bank are

suspended pursuant to this section, the Comptroller of the Currency shall appoint persons to serve temporarily as directors in their place and stand pending the termination of such suspensions, or until such time as those who have been suspended, cease to be directors of the bank and their respective successors take office.

“(h) (1) Any hearing provided for in this section shall be held in the Federal judicial district or in the territory in which the home office of the bank is located unless the party afforded the hearing consents to another place, and shall be conducted in accordance with the provisions of chapter 5 of title 5 of the United States Code. Such hearing shall be private, unless the appropriate Federal banking agency, in its discretion, after fully considering the views of the party afforded the hearing, determines that a public hearing is necessary to protect the public interest. After such hearing, and within ninety days after the appropriate Federal banking agency or Board of Governors of the Federal Reserve System has notified the parties that the case has been submitted to it for final decision, it shall render its decision (which shall include findings of fact upon which its decision is predicated) and shall issue and serve upon each party to the proceeding an order or orders consistent with the provisions of this section. Judicial review of any such order shall be exclusively as provided in this subsection (h). Unless a petition for review is timely filed in a court of appeals of the United States, as hereinafter provided in paragraph (2) of this subsection, and thereafter until the record in the proceeding has been filed as so provided, the issuing agency may at any time, upon such notice and in such manner as it shall deem proper, modify, terminate, or set aside any such order. Upon such filing of the record, the agency may modify, terminate, or set aside any such order with permission of the court.

Hearing and  
judicial review.

Ante, p. 380.

“(2) Any party to the proceeding, or any person required by an order issued under this section to cease and desist from any of the violations or practices stated therein, may obtain a review of any order served pursuant to paragraph (1) of this subsection (other than an order issued with the consent of the bank or the director or officer or other person concerned, or an order issued under paragraph (1) of subsection (g) of this section) by the filing in the court of appeals of the United States for the circuit in which the home office of the bank is located, or in the United States Court of Appeals for the District of Columbia Circuit, within thirty days after the date of service of such order, a written petition praying that the order of the agency be modified, terminated, or set aside. A copy of such petition shall be forthwith transmitted by the clerk of the court to the agency, and thereupon the agency shall file in the court the record in the proceeding, as provided in section 2112 of title 28 of the United States Code. Upon the filing of such petition, such court shall have jurisdiction, which upon the filing of the record shall except as provided in the last sentence of said paragraph (1) be exclusive, to affirm, modify, terminate, or set aside, in whole or in part, the order of the agency. Review of such proceedings shall be had as provided in chapter 7 of title 5 of the United States Code. The judgment and decree of the court shall be final, except that the same shall be subject to review by the Supreme Court upon certiorari, as provided in section 1254 of title 28 of the United States Code.

72 Stat. 941.

Ante, p. 392.

62 Stat. 928.

“(3) The commencement of proceedings for judicial review under paragraph (2) of this subsection shall not, unless specifically ordered by the court, operate as a stay of any order issued by the agency.

“(i) The appropriate Federal banking agency may in its discretion apply to the United States district court, or the United States court of any territory, within the jurisdiction of which the home office of the

Enforcement of  
orders.

bank is located, for the enforcement of any effective and outstanding notice or order issued under this section, and such courts shall have jurisdiction and power to order and require compliance herewith; but except as otherwise provided in this section no court shall have jurisdiction to affect by injunction or otherwise the issuance or enforcement of any notice or order under this section, or to review, modify, suspend, terminate, or set aside any such notice or order.

Penalties.

“(j) Any director or officer, or former director or officer of an insured bank, or any other person, against whom there is outstanding and effective any notice or order (which is an order which has become final) served upon such director, officer, or other person under subsections (e) (5), (e) (7), (e) (8), or (g) of this section, and who (i) participates in any manner in the conduct of the affairs of the bank involved, or directly or indirectly solicits or procures, or transfers or attempts to transfer, or votes or attempts to vote, any proxies, consents, or authorizations in respect of any voting rights in such bank, or (ii) without the prior written approval of the appropriate Federal banking agency, votes for a director, serves or acts as a director, officer, or employee of any bank, shall upon conviction be fined not more than \$5,000 or imprisoned for not more than one year, or both.

Definitions.

“(k) As used in this section (1) the terms ‘cease-and-desist order which has become final’ and ‘order which has become final’ mean a cease-and-desist order, or an order, issued by the appropriate Federal banking agency with the consent of the bank or the director or officer or other person concerned, or with respect to which no petition for review of the action of the agency has been filed and perfected in a court of appeals as specified in paragraph (2) of subsection (h), or with respect to which the action of the court in which said petition is so filed is not subject to further review by the Supreme Court of the United States in proceedings provided for in said paragraph, or an order issued under paragraph (1) of subsection (g) of this section, and (2) the term ‘violation’ includes without limitation any action (alone or with another or others) for or toward causing, bringing about, participating in, counseling, or aiding or abetting a violation.

Notice of service.

“(l) Any service required or authorized to be made by the appropriate Federal banking agency under this section may be made by registered mail, or in such other manner reasonably calculated to give actual notice as the agency may by regulation or otherwise provide. Copies of any notice or order served by the agency upon any State bank or any director or officer thereof or other person participating in the conduct of its affairs, pursuant to the provisions of this section, shall also be sent to the appropriate State supervisory authority.

Notice to State authorities.

“(m) In connection with any proceeding under subsection (b), (c) (1), or (e) of this section involving an insured State bank or any director or officer or other person participating in the conduct of its affairs, the appropriate Federal banking agency shall provide the appropriate State supervisory authority with notice of the agency’s intent to institute such a proceeding and the grounds therefor. Unless within such time as the Federal banking agency deems appropriate in the light of the circumstances of the case (which time must be specified in the notice prescribed in the preceding sentence) satisfactory corrective action is effectuated by action of the State supervisory authority, the agency may proceed as provided in this section. No bank or other party who is the subject of any notice or order issued by the agency under this section shall have standing to raise the requirements of this subsection as ground for attacking the validity of any such notice or order.

Subpena power, etc.

“(n) In the course of or in connection with any proceeding under this section, the agency conducting the proceeding, or any member or

designated representative thereof, including any person designated to conduct any hearing under this section, shall have the power to administer oaths and affirmations, to take or cause to be taken depositions, and to issue, revoke, quash, or modify subpoenas and subpoenas duces tecum; and such agency is empowered to make rules and regulations with respect to any such proceedings. The attendance of witnesses and the production of documents provided for in this subsection may be required from any place in any State or in any territory or other place subject to the jurisdiction of the United States at any designated place where such proceeding is being conducted. Any party to proceedings under this section may apply to the United States District Court for the District of Columbia, or the United States district court for the judicial district or the United States court in any territory in which such proceeding is being conducted, or where the witness resides or carries on business, for enforcement of any subpoena or subpoena duces tecum issued pursuant to this subsection, and such courts shall have jurisdiction and power to order and require compliance therewith. Witnesses subpoenaed under this section shall be paid the same fees and mileage that are paid witnesses in the district courts of the United States. Any court having jurisdiction of any proceeding instituted under this section by an insured bank or a director or officer thereof, may allow to any such party such reasonable expenses and attorneys' fees as it deems just and proper; and such expenses and fees shall be paid by the bank or from its assets."

SEC. 203. Subsections (b) and (c) of section 10 of the Federal Deposit Insurance Act (12 U.S.C. 1820 (b), (c)) are amended to read as follows:

Examiner, appointment and duties.  
64 Stat. 882.

"(b) The Board of Directors shall appoint examiners who shall have power, on behalf of the Corporation, to examine any insured State nonmember bank (except a District bank), any State nonmember bank making application to become an insured bank, and any closed insured bank, whenever in the judgment of the Board of Directors an examination of the bank is necessary. In addition to the examinations provided for in the preceding sentence, such examiners shall have like power to make a special examination of any State member bank and any national bank or District bank, whenever in the judgment of the Board of Directors such special examination is necessary to determine the condition of any such bank for insurance purposes. In making examinations of insured banks, examiners appointed by the Corporation shall have power on behalf of the Corporation to make such examinations of the affairs of all affiliates of such banks as shall be necessary to disclose fully the relations between such banks and their affiliates and the effect of such relations upon such banks. Each examiner shall have power to make a thorough examination of all of the affairs of the bank and its affiliates, and shall make a full and detailed report of the condition of the bank to the Corporation. The Board of Directors in like manner shall appoint claim agents who shall have power to investigate and examine all claims for insured deposits. Each claim agent shall have power to administer oaths and affirmations and to examine and to take and preserve testimony under oath as to any matter in respect to claims for insured deposits, and to issue subpoenas and subpoenas duces tecum, and, for the enforcement thereof, to apply to the United States district court for the judicial district or the United States court in any territory in which the main office of the bank or affiliate thereof is located, or in which the witness resides or carries on business. Such courts shall have jurisdiction and power to order and require compliance with any such subpoena.

"(c) In connection with examinations of insured banks, and affiliates thereof, the appropriate Federal banking agency, or its designated

representatives, shall have the power to administer oaths and affirmations and to examine and to take and preserve testimony under oath as to any matter in respect of the affairs or ownership of any such bank or affiliate thereof, and to issue subpoenas and subpoenas duces tecum, and, for the enforcement thereof, to apply to the United States district court for the judicial district or the United States court in any territory in which the main office of the bank or affiliate thereof is located, or in which the witness resides or carries on business. Such courts shall have jurisdiction and power to order and require compliance with any such subpoena. For purposes of this section, the term 'affiliate' shall have the same meaning as where used in section 2(b) of the Banking Act of 1933 (12 U.S.C. 221a(b)) except that the term 'member bank' in said section 2(b) shall be deemed to refer to an insured bank."

"Affiliate."

48 Stat. 162;  
Ante, p. 242.

"Member bank."

Insured bank,  
termination of  
status.

64 Stat. 879.

SEC. 204. The first five sentences of section 8(a) of the Federal Deposit Insurance Act (12 U.S.C. 1818(a)) are amended to read as follows:

"SEC. 8. (a) Any insured bank (except a national member bank or State member bank) may, upon not less than ninety days' written notice to the Corporation, terminate its status as an insured bank. Whenever the Board of Directors shall find that an insured bank or its directors or trustees have engaged or are engaging in unsafe or unsound practices in conducting the business of such bank, or is in an unsafe or unsound condition to continue operations as an insured bank, or violated an applicable law, rule, regulation or order, or any condition imposed in writing by the Corporation in connection with the granting of any application or other request by the bank, or any written agreement entered into with the Corporation, the Board of Directors shall first give to the Comptroller of the Currency in the case of a national bank or a district bank, to the authority having supervision of the bank in the case of a State bank, and to the Board of Governors of the Federal Reserve System in the case of a State member bank, a statement with respect to such practices or violations for the purpose of securing the correction thereof and shall give a copy thereof to the bank. Unless such correction shall be made within one hundred and twenty days, or such shorter period not less than twenty days fixed by the Corporation in any case where the Board of Directors in its discretion has determined that the insurance risk of the Corporation is unduly jeopardized, or fixed by the Comptroller of the Currency in the case of a national bank, or the State authority in the case of a State bank, or Board of Governors of the Federal Reserve System in the case of a State member bank as the case may be, the Board of Directors, if it shall determine to proceed further, shall give to the bank not less than thirty days' written notice of intention to terminate the status of the bank as an insured bank, and shall fix a time and place for a hearing before the Board of Directors or before a person designated by it to conduct such hearing, at which evidence may be produced, and upon such evidence the Board of Directors shall make written findings which shall be conclusive. If the Board of Directors shall find that any unsafe or unsound practice or condition or violation specified in such statement has been established and has not been corrected within the time above prescribed in which to make such corrections, the Board of Directors may order that the insured status of the bank be terminated on a date subsequent to such finding and to the expiration of the time specified in such notice of intention. Unless the bank shall appear at the hearing by a duly authorized representative, it shall be deemed to have consented to the termination of its status as an insured bank and termination of such status thereupon may be ordered. Any insured bank whose insured status has been terminated by order of the Board of Directors under this subsection shall have the right of judi-

cial review of such order only to the same extent as provided for the review of orders under subsection (h) of this section."

SEC. 205. Subsection "Fourth" of section 9 of the Federal Deposit Insurance Act (12 U.S.C. 1819 "Fourth") is amended to read as follows:

64 Stat. 881.

"Fourth. To sue and be sued, complain and defend, in any court of law or equity, State or Federal. All suits of a civil nature at common law or in equity to which the Corporation shall be a party shall be deemed to arise under the laws of the United States, and the United States district courts shall have original jurisdiction thereof, without regard to the amount in controversy; and the Corporation may, without bond or security, remove any such action, suit, or proceeding from a State court to the United States district court for the district or division embracing the place where the same is pending by following any procedure for removal now or hereafter in effect, except that any such suit to which the Corporation is a party in its capacity as receiver of a State bank and which involves only the rights or obligations of depositors, creditors, stockholders, and such State bank under State law shall not be deemed to arise under the laws of the United States. No attachment or execution shall be issued against the Corporation or its property before final judgment in any suit, action, or proceeding in any State, county, municipal, or United States court. The Board of Directors shall designate an agent upon whom service of process may be made in any State, Territory, or jurisdiction in which any insured bank is located."

SEC. 206. Nothing contained in this title shall be construed to repeal, modify, or affect the provisions of section 19 of the Federal Deposit Insurance Act (12 U.S.C. 1829).

SEC. 207. Section 30 of the Banking Act of 1933 (12 U.S.C. 77) is hereby repealed.

Repeal.  
48 Stat. 193.

### TITLE III—INCREASE IN INSURANCE LIMIT

#### FEDERAL DEPOSIT INSURANCE CORPORATION

SEC. 301. (a) The first sentence of section 3(m) of the Federal Deposit Insurance Act (12 U.S.C. 1813(m)) is amended by changing "\$10,000" to read "\$15,000".

64 Stat. 875.

(b) The first sentence of section 7(i) of the Federal Deposit Insurance Act (12 U.S.C. 1817(i)) is amended by changing "\$10,000" to read "\$15,000".

(c) The last sentence of section 11(a) of the Federal Deposit Insurance Act (12 U.S.C. 1821(a)) is amended to read: "The maximum amount of the insured deposit of any depositor shall be \$15,000."

(d) The fifth sentence of section 11(i) of the Federal Deposit Insurance Act (12 U.S.C. 1821(i)) is amended by changing "\$10,000" to read "\$15,000".

(e) The amendments made by this section shall not be applicable to any claim arising out of the closing of a bank where such closing is prior to the date of enactment of this Act.

#### FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

SEC. 302. (a) Section 401(b) of title IV of the National Housing Act (12 U.S.C. 1724(b)) is amended by changing "\$10,000" to read "\$15,000" each place it appears therein.

66 Stat. 727;  
73 Stat. 262.

(b) Section 405(a) of title IV of the National Housing Act (12 U.S.C. 1728(a)) is amended by changing "\$10,000" to read "\$15,000".

48 Stat. 1259;  
64 Stat. 259.

(c) The amendments made by this section shall not be applicable to any claim arising out of a default, as defined in section 401(d) of the

48 Stat. 1256.  
12 USC 1724.

National Housing Act, where the appointment of a conservator, receiver, or other legal custodian as set forth in that section becomes effective prior to the date of enactment of this Act.

#### ADMINISTRATIVE AUTHORITY

*Ante*, p. 1055.

12 USC 1817.

12 USC 1821.

*Ante*, p. 1055.

48 Stat. 1255.  
12 USC 1724.

SEC. 303. (a) Section 3(m) of the Federal Deposit Insurance Act (12 U.S.C. 1813(m)) is amended by adding the following new sentence at the end: "For the purpose of clarifying and defining the insurance coverage under this subsection and subsection (i) of section 7, the Corporation is authorized to define, with such classifications and exceptions as it may prescribe, terms used in those subsections, in subsection (p) of section 3, and in subsections (a) and (i) of section 11 and the extent of the insurance coverage resulting therefrom."

(b) Section 405(a) of title IV of the National Housing Act (12 U.S.C. 1728(a)) is amended by adding the following new sentence at the end: "For the purpose of clarifying and defining the insurance coverage under this subsection and subsection (b) of section 401, the Corporation is authorized to define, with such classifications and exceptions as it may prescribe, terms used in those subsections and in subsection (c) of section 401 and the extent of the insurance coverage resulting therefrom."

#### TITLE IV—EXPIRATION

SEC. 401. The provisions of titles I and II of this Act and any provisions of law enacted by said titles shall be effective only during the period ending at the close of June 30, 1972. Effective upon the expiration of such period, each provision of law amended by either of such titles is further amended to read as it did immediately prior to the enactment of this Act and each provision of law repealed by either of such titles is reenacted.

Approved October 16, 1966.

#### Public Law 89-696

#### AN ACT

October 19, 1966  
[S. 3834]

To amend chapter 141 of title 10, United States Code, to provide for price adjustments in contracts for the procurement of milk by the Department of Defense.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That chapter 141 of title 10, United States Code, is amended—

(1) by inserting at the end thereof the following new section:

#### “§ 2389. Contracts for the procurement of milk; price adjustment

“Under regulations prescribed by the Secretary of Defense, any contract for the procurement of fluid milk for beverage purposes which was being performed on or after March 1, 1966, may be amended to provide a price adjustment for losses incurred by a contractor because of increased prices paid to the producers for such milk as a result of action by the Secretary of Agriculture on or after March 1, 1966, increasing the price of milk. A price adjustment shall not be made unless it has been determined by the Department that—

“(1) such amount is not included in the contract price;

“(2) the contract does not otherwise contain a provision providing for an adjustment in price; and

“(3) the contractor will suffer a loss, not merely a diminution of anticipated profit, under the contract because of such increases

Defense Department contracts.  
Milk procurement.  
70A Stat. 135.  
10 USC 2381-2388.

in producer prices.”; and

(2) by inserting the following new item in the analysis thereof:

“2389. Contracts for the procurement of milk; price adjustment.”

Approved October 19, 1966, 12:55 p.m., en route New Zealand from Samoa.

Public Law 89-697

AN ACT

Making supplemental appropriations for the fiscal year ending June 30, 1967, and for other purposes.

October 27, 1966

[H. R. 18381]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the “Supplemental Appropriation Act, 1967”) for the fiscal year ending June 30, 1967, and for other purposes, namely:

Supplemental  
Appropriation  
Act, 1967.

## CHAPTER I

### DEPARTMENT OF AGRICULTURE

#### AGRICULTURAL RESEARCH SERVICE

##### SALARIES AND EXPENSES

##### Plant and Animal Disease and Pest Control

For an additional amount for “Salaries and Expenses”, for Plant and Animal Disease and Pest Control, \$300,000.

#### CONSUMER AND MARKETING SERVICE

##### SCHOOL LUNCH PROGRAM

For an additional amount for “School Lunch Program”, including \$2,000,000 for the pilot school breakfast program, and \$750,000 for the nonfood assistance program, \$2,750,000.

#### RELATED AGENCIES

#### FARM CREDIT ADMINISTRATION

##### REVOLVING FUND

##### Limitation on Administrative Expenses

Not to exceed an additional amount of \$39,000 (from assessments collected from Farm Credit agencies) shall be available during the current fiscal year for administrative expenses.

## CHAPTER II

### FOREIGN OPERATIONS

#### EXPORT-IMPORT BANK OF WASHINGTON

##### LIMITATION ON OPERATING EXPENSES

In addition to the amount heretofore made available for operating expenses, not to exceed \$600,000,000 shall be available for such expenses from funds available to the Export-Import Bank, and an additional amount of \$945,000,000 shall be available from amounts herein and heretofore provided for equipment and services loans.

## LIMITATION ON ADMINISTRATIVE EXPENSES

In addition to the amount heretofore made available for administrative expenses, not to exceed \$128,000 shall be available for such expenses from funds available to the Export-Import Bank.

## CHAPTER III

## INDEPENDENT OFFICES

## GENERAL SERVICES ADMINISTRATION

## CONSTRUCTION, PUBLIC BUILDINGS PROJECTS

For an additional amount for "Construction, Public Buildings Projects", for construction of substructure of Federal Bureau of Investigation building in the District of Columbia, \$11,320,000, to remain available until expended.

## VETERANS ADMINISTRATION

## GENERAL OPERATING EXPENSES

For an additional amount for "General operating expenses", \$19,320,000.

## READJUSTMENT BENEFITS

For an additional amount for "Readjustment benefits", \$327,000,000, to remain available until expended.

## COMMISSION ON POLITICAL ACTIVITY OF GOVERNMENT PERSONNEL

## SALARIES AND EXPENSES

Ante, p. 868.

For expenses necessary to carry out the Act of October 3, 1966 (Public Law 89-617), including hire of passenger motor vehicles, \$75,000, to remain available until June 30, 1968.

## SELECT COMMISSION ON WESTERN HEMISPHERE IMMIGRATION

## SALARIES AND EXPENSES

79 Stat. 920.  
8 USC 1151 note.  
60 Stat. 810.

For expenses necessary to carry out the provisions of section 21 of the Act of October 3, 1965 (Public Law 89-236), including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), but at rates for individuals not to exceed \$100 per diem, \$800,000, to remain available until expended.

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

## URBAN RENEWAL PROGRAMS

63 Stat. 414.  
68 Stat. 629;  
78 Stat. 792.

For grants for urban renewal, fiscal year 1968, as an additional amount for urban renewal programs, as authorized by title I of the Housing Act of 1949, as amended (42 U.S.C. 1450 et seq.), and section 314 of the Housing Act of 1954, as amended (42 U.S.C. 1452a), \$750,000,000, to remain available until expended: *Provided*, That no commitments shall be entered into during the fiscal year 1968 for grants aggregating more than the total amounts available in that year from the amounts authorized for making such commitments through June 30, 1967, plus the additional amount appropriated herein.

## URBAN MASS TRANSPORTATION GRANTS

For an additional amount for "Urban Mass Transportation Grants", for the fiscal year 1968, \$70,000,000, to remain available until expended.

## ADMINISTRATIVE EXPENSES, URBAN TRANSPORTATION ACTIVITIES

For an additional amount for "Administrative expenses, urban transportation activities", \$80,000.

## Comprehensive City Demonstration Programs

For financial assistance including not to exceed \$750,000 for administrative expenses in connection with planning and developing comprehensive city demonstration programs, as authorized by the Demonstration Cities and Metropolitan Development Act of 1966, \$11,000,000, to remain available until June 30, 1968: *Provided*, That this paragraph shall be effective only upon enactment into law of S. 3708, 89th Congress, or similar legislation.

*Post*, p. 1255.

## FEDERAL NATIONAL MORTGAGE ASSOCIATION

## LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL NATIONAL MORTGAGE ASSOCIATION

In addition to the amount otherwise available for administrative expenses of the Federal National Mortgage Association for the current fiscal year, not to exceed \$850,000 shall be available for such expenses.

## GENERAL PROVISION

The limitations imposed on travel expenses of employees by section 102 of the Independent Offices Appropriation Act, 1967, are hereby increased to the extent necessary to provide for such increases in those expenses as may result from the Act of July 21, 1966 (Public Law 89-516).

*Ante*, p. 684.

*Ante*, p. 323.

## CHAPTER IV

## DEPARTMENT OF THE INTERIOR

## BUREAU OF LAND MANAGEMENT

## MANAGEMENT OF LANDS AND RESOURCES

For an additional amount for "Management of lands and resources", \$800,000.

## BUREAU OF INDIAN AFFAIRS

## EDUCATION AND WELFARE SERVICES

For an additional amount for "Education and welfare services", \$2,150,000.

## BUREAU OF MINES

## HEALTH AND SAFETY

For an additional amount for "Health and safety", \$200,000.

## FISH AND WILDLIFE SERVICE

## BUREAU OF SPORT FISHERIES AND WILDLIFE

## CONSTRUCTION

For an additional amount for "Construction", \$1,500,000 to remain available until expended.

## RELATED AGENCIES

## DEPARTMENT OF AGRICULTURE

## FOREST SERVICE

## FOREST PROTECTION AND UTILIZATION

For additional amounts for "Forest protection and utilization", as follows:

"Forest land management", \$2,300,000; and

"State and private forestry cooperation", \$200,000.

## FEDERAL COAL MINE SAFETY BOARD OF REVIEW

## SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", \$117,000.

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

## PUBLIC HEALTH SERVICE

## CONSTRUCTION OF INDIAN HEALTH FACILITIES

For an additional amount for "Construction of Indian health facilities", \$1,025,000, to remain available until expended.

## EXECUTIVE OFFICE OF THE PRESIDENT

## NATIONAL COUNCIL ON MARINE RESOURCES AND ENGINEERING DEVELOPMENT, AND COMMISSION ON MARINE SCIENCE, ENGINEERING, AND RESOURCES

## SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Marine Resources and Engineering Development Act of 1966 (Public Law 89-454, approved June 17, 1966), including services as authorized by the Act of August 2, 1946 (5 U.S.C. 55a), but at rates not to exceed \$100 per diem for individuals, and hire of passenger motor vehicles, \$1,100,000.

## CHAPTER V

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

## OFFICE OF EDUCATION

## ELEMENTARY AND SECONDARY EDUCATIONAL ACTIVITIES

For grants and payments under title II of the Act of September 30, 1950, as amended by title I of the Elementary and Secondary Education Act of 1965, and under titles II, III, and V of said 1965 Act, \$1,342,410,000, of which \$1,070,410,000 shall be for meeting the special educational needs of educationally deprived children under title II of the Act of September 30, 1950, as amended: *Provided*, That \$15,000,000 shall be available for State programs for neglected and delinquent and migratory children on a pro rata basis and the aggregate amounts otherwise available for grants within States shall not be less than the amounts expended from the fiscal year 1966 appropriation by local educational agencies in such States for grants, \$105,000,000 shall be for school library resources, textbooks, and other instructional materials under title II of said Elementary and Secondary Education Act of 1965, \$145,000,000 shall be for supplementary educational centers and services under title III of said Act, and \$22,000,000 shall be for strengthening State departments of education under title V of said Act: *Provided*, That not more than \$30,000,000 of the sums contained herein shall be available for carrying out the Adult Education Act of 1966 including obligations incurred for this purpose under the provisions of Public Law 89-481, as amended: *Provided further*, That this paragraph shall be effective only upon enactment into law of H.R. 13161, Eighty-ninth Congress, or similar legislation.

79 Stat. 27.  
20 USC 241a-  
241f, 821-870.

*Post*, p. 1191.  
*Ante*, p. 233.

## HIGHER EDUCATIONAL ACTIVITIES

For an additional amount for "Higher educational activities", \$30,000,000, which shall be for the purposes of title III of the Higher Education Act of 1965, as amended: *Provided*, That this paragraph shall be effective only upon enactment into law of H.R. 14644, Eighty-ninth Congress, or similar legislation.

79 Stat. 1229.  
20 USC 1051-  
1055.  
*Post*, p. 1240.

## HIGHER EDUCATION FACILITIES CONSTRUCTION

For grants, loans, and payments under the Higher Education Facilities Act of 1963, as amended, \$722,744,000, of which not to exceed \$453,000,000 to remain available through June 30, 1968, shall be for grants for construction of academic facilities under title I; \$60,000,000 to remain available until expended shall be for grants for construction of graduate academic facilities under title II; and \$200,000,000 to be transferred to the revolving fund established by section 305 of said Act of 1963 and to remain available without fiscal year limitation, shall be for loans for construction of academic facilities under title III and for operation expenses of said fund: *Provided*, That the total amount of loans made from said fund in the fiscal year ending June 30, 1967, shall not exceed \$300,000,000: *Provided further*, That this paragraph shall be effective only upon enactment into law of H.R. 14644, Eighty-ninth Congress, or similar legislation.

77 Stat. 363.  
20 USC 701 note.

*Ante*, p. 166.

## GRANTS FOR LIBRARIES

For grants to the States, pursuant to the Act of June 19, 1956, as amended (20 U.S.C., ch. 16, Public Laws 88-269 and 89-511), \$76,000,000, of which \$35,000,000 shall be for grants for public library services under title I of such Act, \$40,000,000, to remain available through June 30, 1968, shall be for grants for public library construction under title II of such Act, and \$1,000,000 shall be used for grants to the States for developing State plans for purposes of titles III and IV of such Act, of which \$375,000 shall be for developing State plans for purposes of title III, \$375,000 shall be for developing State plans for purposes of part A of title IV, and \$250,000 shall be for developing State plans for purposes of part B of title IV.

70 Stat. 293;  
78 Stat. 11.  
Ante, p. 313.

## PUBLIC HEALTH SERVICE

## COMMUNITY HEALTH PRACTICE AND RESEARCH

For an additional amount for "Community Health Practice and Research", \$4,000,000: *Provided*, That this appropriation shall be effective only upon enactment of H.R. 13196, 89th Congress, or similar legislation.

Post, p. 1222.

## FREEDMEN'S HOSPITAL

## SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses, Freedmen's Hospital", \$1,000,000.

## EXECUTIVE OFFICE OF THE PRESIDENT

## OFFICE OF ECONOMIC OPPORTUNITY

## ECONOMIC OPPORTUNITY PROGRAM

For expenses necessary to carry out the provisions of the Economic Opportunity Act of 1964 (Public Law 88-452, approved August 20, 1964), as amended, \$1,612,500,000, plus reimbursements, of which not more than \$500,000 shall be available to carry out the purposes of part D of title III: *Provided*, That this appropriation shall be available for transfers to the economic opportunity loan fund for loans under title III, and amounts so transferred shall remain available for twenty-four months: *Provided further*, That this appropriation shall be available for the purchase and hire of passenger motor vehicles, and for construction, alteration, and repair of buildings and other facilities, as authorized by section 602 of the Economic Opportunity Act of 1964, and for purchase of real property for training centers: *Provided further*, That this appropriation shall not be available for contracts under titles I, II, V, and VI extending for more than twenty-four months: *Provided further*, That none of the funds contained in this Act shall be used to make indemnity payments, authorized by part D of title III, to any farmer whose milk was removed from commercial markets as a result of his failure to follow the procedures prescribed by the Federal Government for the use of the offending chemical: *Provided further*, That no part of the funds appropriated in this paragraph shall be available for any grant until the Director has determined that the grantee is qualified to administer the funds and programs involved in the proposed grant: *Provided further*, That all grant agreements shall provide that the General Accounting Office shall have access to the records of the grantee which bear exclusively upon the Federal grant: *Provided further*, That of the amount available under this paragraph

78 Stat. 508.  
42 USC 2701  
note.

for Health Centers and Narcotics Rehabilitation, \$800,000 shall be transferred to the Department of Health, Education, and Welfare to carry out the provisions of the Act authorizing the Secretary of Health, Education, and Welfare to make certain grants to the Menominee Indian people of Menominee County, Wisconsin, and for other purposes: *Provided further*, That this paragraph shall be effective only upon enactment into law of H.R. 15111, Eighty-ninth Congress, or similar legislation, except that the immediately preceding proviso shall be effective only upon the enactment into law, also, of H.R. 8034, Eighty-ninth Congress, or similar legislation.

*Post*, p. 1451.

*Ante*, p. 903.

## CHAPTER VI

### LEGISLATIVE BRANCH

#### SENATE

##### SALARIES, OFFICERS AND EMPLOYEES

###### OFFICE OF THE SECRETARY

For an additional amount for the Office of the Secretary, \$10,790: *Provided*, That effective January 1, 1967, the basic allowance for clerical assistance and readjustment of salaries in the Disbursing Office is increased by \$7,680.

###### Administrative and Clerical Assistants to Senators

For an additional amount for administrative and clerical assistants to Senators, \$13,860: *Provided*, That the clerk hire allowance of each Senator from the State of North Carolina shall be increased to that allowed Senators from States having a population of five million, the population of said State having exceeded five million inhabitants.

##### CONTINGENT EXPENSES OF THE SENATE

###### INQUIRIES AND INVESTIGATIONS

For an additional amount for "Inquiries and Investigations", fiscal year 1966, \$25,000.

#### HOUSE OF REPRESENTATIVES

##### SALARIES, OFFICERS, AND EMPLOYEES

###### Office of the Sergeant at Arms

For an additional amount for "Office of the Sergeant at Arms", \$318,000, of which not to exceed \$23,000 may be transferred to the current appropriation for "General expenses", Capitol Police: *Provided*, That the provisions of House Resolution 796, Eighty-ninth Congress, relating to the Capitol Police, shall be the permanent law with respect thereto.

###### Committee Employees

For an additional amount for "Committee employees" \$100,000.

### Administrative Provision

The provisions of subsection (b) of House Resolution 901, relating to certain official allowances, and House Resolution 909, relating to the compensation of the Doorkeeper, both of the Eighty-ninth Congress, shall be the permanent law with respect thereto.

### JOINT ITEMS

#### Joint Committee on Internal Revenue Taxation

For an additional amount for "Joint Committee on Internal Revenue Taxation", \$23,000.

### ARCHITECT OF THE CAPITOL

#### CAPITOL BUILDINGS AND GROUNDS

##### Capitol Buildings

For an additional amount for "Capitol buildings", \$18,000.

##### LIBRARY OF CONGRESS

##### BOOKS FOR THE BLIND

##### SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", including expenses of carrying out the Act of July 30, 1966 (Public Law 89-522), \$1,497,000.

*Ante*, p. 330.

### CHAPTER VII

#### DEPARTMENT OF STATE

##### INTERNATIONAL ORGANIZATIONS AND CONFERENCES

##### International Conference on Water for Peace

For necessary expenses incident to organizing and holding the International Conference on Water for Peace in the United States, including not to exceed \$10,000 for official functions and courtesies, \$500,000, to remain available until December 31, 1967: *Provided*, That this appropriation shall be available only upon enactment into law of S.J. Res. 167, 89th Congress, or similar legislation.

*Post*, p. 1507.

#### DEPARTMENT OF JUSTICE

##### LAW ENFORCEMENT ASSISTANCE

For grants and contracts to provide assistance in training State and local law enforcement officers and other personnel, and in improving capabilities, techniques, and practices in State and local law enforcement and prevention and control of crime, for technical assistance and departmental salaries and other expenses in connection therewith, \$7,250,000: *Provided*, That this appropriation shall be available only upon the enactment into law of H.R. 13551 or S. 3063 or similar legislation.

*Post*, p. 1506.

## DEPARTMENT OF COMMERCE

## HemisFair 1968 Exposition

For necessary expenses to carry out the provisions of the Act of October 22, 1965 (Public Law 89-284), as amended, \$6,750,000, to remain available until expended.

79 Stat. 1026.  
Ante, p. 971.

## Inter-American Cultural and Trade Center

For expenses necessary to carry out the provisions of the Act of February 19, 1966 (Public Law 89-355), without regard to the provisions of law set forth in 41 U.S.C. 13, \$5,870,000, to remain available until expended: *Provided*, That appropriations heretofore made to the Department of Commerce to carry out the provisions of the Act of February 19, 1966 (Public Law 89-355), shall be merged with this appropriation.

Ante, p. 5.

## CHAPTER VIII

## CLAIMS AND JUDGMENTS

For payment of claims settled and determined by departments and agencies in accord with law and judgments rendered against the United States by the United States Court of Claims and United States district courts, as set forth in House Document numbered 522, Eighty-ninth Congress, \$12,197,929, together with such amounts as may be necessary to pay interest (as and when specified in said judgments or provided by law) and such additional sums due to increases in rates of exchange as may be necessary to pay claims in foreign currency: *Provided*, That no judgment herein appropriated for shall be paid until it shall become final and conclusive against the United States by failure of the parties to appeal or otherwise: *Provided further*, That unless otherwise specifically required by law or by the judgment, payment of interest wherever appropriated for herein shall not continue for more than thirty days after the date of approval of this Act.

## CHAPTER IX

## GENERAL PROVISIONS

SEC. 901. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 902. The appropriations, authorizations, and authority with respect thereto in this Act, the District of Columbia Appropriation Act, 1967; the Military Construction Appropriation Act, 1967; the Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1967; and the Departments of State, Justice, and Commerce, the Judiciary and Related Agencies Appropriation Act, 1967, shall be available from October 22, 1966, for the purposes provided in such appropriations, authorizations, and authority. All obligations incurred during the period between October 22, 1966, and the dates of enactment of such Acts in anticipation of such appropriations, authorizations, and authority are hereby ratified and confirmed if in accordance with the terms of such Acts or the terms of Public Law 89-481, Eighty-ninth Congress, as amended.

Post, pp. 1167,  
1174.

Post, p. 1378.

Post, p. 1479.

Ante, pp. 233, 371,  
859.

Extension of credit to Communist countries, restriction.

76 Stat. 261.  
22 USC 2370.

Report to Congress.

SEC. 903. None of the funds made available because of the provisions of this Act shall be used by the Export-Import Bank to either guarantee the payment of any obligation hereafter incurred by any Communist country (as defined in section 620 (f) of the Foreign Assistance Act of 1961, as amended) or any agency or national thereof, or in any other way to participate in the extension of credit to any such country, agency, or national, in connection with the purchase of any product by such country, agency, or national, except when the President determines that such guarantees would be in the national interest and reports each such determination to the House of Representatives and the Senate within thirty days after such determination.

Approved October 27, 1966.

## Public Law 89-698

### AN ACT

To provide for the strengthening of American educational resources for international studies and research.

October 29, 1966  
[H. R. 14643]

International Education Act of 1966.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "International Education Act of 1966".

### FINDINGS AND DECLARATION

SEC. 2. The Congress hereby finds and declares that a knowledge of other countries is of the utmost importance in promoting mutual understanding and cooperation between nations; that strong American educational resources are a necessary base for strengthening our relations with other countries; that this and future generations of Americans should be assured ample opportunity to develop to the fullest extent possible their intellectual capacities in all areas of knowledge pertaining to other countries, peoples, and cultures; and that it is therefore both necessary and appropriate for the Federal Government to assist in the development of resources for international study and research, to assist in the development of resources and trained personnel in academic and professional fields, and to coordinate the existing and future programs of the Federal Government in international education, to meet the requirements of world leadership.

## TITLE I—GRANT PROGRAMS FOR ADVANCED AND UNDERGRADUATE INTERNATIONAL STUDIES

### CENTERS FOR ADVANCED INTERNATIONAL STUDIES

SEC. 101. (a) The Secretary of Health, Education, and Welfare (hereinafter referred to as the "Secretary") is authorized to arrange through grants to institutions of higher education, or combinations of such institutions, for the establishment, strengthening, and operation by them of graduate centers which will be national and international resources for research and training in international studies and the international aspects of professional and other fields of study. Activities carried on in such centers may be concentrated either on specific geographical areas of the world or on particular fields or issues in world affairs which concern one or more countries, or on both. The Secretary may also make grants to public and private nonprofit agencies and organizations, including professional and scholarly associations, when such grants will make an especially significant contribution to attaining the objectives of this section.

(b) Grants under this section may be used to cover part or all of the cost of establishing, strengthening, equipping, and operating research and training centers, including the cost of teaching and research materials and resources, the cost of programs for bringing visiting scholars and faculty to the center, and the cost of training, improvement, and travel of the staff for the purpose of carrying out the objectives of this section. Such grants may also include funds for stipends (in such amounts as may be determined in accordance with regulations of the Secretary) to individuals undergoing training in such centers, including allowances for dependents and for travel for research and study here and abroad. Grants under this section shall be made on such conditions as the Secretary finds necessary to carry out its purposes.

GRANTS TO STRENGTHEN UNDERGRADUATE PROGRAMS IN INTERNATIONAL STUDIES

SEC. 102. (a) The Secretary is authorized to make grants to institutions of higher education, or combinations of such institutions, to assist them in planning, developing, and carrying out a comprehensive program to strengthen and improve undergraduate instruction in international studies. Grants made under this section may be for projects and activities which are an integral part of such a comprehensive program such as—

- (1) planning for the development and expansion of undergraduate programs in international studies;
- (2) teaching, research, curriculum development, and other related activities;
- (3) training of faculty members in foreign countries;
- (4) expansion of foreign language courses;
- (5) planned and supervised student work-study-travel programs;
- (6) programs under which foreign teachers and scholars may visit institutions as visiting faculty; and
- (7) programs of English language training for foreign teachers, scholars, and students.

The Secretary may also make grants to public and private nonprofit agencies and organizations, including professional and scholarly associations, when such grants will make an especially significant contribution to attaining the objectives of this section.

(b) A grant may be made under this section only upon application to the Secretary at such time or times and containing such information as he deems necessary. The Secretary shall not approve an application unless it—

- (1) sets forth a program for carrying out one or more projects or activities for which a grant is authorized under subsection (a);
- (2) sets forth policies and procedures which assure that Federal funds made available under this section for any fiscal year will be so used as to supplement and, to the extent practical, increase the level of funds that would, in the absence of such Federal funds, be made available for purposes which meet the requirements of subsection (a), and in no case supplant such funds;
- (3) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this section; and

(4) provides for making such report, in such form and containing such information, as the Secretary may require to carry out his functions under this section, and for keeping such records and for affording such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports.

Provisions for application approval.

Recordkeeping.

Allocation of grants.

(c) The Secretary shall allocate grants to institutions of higher education under this section in such manner and according to such plan as will most nearly provide an equitable distribution of the grants throughout the States while at the same time giving a preference to those institutions which are most in need of funds for programs in international studies and which show real promise of being able to use funds effectively.

#### METHOD OF PAYMENT; FEDERAL ADMINISTRATION

SEC. 103. (a) Payments under this title may be made in installments, and in advance or by way of reimbursement with necessary adjustments on account of overpayments or underpayments.

(b) In administering the provisions of this title, the Secretary is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit agency or institution, in accordance with written agreements between the Secretary and the head thereof published in the Federal Register three weeks prior to the date on which any such agreement is to become effective.

Publication in Federal Register.

#### FEDERAL CONTROL OF EDUCATION PROHIBITED

SEC. 104. Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution, or the selection of library resources by any educational institution or over the content of any material developed or published under any program assisted pursuant to this Act.

#### AUTHORIZATION AND REPORTS

SEC. 105. (a) There is authorized to be appropriated \$1,000,000 for the fiscal year ending June 30, 1967, which shall be available only for the purpose of preparing the report provided for in subsection (b) of this section. There are authorized to be appropriated \$40,000,000 for the fiscal year ending June 30, 1968, and \$90,000,000 for the fiscal year ending June 30, 1969, for the purpose of carrying out the provisions of this title. For the fiscal years thereafter there shall be appropriated for the purpose of carrying out the provisions of this title only such amounts as the Congress may hereafter authorize by law.

Reports to President and Congress.

(b) The Secretary shall prepare, with the advice of the Advisory Committee appointed pursuant to section 106, a report containing specific recommendations for carrying out the provisions of this title, including any recommendations for amendments to this title and to portions of other laws amended by this Act, and shall submit such report to the President and the Congress not later than April 30, 1967.

Report to Congress.

(c) Prior to January 31, 1968, and prior to January 31 in each year thereafter, the Secretary shall make a report to the Congress which reviews and evaluates activities carried on under the authority of this Act and which reviews other activities of the Federal Government drawing upon or strengthening American resources for international study and research and any existing activities and plans to coordinate and improve the efforts of the Federal Government in international education.

## NATIONAL ADVISORY COMMITTEE ON INTERNATIONAL STUDIES

SEC. 106. (a) The President is authorized to establish in the Department of Health, Education, and Welfare a National Advisory Committee on International Studies, consisting of the Assistant Secretary of Health, Education, and Welfare for Education who shall be chairman, and not more than fifteen additional members appointed by the President so that a majority shall constitute a broad representation of higher education in the United States and the remainder shall include representatives of the general public and individuals experienced in foreign affairs.

(b) The Advisory Committee shall advise the Secretary in the preparation of the report provided for in section 105(b) of this Act, and thereafter shall advise the Secretary in carrying out the provisions of this Act. The recommendations of the Advisory Committee shall be included in the report provided for in section 105(b) of this Act and in the annual reports provided for in section 105(c) of this Act.

(c) Members of the Advisory Committee who are not regular full-time employees of the United States shall, while serving on business of the Committee, be entitled to receive compensation at rates fixed by the President, but not exceeding \$100 per day, including traveltime; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in Government service employed intermittently.

(d) The Advisory Committee is authorized to appoint without regard to the provisions of title 5, United States Code, covering appointment in the competitive service, and fix the compensation of, without regard to chapter 51 and subchapter III of chapter 53 of such title, such professional and technical personnel as may be necessary to enable it to carry out its duties.

Functions.

Compensation.

Ante, p. 499.

Ante, p. 416.

Ante, pp. 443, 467.

## TITLE II—AMENDMENTS TO OTHER LAWS

AMENDMENTS TO STRENGTHEN TITLE VI OF THE NATIONAL DEFENSE  
EDUCATION ACT OF 1958Removing Requirement for Area Centers That Adequate Language  
Instruction Not Be Readily Available

SEC. 201. (a) (1) The first sentence of section 601(a) of the National Defense Education Act of 1958 is amended by striking out "(1)" and by striking out "and (2) that adequate instruction in such language is not readily available in the United States".

(2) The first sentence of section 601(b) of such Act is amended by striking out "(with respect to which he makes the determination under clause (1) of subsection (a))" and inserting in lieu thereof "(with respect to which he makes the determination under subsection (a))".

72 Stat. 1593.  
20 USC 511.

## Removing 50 Per Centum Ceiling on Federal Participation

(b) The third sentence of section 601(a) of such Act is amended by striking out "not more than 50 per centum" and inserting "all or part" in lieu thereof.

Authorizing Grants as Well as Contracts for Language and  
Area Centers

(c) Section 601(a) of such Act is amended further by inserting "grants to or" after "arrange through" in the first sentence, and by inserting "grant or" before "contract" each time that it appears in the second and third sentences.

Vesting Authority for Language and Area Programs in Secretary

(d) Section 601 of such Act is further amended by striking out "Commissioner" each time such term occurs therein and inserting in lieu thereof "Secretary".

AMENDMENTS TO STRENGTHEN TITLE XI OF THE NATIONAL DEFENSE  
EDUCATION ACT OF 1958

78 Stat. 1107.  
20 USC 591, 592.

SEC. 202. Title XI of the National Defense Education Act of 1958 is amended—

- (1) by inserting after the title the following: "PART I—GENERAL";
- (2) by striking out the word "title" in section 1102 and inserting in lieu thereof the word "part"; and
- (3) by adding at the end thereof a new part as follows:

"PART II—INTERNATIONAL AFFAIRS

"INTERNATIONAL AFFAIRS INSTITUTES FOR SECONDARY SCHOOL TEACHERS

"SEC. 1111. There are authorized to be appropriated \$3,500,000 for the fiscal year ending June 30, 1967, and \$6,000,000 for the fiscal year ending June 30, 1968, to enable the Commissioner to arrange through contracts with institutions of higher education for the establishment and operation of short-term or regular-session institutes for teachers in secondary schools in order to give them a broader understanding of international affairs. Any such arrangement may cover the cost of the establishment and operation of the institute with respect to which it is made, including the cost of grants to the staff of travel in the foreign areas, regions, or countries with which the subject matter of the field or fields in which they are or will be working is concerned, and the cost of travel of foreign scholars to enable them to teach or assist in teaching in such institute and the cost of their return, and shall be made on such conditions as the Commissioner finds necessary to carry out the purposes of this section.

"STIPENDS

"SEC. 1112. The Commissioner is authorized to pay stipends to any individual to study in a program assisted under the provisions of this part upon determining that assisting such individual in such studies will promote the purpose of this part. Stipends under the provisions of this section may include allowances for dependents and for travel to and from the place of residence."

AMENDMENTS TO MUTUAL EDUCATIONAL AND CULTURAL EXCHANGE ACT  
OF 1961

SEC. 203. (a) Section 102(b) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2452) is amended (1) by striking the period at the end of clause (9) and substituting a semicolon and the word "and"; and (2) by adding at the end thereof a new clause as follows:

Foreign students,  
exchange of cur-  
rency for U.S. dol-  
lars.  
75 Stat. 528.

"(10) promoting studies, research, instruction, and other educational activities of citizens and nationals of foreign countries in American schools, colleges, and universities located in the United States by making available to citizens and nationals of less developed friendly foreign countries for exchange for currencies of their respective countries (other than excess foreign currencies), at United States embassies, United States dollars in such amounts as may be necessary to enable such foreign citizens or nationals who are coming temporarily to the United States as students, trainees, teachers, instructors, or professors to meet expenses of the kind described in section 104(e)(1) of this Act."

22 USC 2454.

(b) Section 104 of the Mutual Educational and Cultural Exchange Act of 1961 is amended by adding at the end thereof a new subsection as follows:

Regulation for  
exchange of for-  
eign currencies.  
75 Stat. 529.  
22 USC 2454.

"(g) (1) For the purpose of performing functions authorized by section 102(b)(10) of this Act, the President is authorized to establish the exchange rates at which all foreign currencies may be acquired through operations under such section, and shall issue regulations binding upon all embassies with respect to the exchange rates to be applicable in each of the respective countries where currency exchanges are authorized under such section.

"(2) In performing the functions authorized under section 102(b)(10) of this Act, the President shall make suitable arrangements for protecting the interests of the United States Government in connection with the ownership, use, and disposition of all foreign currencies acquired pursuant to exchanges made under such section.

*Supra.*

"(3) The total amount of United States dollars acquired by any individual through currency exchanges under the authority of section 102(b)(10) of this Act shall in no event exceed \$3,000 during any academic year.

Limitation of  
amount.

"(4) An individual shall be eligible to exchange foreign currency for United States dollars at United States embassies under section 102(b)(10) of this Act only if he gives satisfactory assurances that (A) he will devote essentially full time to his proposed educational activity in the United States and will maintain good standing in relation to such program; (B) he will return to the country of his citizenship or nationality prior to coming to the United States and will render such public service as is determined acceptable for a period of time determined reasonable and necessary by the government of such country; and (C) he will not apply for an immigrant visa or for permanent residence or for a nonimmigrant visa under the Immigration and Nationality Act after having received any benefits under such section for a period of time equal to the period of study, research, instruction, or other educational activity he performed pursuant to such section.

Eligibility  
provisions.

66 Stat. 163.  
8 USC 1101  
note.

"Excess for-  
eign currencies."

"(5) As used in section 102(b)(10) of this Act, the term 'excess foreign currencies' means foreign currencies, which if acquired by the United States (A) would be in excess of the normal requirements of departments, agencies, and embassies of the United States for such currencies, as determined by the President, and (B) would be available for the use of the United States Government under applicable agreements with the foreign country concerned."

Appropriation.  
22 USC 2455.

(c) Section 105 of the Mutual Educational and Cultural Exchange Act of 1961 is amended by adding at the end thereof a new subsection as follows:

"(g) Notwithstanding any other provision of this Act, there are authorized to be appropriated for the purposes of making currency exchanges under section 102(b)(10) of this Act, not to exceed \$10,000,000 for the fiscal year ending June 30, 1968, and not to exceed \$15,000,000 for the fiscal year ending June 30, 1969."

EXTENDING THE BENEFITS OF THE LOAN INSURANCE PROGRAM UNDER TITLE IV-B OF THE HIGHER EDUCATION ACT OF 1965 TO STUDENTS STUDYING ABROAD

79 Stat. 1247.  
20 USC 1085.

SEC. 204. The second sentence of section 435(a) of the Higher Education Act of 1965 is amended by inserting after "Such term" the following: "includes any institution outside the States which is comparable to an institution described in the preceding sentence and which has been approved by the Commissioner for the purposes of this title, and".

TITLE III—STUDY BY THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE

AUTHORIZATION FOR A STUDY ON WAYS TO REDUCE THE DRAIN FROM DEVELOPING COUNTRIES OF PROFESSIONAL PERSONS AND SKILLED SPECIALISTS WHOSE SKILLS ARE URGENTLY NEEDED

SEC. 301. (a) The Secretary of Health, Education, and Welfare shall conduct a study and investigation to determine (1) the total number of individuals who enter the United States from developing countries annually to further their education, and who remain in the United States; (2) the reasons for their failure to return to their home countries; and (3) means of encouraging the return of such individuals to the countries of their last residence or nationality, so they may put their education and training to work in the service of their homelands.

Report to Presi-  
dent and Con-  
gress.

(b) The Secretary of Health, Education, and Welfare shall report to the President and to the Congress as soon as practicable on his findings and conclusions together with such recommendations for any legislation he deems desirable to encourage the return of such individuals to such countries.

Appropriation.

(c) It is hereby authorized to be appropriated the sum of \$50,000 for the purpose of carrying out this study.

TITLE IV—AUTHORIZATION FOR USE OF CERTAIN LAND AS RECREATION AREA

AUTHORIZATION

SEC. 401. Notwithstanding the provisions of the Act of April 29, 1876 (19 Stat. 41; 40 U.S.C. 214), and the provisions of the Act of July 31, 1946 (60 Stat. 718; 40 U.S.C. 193a-193i), the Architect of the Capitol is authorized to permit the Board of Commissioners of the District of Columbia to operate for recreational purposes only, and without any improvement to said land, that part of the United

States Capitol Grounds known as Square 732 in the District of Columbia, bounded by Independence Avenue, S.E., Second Street, S.E., C Street, S.E., and First Street, S.E., and intersected by Carroll Street, for such period of time as said land is not required for building or other purposes by the Architect of the Capitol.

Approved October 29, 1966.

Public Law 89-699

AN ACT

To amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act, and for other purposes.

October 30, 1966  
[H. R. 17285]

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

Railroad Retirement Act of 1937 and Railroad Retirement Tax Act, amendment.

TITLE I—AMENDMENTS TO THE RAILROAD RETIREMENT ACT OF 1937 TO PROVIDE SUPPLEMENTAL ANNUITIES

SECTION 1. Section 3 of the Railroad Retirement Act of 1937 is amended by adding at the end thereof the following new subsection:

50 Stat. 310;  
72 Stat. 1779.  
45 USC 228c.

“SUPPLEMENTAL ANNUITIES

“(j) (1) An individual who is entitled to the payment of an annuity under section 2 of this Act (other than subsection (e) or (h) thereof) and had a current connection with the railroad industry at the time such annuity began to accrue, shall be entitled to have a supplemental annuity accrue to him for each month beginning with the month in which he has (i) attained the age of sixty-five and (ii) completed twenty-five or more years of service. The amount of the supplemental annuity shall be \$45 plus an additional amount of \$5 for each year of service that the individual has in excess of 25 years, but in no case shall the supplemental annuity exceed \$70: *Provided, however,* That in cases where an individual’s annuity under section 2 of this Act begins to accrue on other than the first day of the month, the amount of any supplemental annuity to which he is entitled for that month shall be reduced by one-thirtieth for each day with respect to which he is not entitled to an annuity under section 2. The supplemental annuity provided by this subsection shall, with respect to any month, be subject to the same provisions of subsection (d) of section 2 of this Act as the individual’s annuity under such section 2. Except as provided in subsection (a) (2) of this section, the supplemental annuity provided by this subsection shall not be taken into consideration in determining or computing any other annuity or benefit under this Act.

65 Stat. 683;  
73 Stat. 26.  
45 USC 228b.

*Post*, p. 1076.

“(2) The supplemental annuity provided by this subsection for an individual shall, with respect to any month, be reduced by the amount of the supplemental pension, attributable to the employer’s contribution, that such individual is entitled to receive for that month under any other supplemental pension plan: *Provided, however,* That the maximum of such reduction shall be equal to the amount of the supplemental annuity less any amount by which the supplemental pension is reduced by reason of the supplemental annuity.

“(3) The supplemental annuity provided by this subsection shall terminate with such annuity accruing for the sixtieth month following enactment of this subsection.

“(4) The provisions of section 12 of this Act shall not operate to exclude the supplemental annuities herein provided for from income

45 USC 228l.

taxable pursuant to the Federal income tax provisions of the Internal Revenue Code of 1954.”

SEC. 2. (a) Section 15 of the Railroad Retirement Act of 1937 is amended by inserting after subsection (a) the following:

50 Stat. 316.  
45 USC 228o.

“RAILROAD RETIREMENT SUPPLEMENTAL ACCOUNT

Ante, p. 1073.

“(b) There is hereby created an account in the Treasury of the United States to be known as the Railroad Retirement Supplemental Account. There is hereby appropriated to the Railroad Retirement Supplemental Account, for the fiscal year ending June 30, 1967, and for each fiscal year thereafter, out of any moneys in the Treasury not otherwise appropriated, to provide for the payment of supplemental annuities in accordance with the provisions of section 3(j) of this Act, and for expenses necessary for the Board in the administration of such section 3(j) as may be specifically authorized annually in Appropriation Acts, for crediting to such Supplemental Account, an amount equal to amounts covered into the Treasury (minus refunds) during the fiscal year ending June 30, 1967, and during each fiscal year thereafter, under sections 3211(b) and 3221(c) of the Railroad Retirement Tax Act.

Post, p. 1078.

“At the end of forty-eight months following the enactment of the Act establishing the Railroad Retirement Supplemental Account the Railroad Retirement Board, having surveyed the progress of such Account, shall make a determination of whether the balance in such Account together with the anticipated income to the Account for the next succeeding twelve months will be sufficient to provide for the payment of the supplemental annuities provided for in section 3(j) (1) of this Act. In the event that such determination is that such balance and such anticipated income will not be sufficient to provide for the payment of all such supplemental annuities in the amounts specified, the Railroad Retirement Board is hereby authorized and directed to readjust the amounts of all such supplemental annuities, proportionately, so that such balance and anticipated income will be sufficient to provide for payment of all the supplemental annuities as so readjusted for the next succeeding twelve months.”

77 Stat. 220.

(b) Section 15 of such Act is further amended by redesignating subsections (b), (c), and (d) as subsections (c), (d), and (e), respectively; by striking out the word “Account” where it first appears in subsection (c) as redesignated and inserting in lieu thereof “Railroad Retirement Account and the Railroad Retirement Supplemental Account (hereinafter jointly referred to as ‘Accounts’ or ‘Railroad Retirement Accounts’)”; by striking out “Account” each time it appears elsewhere in such redesignated subsections and inserting in lieu thereof “Accounts”.

Effective date.

45 USC 228b.

SEC. 3. (a) The amendment made by section 1 of this title shall be effective with respect to individuals whose annuities under section 2 of the Railroad Retirement Act of 1937 are first awarded on or after July 1, 1966, provided that no supplemental annuity shall accrue for months before the calendar month following the month in which this Act is enacted: *Provided, however,* That if before July 1, 1966, an annuity was awarded to an individual under section 2(a) 4 or 5 of the Railroad Retirement Act of 1937, and such individual had recovered from disability and returned to the service of an employer before July 1, 1966, following which he was awarded an annuity after June 30, 1966, the annuity last awarded him shall be deemed to be an annuity first awarded within the meaning of this subsection but only if he would have a current connection with the railroad industry at the time the annuity last awarded begins to accrue, disregarding his earlier entitlement to an annuity.

60 Stat. 727.

(b) The Railroad Retirement Board is authorized to request the Secretary of the Treasury to transfer from the Railroad Retirement Account to the credit of the Railroad Retirement Supplemental Account such moneys as the Board estimates would be necessary for the payment of the Supplemental annuities, provided for in section 3(j) of the Railroad Retirement Act of 1937, for the six months next following enactment of this Act, and for administrative expenses necessary in the administration of such section 3(j) (which expenses are hereby authorized) until such time as an appropriation for such expenses is made pursuant to section 15(b) of such Act, and the Secretary shall make such transfer. The Railroad Retirement Board shall request the Secretary of the Treasury at any time before the expiration of one year following the enactment of this Act, to retransfer from the Railroad Retirement Supplemental Account to the credit of the Railroad Retirement Account the amount transferred to the Railroad Retirement Supplemental Account pursuant to the next preceding sentence, plus interest at a rate equal to the average rate of interest borne by all special obligations held by the Railroad Retirement Account on the last day of the fiscal year ending on June 30, 1966, rounded to the nearest multiple of one-eighth of 1 per centum, and the Secretary shall make such retransfer.

Transfer of funds.

Ante, p. 1073.

Ante, p. 1074.

## TITLE II—AMENDMENTS TO THE RAILROAD RETIREMENT ACT OF 1937 TO PROVIDE AN INCREASE IN CERTAIN ANNUITIES UNDER THE ACT

SEC. 201. (a) (1) Section 2(e) of the Railroad Retirement Act of 1937 is amended by striking out the period at the end thereof and inserting in lieu thereof the following: “: *And provided further*, That the spouse’s annuity provided for herein and in subsection (h) of this section shall be computed without regard to the reduction in the individual’s annuity under the first two provisos in section 3(a)(1) of this Act and without regard to the effect of section 3(a)(2) on the annuity of the individual from whom such spouse’s annuity derives.”.

Spouse’s annuity.

65 Stat. 683;

79 Stat. 858.

45 USC 228b.

73 Stat. 26.

(2) Section 2 of such Act is further amended by adding a new subsection at the end thereof as follows:

“(i) The spouse’s annuity provided under subsections (e) and (h) of this section shall (before any reduction on account of age) be reduced in accordance with the first two provisos in section 3(a)(1) of this Act except that the spouse’s annuity shall not be less than it would be had this Act not been amended in 1966.”

(b) Section 3(a) of such Act is amended by striking out all that appears therein and inserting in lieu thereof the following:

Computation of annuities.

50 Stat. 310.

45 USC 228c.

“SEC. 3. (a) (1) The annuity shall be computed by multiplying an individual’s ‘years of service’ by the following percentages of his ‘monthly compensation’: 3.58 per centum of the first \$50; 2.69 per centum of the next \$100; 1.79 per centum of the next \$300; and 1.67 per centum of the remainder up to an amount equal to one-twelfth of the current maximum annual taxable ‘wages’ as defined in section 3121 of the Internal Revenue Code of 1954: *Provided, however*, That in cases where an individual is entitled to a benefit under title II of the Social Security Act, the amount so computed shall be reduced by 6.55 per centum of the amount of such social security benefit (disregarding any increases in such benefit based on recomputations other than for the correction of errors after such reduction is first applied and any increases derived from changes in the primary insurance amount through legislation enacted after the Social Security Amendments of 1965): *Provided further*, That in determining social security benefit amounts for the purpose of this subsection, if such individual’s

68A Stat. 417.

26 USC 3121.

42 USC 401.

79 Stat. 286.

42 USC 302 note.

average monthly wage is in excess of \$400, only an average monthly wage of \$400 shall be used: *And provided further*, That the amount of an annuity as computed under this subsection shall not be less than it would be had this Act not been amended in 1966.

*Ante*, p. 1073.

“(2) Notwithstanding the provisions of paragraph (1) of this subsection, and of subsection (e) of this section, the annuity of an individual for a month with respect to which a supplemental annuity under subsection (j) of this section accrues to him shall be computed or recomputed under the provisions of this subsection, or of subsection (e) of this section, as in effect before their amendment in 1966: *Provided, however*, That if the application of the preceding provision of this paragraph would result in the amount of the annuity, plus the amount of a supplemental annuity (after adjustment under subsection (j) (2) of this section) payable to an individual for a month being lower than the amount which would be payable as an annuity except for such preceding provision, the annuity shall be in an amount which together with the amount of the supplemental annuity would be no less than the amount that would be payable as an annuity but for such preceding provision.”

70 Stat. 1076.  
45 USC 228c.

(c) Section 3(e) of such Act is amended by striking out all that precedes the first proviso and inserting in lieu thereof the following: “In the case of an individual having a current connection with the railroad industry, the minimum annuity payable shall, before any reduction pursuant to section 2(a) (3), be whichever of the following is the least: (1) \$5.35 multiplied by the number of his years of service; or (2) \$89.35; or (3) 118 per centum of his monthly compensation except that the minimum annuity so determined shall be reduced in accordance with the first two provisos in subsection (a) (1) of this section, but shall not be less than it would be had this Act not been amended in 1966.”

75 Stat. 585.  
45 USC 228b.

*Ante*, p. 1075.

65 Stat. 686.  
45 USC 228e.

(d) Section 5(h) of such Act is amended by striking out all that appears therein and substituting in lieu thereof the following:

“MAXIMUM AND MINIMUM ANNUITY TOTALS.—Whenever according to the provisions of this section as to annuities payable for a month with respect to the death of an employee, the total annuities is more than \$38.84 and exceeds either (a) \$207.15, or (b) an amount equal to two and two-thirds times such employee's basic amount, whichever of such amounts is the lesser, such total of annuities shall, after any deductions under subsection (i), be reduced to such lesser amount or to \$38.84, whichever is greater. Whenever such total of annuities is less than \$18.14, such total shall, prior to any deductions under subsection (i), be increased to \$18.14: *Provided, however*, That the share of any individual in an amount so determined shall be reduced in accordance with the first two provisions in section 3(a) (1) of this Act except that the share of such individual shall not be less than it would be had this Act not been amended in 1966.”

60 Stat. 731.

“Basic amount.”

(e) Section 5(1) (10) of such Act is amended—

(1) by striking out all that appears in subdivision (i) and inserting in lieu thereof the following: “for an employee who will have been partially insured, or completely insured solely by virtue of paragraph (7)(i) or (7)(ii), or both: the sum of (A) 52.4 per centum of his average monthly remuneration, up to and including \$75; plus (B) 12.8 per centum of such average monthly remuneration exceeding \$75 and up to and including \$450; plus (C) 12 per centum of such average monthly remuneration exceeding \$450 and up to and including an amount equal to one-twelfth of the current maximum annual taxable ‘wages’ as defined in section 3121 of the Internal Revenue Code of 1954, plus (D) 1 per

68A Stat. 417.  
26 USC 3121.

centum of the sum of (A) plus (B) plus (C) multiplied by the number of years after 1936 in each of which the compensation, wages, or both, paid to him will have been equal to \$200 or more; if the basic amount thus computed is less than \$18.14, it shall be increased to \$18.14;" and

(2) by striking out in subdivision (ii) thereof "49" wherever it appears and inserting in lieu thereof "52.4", by striking out in such subdivision "12" and inserting in lieu thereof "12.8", by striking out in such subdivision "\$40.33" and inserting "\$43.15", by striking out in such subdivision "\$30.25" and inserting in lieu thereof "\$32.37", and by striking out in such subdivision "\$16.13" and inserting in lieu thereof "\$17.26".

(f) Section 5 of such Act is amended by adding at the end thereof the following new subsection:

"(m) An annuity payable under this section to an individual, without regard to subsection (h) of this section or the proviso in the first paragraph of section 3(e) of this Act, shall be reduced in accordance with the first two provisos in section 3(a)(1) of this Act except that the amount of the annuity shall not be less than it would be had this Act not been amended in 1966."

(g) All pensions under section 6 of the Railroad Retirement Act of 1937, all joint and survivor annuities and survivor annuities deriving from joint and survivor annuities under that Act awarded before the month following the month of enactment of this Act, all widows' and widowers' insurance annuities which began to accrue before the second month following the month of enactment of this Act, and which, in accordance with the proviso in section 5(a) or section 5(b) of the Railroad Retirement Act of 1937, are payable in the amount of a spouse's annuity to which the widow or widower was entitled (except those of such insurance annuities which are based on a spouse's annuity which was payable in the maximum amount as determined in accordance with the provisions of the Social Security Act as amended by the Social Security Amendments of 1965), and all annuities under the Railroad Retirement Act of 1935 are increased by 7 per centum, but such a widow's or widower's annuity in an amount formerly received as a spouse's annuity shall not be increased to an amount above \$74.80: *Provided, however*, That in cases where an individual is entitled to a benefit under title II of the Social Security Act, the additional amount payable because of this subsection shall be reduced by 6.55 per centum of the amount of such social security benefit (disregarding any increases in such benefit based on recomputations other than for the correction of errors after such reduction is first applied and any increases derived from changes in the primary insurance amount through legislation enacted after the Social Security Amendments of 1965): *Provided further*, That in determining social security benefit amounts for the purpose of this subsection, if such individual's average monthly wage is in excess of \$400, only the average monthly wage of \$400 shall be used.

SEC. 202. (a) The amendments made by section 201 of this title shall be effective with respect to annuities accruing for months after the month in which this Act is enacted, and with respect to pensions due in calendar months after the month next following the month in which this Act is enacted. The amendments made by subsection (e) of section 201 of this title shall be effective as to lump-sum benefits under section 5(f)(1) of the Railroad Retirement Act of 1937 with respect to deaths occurring on or after the date of enactment of this Act.

73 Stat. 27.

60 Stat. 729.  
45 USC 228e.

Ante, p. 1076.

65 Stat. 685.  
45 USC 228c.  
Ante, p. 1075.50 Stat. 312.  
45 USC 228f.

65 Stat. 685.

79 Stat. 286.  
42 USC 302 note.  
49 Stat. 967.  
45 USC 215-228  
notes.

42 USC 401.

Effective date.

60 Stat. 729.

(b) All recertifications required by reason of the amendments made by this title shall be made by the Railroad Retirement Board without application therefor.

### TITLE III—AMENDMENTS TO THE RAILROAD RETIREMENT TAX ACT

#### CHANGES IN TAX RATES

79 Stat. 861.  
26 USC 3201.

SEC. 301. (a) Section 3201 of the Internal Revenue Code of 1954 (relating to rate of tax on employees under the Railroad Retirement Tax Act) is amended by striking out "6¾ percent" from subdivision "(3)" and inserting in lieu thereof "7 percent"; by striking out "7 percent" from subdivision "(4)" and inserting in lieu thereof "7¼ percent"; and by striking out "7¼ percent" from subdivision "(5)" and inserting in lieu thereof "7½ percent".

26 USC 3211.

(b) Section 3211 of such Code (relating to rate of tax on employee representatives under the Railroad Retirement Tax Act) is amended by striking out "13½ percent" from subdivision "(3)" and inserting in lieu thereof "14 percent"; by striking out "14 percent" from subdivision "(4)" and inserting in lieu thereof "14½ percent"; and by striking out "14½ percent" from subdivision "(5)" and inserting in lieu thereof "15 percent".

79 Stat. 862.  
26 USC 3221.

(c) Section 3221(a) of such Code (relating to rate of tax on employers under the Railroad Retirement Tax Act) is amended by striking out "6¾ percent" from subdivision "(3)" and inserting in lieu thereof "7 percent"; by striking out "7 percent" from subdivision "(4)" and inserting in lieu thereof "7¼ percent"; and by striking out "7¼ percent" from subdivision "(5)" and inserting in lieu thereof "7½ percent".

#### SUPPLEMENTAL TAXES

(d) Section 3211 of such Code is further amended by inserting "(a)" after "SEC. 3211" and by adding at the end thereof the following new subsection:

"(b) In addition to other taxes, there is hereby imposed on the income of each employee representative a tax equal to 2 cents for each man-hour for which compensation is paid to him for services rendered as an employee representative."

(e) Section 3221 of such Code is further amended by adding at the end thereof the following new subsection:

"(c) In addition to other taxes, there is hereby imposed on every employer an excise tax, with respect to having individuals in his employ, equal to 2 cents for each man-hour, for which compensation is paid. With respect to daily, weekly, or monthly rates of compensation such tax shall apply to the number of hours comprehended in the rate together with the number of overtime hours for which compensation is added to the daily, weekly, or monthly rate is paid. With respect to compensation paid on a mileage or piecework basis such tax shall apply to the number of hours constituting the hourly equivalent of the compensation paid.

"Each employer of employees whose supplemental annuities are reduced pursuant to section 3(j)(2) of the Railroad Retirement Act of 1937 shall be allowed as a credit against the tax imposed by this subsection an amount equivalent in each month to the aggregate amount of reductions in supplemental annuities accruing in such month to employees of such employer. If the credit so allowed to such an employer for any month exceeds the tax liability of such employer accru-

Ante, p. 1073.

ing under this subsection in such month, the excess may be carried forward for credit against such taxes accruing in subsequent months but the total credit allowed by this paragraph to an employer shall not exceed the total of the taxes on such employer imposed by this subsection. At the end of each calendar quarter the Railroad Retirement Board shall certify to the Secretary of the Treasury with respect to each such employer the amount of credit accruing to such employer under this paragraph during such quarter and shall notify such employer as to the amount so certified."

(f) The amendments made by subsections (d) and (e) of this section shall be effective with respect to man-hours, for sixty months beginning with the first month following enactment of this Act, for which compensation is paid.

Approved October 30, 1966.

Effective date.

Public Law 89-700

AN ACT

October 30, 1966  
[H. R. 14355]

To amend the Railroad Retirement Act of 1937, the Railroad Unemployment Insurance Act, and the Railroad Retirement Tax Act to make certain technical changes, to provide for survivor benefits to children ages eighteen to twenty-one, inclusive, and for other purposes.

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

TITLE I—AMENDMENTS TO THE RAILROAD RETIREMENT ACT OF 1937

Railroad Retirement Act of 1937, Railroad Unemployment Insurance Act, and Railroad Retirement Tax Act, amendment.  
50 Stat. 308.  
45 USC 228a.

SEC. 101. (a) Section 1(e) of the Railroad Retirement Act of 1937 is amended by striking out "Alaska, Hawaii,".

(b) The third sentence of section 1(h) (1) of such Act is amended by striking out "subsections (a), (c), and (d) of section 2 and subsection (a) of section 5" and inserting in lieu thereof "sections 2 and 5"; and by striking out "(1)" and "(2)" and inserting in lieu thereof "(i)" and "(ii)", respectively.

(c) Section 1(q) of such Act is amended by striking out "in 1965" and inserting in lieu thereof "from time to time".

79 Stat. 400.

SEC. 102. (a) Section 2(a) of the Railroad Retirement Act of 1937 is amended by striking out from the third sentence of the last paragraph thereof the phrase "the month" and inserting in lieu thereof the following: "the second month following the month".

60 Stat. 728.  
45 USC 228b.

65 Stat. 683;  
69 Stat. 715.

(b) Section 2(e) of such Act is amended—

(1) by striking out from clause (ii) “who, if her husband were then to die, would be entitled to a child’s annuity under subsection (c) of section 5” and inserting in lieu thereof “who meets the qualifications prescribed in section 5(1) (1) (without regard to the provisions of clause (ii) (B) thereof”); and

Post, p. 1083.

(2) by striking out the words “from time to time” immediately before the colon preceding the first proviso.

(c) Section 2(g) of such Act is amended by striking out “who, if her husband were then to die, would be entitled to an annuity under subsection (c) of section 5” and inserting in lieu thereof “who meets the qualifications prescribed in section 5(1) (1) (without regard to the provisions of clause (ii) (B) thereof”.

(d) Section 2 of such Act is further amended by adding at the end thereof the following new subsection:

75 Stat. 585;  
73 Stat. 26.

“(j) In cases where an annuity awarded under subsection (a) (3) or (h) of this section is increased either by a recomputation or a change in the law, the reduction for the increase in the annuity shall be determined separately and the period with respect to which the reduction applies shall be determined as if such increase were a separate annuity payable for and after the first month for which such increase is effective.”

45 USC 228c.

SEC. 103. (a) Section 3(b) (1) of the Railroad Retirement Act of 1937 is amended by striking out the phrase “after January 1, 1937” wherever it appears in said section and inserting in lieu thereof “subsequent to December 31, 1936”.

45 USC 228h.

(b) Section 3(c) of such Act is amended by inserting after the last sentence thereof the following new sentence: “Where an employee claims credit for months of service rendered within two years prior to his retirement from the service of an employer, with respect to which the employer’s return pursuant to section 8 of this Act has not been entered on the records of the Board before the employee’s annuity could otherwise be certified for payment, the Board may, in its discretion (subject to subsequent adjustment at the request of the employee) include such months in the computation of the annuity without further verification and may consider the compensation for such months to be the average of the compensation for months in the last period for which the employer has filed a return of the compensation of such employee and such return has been entered on the records of the Board.”

65 Stat. 685;  
73 Stat. 26.  
45 USC 228c.

(c) (1) Section 3(e) of such Act is amended by striking out from the first proviso in the first paragraph the following: “is less than 110 per centum of the amount, or 110 per centum of the additional amount”, and inserting in lieu thereof the following: “is less than the total amount, or the additional amount, plus 10 per centum of the total amount”; by inserting the word “and” before “women entitled to spouses’ annuities”; by striking out from such proviso “and individuals entitled to insurance annuities under subsection (c) of section 5

on the basis of disability to be less than eighteen years of age"; and by striking out the last comma from such proviso and all that follows in such proviso and inserting in lieu thereof the following: "shall be increased proportionately to such total amount, or such additional amount, plus 10 per centum of such total amount."

(2) The said section 3(e) is further amended by striking out "entire"; and by inserting before the period at the end of the first paragraph ": *Provided further*, That if an annuity accrues to an individual for a part of a month, the amount payable for such part of a month under the preceding proviso shall be one-thirtieth of the amount payable under the proviso for an entire month, multiplied by the number of days in such part of a month".

(d) Paragraph (5) of section 3(f) of such Act is amended by inserting after the phrase "the Social Security Act" the following: ", as in effect before 1957,".

(e) Section 3(g) of such Act is amended by adding at the end thereof the following: "In cases where an individual entitled to an annuity under this Act disappears, no annuity shall accrue to him or to his spouse as such with respect to any month until and unless such individual is shown, by evidence satisfactory to the Board, to have continued in life throughout such month. Where an annuity would accrue for months under section 2(a) for such individual, and under section 2(e) for such individual's spouse, had he been shown to be alive during such months, he shall be deemed, for the purposes of benefits under section 5, to have died in the month in which he disappeared and to have been completely insured: *Provided, however*, That if he is later determined to have been alive during any of such months, recovery of any benefits paid on the basis of his compensation under section 5 for the months in which he was not known to be alive, minus the total of the amounts that would have been paid as a spouse's annuity during such months (treating the application for a widow's annuity as an application for a spouse's annuity), shall be made in accordance with the provisions of section 9."

(f) Section 3(i) of such Act is amended to read as follows:

"(i) If the amount of any annuity computed under this section (other than the proviso of subsection (e)), under section 2 (other than a spouse's annuity payable in the maximum amount), and under section 5, does not, after any adjustment, end in a digit denoting 5 cents, it shall be raised so that it will end in such a digit. If the amount of any annuity under this Act (other than an annuity ending in a digit denoting 5 cents pursuant to the next preceding sentence) is not, after any adjustment, a multiple of \$0.10, it shall be raised to the next higher multiple of \$0.10."

SEC. 104. Section 4 of the Railroad Retirement Act of 1937 is amended by redesignating subsections "(i)", "(j)", "(k)", and "(l)"

72 Stat. 1779.

50 Stat. 311.

45 USC 228b.

45 USC 228e; Post, p. 1082.

54 Stat. 1100.  
45 USC 228i.  
72 Stat. 1779.

54 Stat. 1014;  
60 Stat. 729.  
45 USC 228c-1.

as “(h)”, “(i)”, “(j)”, and “(k)”, respectively; by redesignating subsections “(n)”, “(o)”, “(p)”, “(q)”, and “(r)” as “(l)”, “(m)”, “(n)”, “(o)”, and “(p)”, respectively; by striking out the phrase “subsection (k)” in subsection “(k)” as redesignated, and inserting in lieu thereof “subsection (j)”; and by striking out “(p)(1)” in subsection “(1)” as redesignated and inserting in lieu thereof “(n)(1)”.

SEC. 105. (a) The first sentence of section 5(b) of the Railroad Retirement Act of 1937 is amended by striking out “employee entitled to receive an annuity under subsection (c)” and inserting in lieu thereof “employee, which child (without regard to the provisions of subsection (1)(1)(ii)(B)) is entitled to receive an annuity under subsection (c)”.

(b)(1) The second sentence of such section 5(b) is amended by striking out “no child of the deceased employee is entitled” and inserting in lieu thereof “no child of the deceased employee (without regard to the provisions of subsection (1)(1)(ii)(B)) is entitled”.

(2) The proviso in said section 5(b) and the proviso in section 5(a) are each amended by striking out the words “subsection (e) of”.

(c) Section 5(f)(1) of such Act is amended (1) by striking out the second sentence thereof and inserting in lieu thereof the following: “If there be no such widow or widower, such lump sum shall be paid—

“(i) if all or part of the burial expenses of such insured individual which are incurred by or through a funeral home or funeral homes remain unpaid, to such funeral home or funeral homes to the extent of such unpaid expenses, but only if (A) any person who assumed the responsibility for the payment of all or any part of such burial expenses files an application, prior to the expiration of two years after the date of death of such insured individual, requesting that such payment be made to such funeral home or funeral homes, or (B) at least ninety days have elapsed after the date of death of such insured individual and prior to the expiration of such ninety days no person has assumed responsibility for the payment of any of such burial expenses;

“(ii) if all of the burial expenses of such insured individual which were incurred by or through a funeral home or funeral homes have been paid (including payments made under clause (i)), to any person or persons, equitably entitled thereto, to the extent and in the proportions that he or they shall have paid such burial expenses; or

“(iii) if any part of the amount payable under this subsection remains after payments have been made pursuant to clauses (i) and (ii), to any person or persons, equitably entitled thereto, to the extent and in the proportions that he or they shall have paid other expenses in connection with the burial of such insured individual, in the following order of priority: (A) expenses of opening and closing the grave of such insured individual, (B) expenses of providing the burial plot of such insured individual, and (C) any remaining expenses in connection with the burial of such insured individual.”

and (2) by striking out from the third sentence thereof all after the phrase “this paragraph” where it appears the second time in such sentence and inserting in lieu thereof the following: “to the widow or widower to whom a lump sum would have been payable under this paragraph except for the fact that a monthly benefit under this section was payable for the month in which the employee died and who will not have died before receiving payment of such lump sum.”

(d)(1) Section 5(f)(2) of such Act is amended by inserting after “1961” the following: “, and before January 1, 1966, plus an amount equal to the total of all employee taxes payable by him or her after

60 Stat. 729.  
45 USC 228e.

Post, p. 1084.

65 Stat. 685.  
72 Stat. 1779.

62 Stat. 577;  
73 Stat. 27.

December 31, 1965, under the provisions of section 3201 of the Railroad Retirement Tax Act, plus one-half of 1 per centum of the compensation on which such taxes were payable, deeming the compensation attributable to creditable military service rendered after June 30, 1963, to be taxable compensation, and one-half of the taxes payable by an employee representative under section 3211 of the Railroad Retirement Tax Act to be employee taxes payable under section 3201 of such Act". The said section 5(f)(2) is further amended by striking out the colon before the proviso and inserting in lieu thereof the following: "(for this purpose, payments to providers of services under section 21 of this Act and the amount of the employee tax attributable to so much in tax rate as is derived from section 3101(b) of the Internal Revenue Code of 1954, shall be disregarded):".

73 Stat. 28.  
26 USC 3201.

26 USC 3211.  
62 Stat. 577.  
45 USC 228e.

79 Stat. 340.  
45 USC 228s-2.

79 Stat. 395.  
26 USC 3101.

(2) The said section 5(f)(2) is further amended by striking out the phrase "upon attaining retirement age (as defined in section 216(a) of the Social Security Act)" wherever it appears and inserting in lieu thereof "upon attaining the age of eligibility".

(e) Section 5(g) of such Act is amended by striking out paragraph (3) thereof.

65 Stat. 686.

(f) Section 5(i) of such Act is amended by inserting in paragraph 3(i) after "Retirement Acts" the following: "as in effect before 1947" and by striking out the word "and"; by inserting after "employee" in paragraph 3(ii) "before 1947", and by changing the period to a semicolon and inserting thereafter the word "and"; by inserting after paragraph 3(ii) the following: "(iii) any lump-sum benefit, paid to the same person, with respect to the death of such employee under subsection (f)(2)"; and by inserting after paragraph (3) thereof the following new paragraph:

60 Stat. 731;  
72 Stat. 1780.

"(4) Any annuity for a month prior to the month in which application is filed shall be reduced, to any extent that may be necessary, so that it will not render erroneous any annuity which, before the filing of such application, the Board has certified for payment for such prior month.";

and by changing "(4)" to "(5)" in the last paragraph thereof.

(g) Section 5(i)(1)(ii) of such Act is amended by inserting before "; or" the following: ": *Provided, however,* That in determining an individual's excess earnings for a year for the purposes of this section and section 3(e) there shall not be included his income from employment or self-employment during months beginning with the month with respect to which he ceases to be qualified for an annuity or ceases, without regard to the effect of excess earnings, to be included in the computation under section 3(e)".

68 Stat. 1098.

45 USC 228c.

(h) Section 5(j) of such Act is amended by inserting before the period at the end thereof the following: ": *Provided, however,* That the annuity of a child qualified under subsection (1)(1)(ii)(C) of this section shall cease to be payable with the month preceding the third month following the month in which he ceases to be unable to engage in any regular employment by reason of a permanent physical or mental condition unless in the month herein first mentioned he qualifies for an annuity under one of the other provisions of this Act".

Post, p. 1084.

(i) Section 5(k)(1) of such Act is amended by striking out "section 210(a)(10)" and inserting in lieu thereof "section 210(a)(9)".

(j)(1) Section 5(l)(1)(ii) of such Act is amended by striking out "or uncle" and inserting in lieu thereof "uncle, brother or sister".

65 Stat. 689;  
68 Stat. 1039.

(2) The said section 5(l)(1)(ii) is further amended by striking out "and shall be less than eighteen years of age, or shall have a permanent physical or mental condition which is such that he is unable to engage in any regular employment: *Provided,* That such

disability began before the child attains age eighteen; and” and inserting in lieu thereof the following: “and—

“(A) shall be less than eighteen years of age; or

“(B) shall be less than twenty-two years of age and a full-time student at an educational institution (determined as prescribed in this paragraph); or

“(C) shall, without regard to his age, be unable to engage in any regular employment by reason of a permanent physical or mental condition which began before he attained age eighteen, and”.

(3) Section 5(1)(1) of such Act is further amended (i) by inserting before the period at the end of the second sentence thereof the following: “, or if such widow or widower would be paid benefits, as such, under title II of the Social Security Act but for the fact that the employee died insured under this Act”; (ii) by inserting after “subsection (f) of section 2” in the fourth sentence thereof the following: “and subsection (f) of section 3”; (iii) by inserting after such fourth sentence the following new sentence: “In determining for purposes of this section and subsection (f) of section 3 whether an applicant is the grandchild, brother, or sister of an employee as claimed, the rules set forth in section 216(h)(1) of the Social Security Act, as in effect prior to 1957, shall be applied the same as if such persons were included in such section 216(h)(1).”; (iv) by changing the semicolon at the end thereof to a period and inserting thereafter the following: “The provisions of paragraph (8) of section 202(d) of the Social Security Act (defining the terms ‘full-time student’ and ‘educational institution’) shall be applied by the Board in the administration of this section as if the references therein to the Secretary were references to the Board. For purposes of the last sentence of subsection (j) of this section, a child entitled to a child’s insurance annuity only on the basis of being a full-time student described in clause (ii)(B) of this paragraph shall cease to be qualified therefor in the first month during no part of which he is a full-time student, or the month in which he attains age 22, whichever first occurs. A child whose entitlement to a child’s insurance annuity, on the basis of the compensation of an insured individual, terminated with the month preceding the month in which such child attained age eighteen, or with a subsequent month, may again become entitled to such an annuity (providing no event to disqualify the child has occurred) beginning with the first month thereafter in which he is a full-time student and has not attained the age of twenty-two, if he has filed an application for such reentitlement.”; and (v) by striking out the semicolon from the end of paragraphs “(2)”, “(3)”, “(5)”, “(7)”, and “(9)” and inserting in lieu thereof a period.

(k) Section 5(1)(9) of such Act is amended by inserting after the last sentence of the first paragraph thereof the following new sentence: “In any case where credit is claimed for months of service within two years prior to the death of the employee who rendered such service, with respect to which the employer’s return pursuant to section 8 of this Act has not been entered on the records of the Board before a benefit under this section could otherwise be certified for payment, the Board may, in its discretion (subject to subsequent adjustment at the request of the survivor) include the compensation for such months in the computation of the benefit without further verification and may consider the compensation for such months to be the average of the compensation for months in the last period for which the employer has filed a return of the compensation of such employee.”

50 Stat. 733;  
65 Stat. 689.  
45 USC 228e.

72 Stat. 1778.  
45 USC 228c.

42 USC 416.

79 Stat. 371.  
42 USC 402.

*Supra.*

50 Stat. 313.  
45 USC 228h.

SEC. 106. Section 8 of the Railroad Retirement Act of 1937 is amended by striking out from the first sentence the phrase "under oath"; and by striking out from the second sentence the phrase "claimed to will have been paid" and inserting in lieu thereof "claimed to have been paid".

50 Stat. 313;  
60 Stat. 735.  
45 USC 228h.

SEC. 107. (a) The first sentence of section 9(a) of the Railroad Retirement Act of 1937 is amended by inserting after "individual", where it appears the third time, the following: "or, on the basis of the same compensation, any other individual".

54 Stat. 1100.  
45 USC 228i.

(b) The second sentence of such section 9(a) is amended by striking out the phrase "such individual" where it first appears in such sentence, and inserting in lieu thereof "the individual to whom more than the correct amount has been paid".

SEC. 108. Section 10 of the Railroad Retirement Act of 1937 is amended (i) by inserting after the seventh sentence of subsection (b) the following new sentence: "Subject to the provisions of this subsection, the Board may furnish information from such records and data to any person or organization upon payment by such person or organization to the Board of the cost incurred by the Board by reason thereof; and the amounts so paid to the Board shall be credited to the Railroad Retirement Account."; and (ii) by inserting after the end of such section 10 the following new paragraph:

45 USC 228j.

"6. In addition to the powers and duties expressly provided, the Board shall have and exercise with respect to the administration of this Act such of the powers, duties, and remedies provided in subsections (d), (m), and (n) of section 12 of the Railroad Unemployment Insurance Act as are not inconsistent with the express provisions of this Act."

52 Stat. 1107;  
60 Stat. 740.  
45 USC 362.  
56 Stat. 207.  
45 USC 228s.

SEC. 109. (a) Section 19(a) of the Railroad Retirement Act of 1937 is amended by striking out the proviso and inserting in lieu thereof the following: "Provided, however, That, regardless of the legal competency or incompetency of an individual entitled to a benefit (under any Act administered by the Board), the Board may, if it finds the interest of such individual to be served thereby, recognize actions by, and conduct transactions with, and make payments to, such individual, or recognize actions by, and conduct transactions with, and make payments to, a relative or some other person for such individual's use and benefit."

(b) The first sentence of section 19(b) of such Act is amended by inserting after "in the manner and to the extent prescribed by the Board," the following: "but subject to the provisions of the preceding subsection."

SEC. 110. Section 20 of the Railroad Retirement Act of 1937 is amended by striking out "(a)" after "SEC. 20."

45 USC 228s-1.

SEC. 111. Section 202 of part II of such Act is amended by striking out "(g) to (l)" and inserting in lieu thereof "(g) to (k)".

56 Stat. 207.  
45 USC 215-  
228 notes.

#### EFFECTIVE DATES

SEC. 112. (a) The amendments made by the several sections of this title shall be effective on the enactment date of this Act except as otherwise provided herein.

(b) The amendments made by sections 102(a) and 105(h) shall be effective with respect to determinations of recovery from disability made on or after the enactment date of this Act.

(c) The amendments made by sections 102(b) and 102(c) shall be effective with respect to months after the month of enactment.

(d) The amendments made by section 102(d) shall be effective with respect to recomputations made, or changes in law enacted, on or after the enactment date of this Act.

(e) The amendments made by sections 103(b) and 105(k) shall be effective with respect to annuities awarded on or after the enactment date of this Act.

(f) The amendments made by section 103(c)(1) shall be effective with respect to annuities accruing in or after the month of enactment.

(g) The amendments made by sections 103(c)(2), 103(f), and 105(f) shall be effective with respect to awards made on or after the enactment date of this Act.

(h) The amendments made by section 103(e) shall be effective with respect to months after the month in which this Act is enacted.

(i) The amendments made by sections 105(a), 105(b)(1), and 105(j)(2) shall be effective with respect to annuities accruing for months after 1964 where, pursuant to the next sentence, no application for the annuity is required or, if required, such application is filed within one year after the month of enactment of this Act; otherwise, the twelve-month limitation on retroactivity, provided for in section 5(j) of the Railroad Retirement Act of 1937, shall apply. In the case of an individual who is not entitled to a child's insurance annuity under section 5(c) of the Railroad Retirement Act of 1937 for the month in which this Act is enacted, such amendments shall apply only on the basis of an application filed in or after the month in which this Act is enacted; except that no application shall be required of a child age eighteen to twenty-one, inclusive, with respect to whom the Board has information on the date of enactment of this Act of his eligibility for an annuity under the amendments made by section 105(j)(2) of this Act through the application of section 3(e) of the Railroad Retirement Act of 1937.

(j) The amendments made by section 105(c)(1) shall be effective with respect to lump-sum payments awarded on or after the enactment date of this Act.

(k) The amendments made by section 105(c)(2) shall be effective with respect to deaths occurring in or after the twelfth month preceding the month of enactment.

(l) The amendments made by section 105(d)(1) shall be effective with respect to deaths occurring on or after the enactment date of this Act.

(m) The amendments made by section 105(g) shall be effective with respect to deductions made in the calendar year 1966 and thereafter.

(n) The amendments made by section 105(j)(1) shall be effective with respect to annuities under section 5(c) of the Railroad Retirement Act for months after the month in which this Act is enacted; except that in the case of an individual who was not entitled to an annuity under section 5(c) of such Act for the month in which this Act was enacted, such amendment shall apply only on the basis of an application filed in or after the month in which this Act is enacted.

(o) The amendment made by section 105(j)(3)(i) shall be effective with respect to annuities for months after the month of enactment of this Act. No lump-sum benefit under section 5(f)(2) of the Railroad Retirement Act of 1937 shall be awarded after the date of enactment of this Act in any case in which an individual survives who would be entitled to an annuity under the amendment made by this section unless such individual executes an election in accordance with such section 5(f)(2) before attainment of age 60 to have such benefit paid in lieu of other benefits.

60 Stat. 732;  
68 Stat. 1097.  
45 USC 228e.

45 USC 228c.

62 Stat. 577.  
45 USC 228e.

**TITLE II—AMENDMENTS TO THE RAILROAD  
UNEMPLOYMENT INSURANCE ACT**

SEC. 201. (a) Section 1(i) of the Railroad Unemployment Insurance Act is amended by striking out "section 8" and inserting in lieu thereof "section 6 of this Act".

60 Stat. 722.  
45 USC 351.

(b) Section 1(k) of such Act is amended by striking out "\$500" and inserting in lieu thereof "\$750".

73 Stat. 30.

(c) Sections 1(s) and 1(t) of such Act are each amended by striking out ", Alaska, Hawaii."

52 Stat. 1096.

SEC. 202. (a) Section 2(a) of the Railroad Unemployment Insurance Act is amended by striking out the first line from the table thereof and by substituting "\$750" for "700" in the second line of such table.

73 Stat. 30.  
45 USC 352.

(b) Section 2(g) of such Act is amended by striking out all of said section after "whom any" and inserting in lieu thereof the following: "accrued annuities under section 3(f) (1) of the Railroad Retirement Act of 1937 are paid. In the event that no such accrued annuities are paid, and if application for such accrued benefits is filed prior to the expiration of two years after the death of the individual to whom such benefits accrued, such accrued benefits shall be paid, upon certification by the Board, to the individual or individuals who would be entitled thereto under section 3(f) (1) of the Railroad Retirement Act of 1937 if such accrued benefits were accrued annuities. If there is no individual to whom all or any part of such accrued benefits can be paid in accordance with the foregoing provisions, such benefits or part thereof shall escheat to the credit of the account."

53 Stat. 848.

72 Stat. 1778.  
45 USC 228c.

SEC. 203. The first sentence of section 6 of the Railroad Unemployment Insurance Act is amended by striking out the phrase "under oath".

54 Stat. 1099.  
45 USC 356.

SEC. 204. (a) Section 8(b) of the Railroad Unemployment Insurance Act is amended by striking out "3¾ per centum" and inserting in lieu thereof "4 per centum".

73 Stat. 32.  
45 USC 358.

(b) Section 8(h) of such Act is amended by striking out "section 1800 or 2700 of the Internal Revenue Code, and the provisions of section 3661 of such code" and inserting in lieu thereof "the provisions of the Railroad Retirement Tax Act".

60 Stat. 739.

SEC. 205. Sections 10(a) and 11(a) of the Railroad Unemployment Insurance Act are each amended by striking out "0.2 per centum" and inserting in lieu thereof "0.25 per centum".

62 Stat. 578.  
45 USC 360,  
361.

SEC. 206. Section 12 of the Railroad Unemployment Insurance Act is amended by adding at the end of subsection (d) thereof the following new sentence: "Subject to the provisions of this section, the Board may furnish such information to any person or organization upon payment by such person or organization to the Board of the cost incurred by the Board by reason thereof; and the amounts so paid to the Board shall be credited to the railroad unemployment insurance administration fund established pursuant to section 11(a) of this Act."; and by striking out "section 3(a)" from subsection (g) and inserting in lieu thereof "section 3".

52 Stat. 1107.  
45 USC 362.

TITLE III—AMENDMENTS TO THE RAILROAD RETIREMENT ACT, THE RAILROAD UNEMPLOYMENT INSURANCE ACT, AND THE RAILROAD RETIREMENT TAX ACT

SEC. 301. Sections 3(c), 5(f)(2), and 5(1)(9) of the Railroad Retirement Act of 1937, sections 8(a) and 8(b) of the Railroad Unemployment Insurance Act, and sections 3201, 3202, 3211, and 3221 of the Railroad Retirement Tax Act are amended by—

(i) striking out “before the calendar month next following the month in which this Act was amended in 1959”, wherever such language appears in such sections 3(c), 5(f)(2), 5(1)(9), 8(a) and 8(b), and inserting in each instance in lieu thereof “before June 1, 1959”;

(ii) by striking out the language “after the month in which this Act was so amended” wherever such language appears in such sections 8(a) and 8(b) and inserting in each instance in lieu thereof “after May 31, 1959”;

(iii) by striking out the language “after the month in which this provision was amended in 1959”, wherever such language appears in such sections 3202 and 3221, and inserting in each instance in lieu thereof “after September 30, 1965”;

(iv) by striking out from such sections 3(c), 5(f)(2), and 5(1)(9) the language beginning with “\$400” down through the phrase “was so amended” where such phrase appears the third time and inserting in lieu thereof:

(a) in such section 3(c) the following: “\$400 for any month after May 31, 1959, and before November 1, 1963, or in excess of \$450 for any month after October 31, 1963, and before October 1, 1965, or in excess of (i) \$450, or (ii) an amount equal to one-twelfth of the current maximum annual taxable ‘wages’ as defined in section 3121 of the Internal Revenue Code of 1954, whichever is greater, for any month after September 30, 1965”;

(b) in such section 5(f)(2) the following: “\$400 for any month after May 31, 1959, and before November 1, 1963, and in excess of \$450 for any month after October 31, 1963, and before October 1, 1965, and in excess of (i) \$450, or (ii) an amount equal to one-twelfth of the current maximum annual taxable ‘wages’ as defined in section 3121 of the Internal Revenue Code of 1954, whichever is greater, for any month after September 30, 1965”; and

(c) in such section 5(1)(9) the following: “\$400 for any month after May 31, 1959, and before November 1, 1963, any excess of \$450 for any month after October 31, 1963, and before October 1, 1965, and any excess of (i) \$450, or (ii) an amount equal to one-twelfth of the current maximum annual taxable ‘wages’ as defined in section 3121 of the Internal Revenue Code of 1954, whichever is greater, for any month after September 30, 1965”;

(v) by striking out from such sections 3201, 3202, 3211, and 3221 the language (wherever it appears in such sections) beginning with “\$400” down through the phrase “was so amended” where such phrase appears the second time in such language and inserting in lieu thereof the following: “(i) \$450, or (ii) an amount equal to one-twelfth of the current maximum annual

45 USC 228c,  
228e, 358.  
26 USC 3201,  
3202, 3211,  
3221.

73 Stat. 26-32.

77 Stat. 219-  
221.  
79 Stat. 860,  
861.

26 USC 3121.

taxable 'wages' as defined in section 3121 of the Internal Revenue Code of 1954, whichever is greater, for any month after September 30, 1965"; and

26 USC 3121.

(vi) by striking out from the proviso in such sections 3201 and 3211, from subsection (b) of such section 3221 the phrase "after December 31, 1964" and inserting in lieu thereof "after September 30, 1965".

73 Stat. 28-30.  
26 USC 3201,  
3211, 3221.

SEC. 302. Section 3221(a) of the Railroad Retirement Tax Act is amended by adding at the end thereof the following new sentence: "Where compensation for services rendered in a month is paid an employee by two or more employers, one of the employers who has knowledge of such joint employment may, by proper notice to the Secretary of the Treasury, and by agreement with such other employer or employers as to settlement of their respective liabilities under this section and section 3202, elect for the tax imposed by section 3201 and this section to apply to all of the compensation paid by such employer for such month as does not exceed the maximum amount of compensation in respect to which taxes are imposed by such section 3201 and this section; and in such a case the liability of such other employer or employers under this section and section 3202 shall be limited to the difference, if any, between the compensation paid by the electing employer and the maximum amount of compensation to which section 3201 and this section apply.

Approved October 30, 1966.

## Public Law 89-701

### AN ACT

November 2, 1966  
[S. 2720]

To authorize the Secretary of the Interior to develop, through the use of experiment and demonstration plants, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is authorized to conduct, and through grants to and contracts with public and private agencies to promote studies, research, and experiments designed to develop the best and most economical processes and methods to reduce fish which are in abundant supply and which are not now widely sought after for human food to a nutritious, wholesome, and stable fish protein concentrate, as well as to conduct food technology and feasibility studies with respect to such products.

Fish protein  
concentrate.  
Studies.

SEC. 2. (a) The Secretary is also authorized to construct not to exceed one experiment and demonstration plant for the production of a fish protein concentrate and to acquire by lease one additional plant for such purpose. Such plants shall be designed to demonstrate the reliability and practicability and the economic, engineering, and operating potentials of the processes and methods to reduce fish to fish protein concentrate. Such plants shall be located in such geographical areas as the Secretary determines will demonstrate optimum feasibility from the standpoint of operation, maintenance, and economic potential. The Secretary of the Interior shall not commence construction of or lease any plant pursuant to the provisions of this

Demonstration  
plant.

Act until the Secretary of Health, Education, and Welfare shall have certified that fish protein concentrate produced from whole fish complies with the provisions of the Federal Food, Drug, and Cosmetics Act.

52 Stat. 1040.  
21 USC 301.  
Contracts.

(b) The Secretary may operate and maintain or contract for the operation and maintenance of such plants. Each operation and maintenance contract shall provide, in addition to such terms and conditions as the Secretary deems desirable, for the compilation by the contractor of complete records, including cost data, with respect to the operation, maintenance, and engineering of the plants. The records so compiled shall be made available to the public and to the Congress by the Secretary at periodic and reasonable intervals. Access by the public to the plants shall be assured during all phases of their operation subject to such reasonable restrictions as to time and place as the Secretary may require or approve.

Access to records.

(c) All contracts entered into pursuant to subsection (b) of this section shall include a clause to the effect that the Comptroller General of the United States or any of his duly authorized representatives shall until the expiration of three years after final payment have access to and the right to examine any directly pertinent books, documents, papers, and records of the contractor or any of his subcontractors engaged in the performance of and involving transactions related to such contracts or subcontracts.

Disposition.

(d) Each plant constructed or leased under this Act, and its equipment, upon the expiration of a period deemed adequate by the Secretary for experiment and demonstration purposes, shall, as promptly as practicable, be disposed of in accordance with the applicable provisions of the Federal Property and Administrative Services Act of 1949, as amended.

63 Stat. 377.  
40 USC 471 note.

(e) The Secretary may acquire lands or interests therein, patents, licenses, technical data, inventions, secret processes, supplies, and equipment by purchase, license, lease, or donation to carry out the provisions of this section.

Appropriation.

SEC. 3. There is authorized to be appropriated not to exceed \$1,000,000 for the construction of one experiment and demonstration plant. There is also authorized to be appropriated not to exceed \$1,555,000 annually for a period of five fiscal years, beginning with the fiscal year 1968, for the leasing of one additional experiment and demonstration plant, for the operation and maintenance of experiment and demonstration plants leased or constructed under this Act, and for conducting the program authorized by this Act. Sums appropriated under this section are authorized to remain available until expended. Nothing in this Act shall be construed to amend, repeal, or otherwise modify the authority of the Secretary of the Interior to carry out fish protein concentrate research under any other provision of law.

SEC. 4. The Secretary shall cooperate with public and private agencies, organizations, institutions, and individuals in carrying out the program authorized by this Act.

Expiration.

SEC. 5. The authority of the Secretary under this Act shall expire at the expiration of five years from the date of enactment of this Act.

Approved November 2, 1966, Anchorage, Alaska.

## Public Law 89-702

## AN ACT

To protect and conserve the North Pacific fur seals, to provide for the administration of the Pribilof Islands, to conserve the fur seals and other wildlife on the Pribilof Islands, and to protect sea otters on the high seas.

November 2, 1966  
[S. 2102]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Fur Seal Act of 1966".

Fur Seal Act of  
1966.

## TITLE I—CONSERVATION AND PROTECTION OF THE NORTH PACIFIC FUR SEALS

SEC. 101. It is unlawful, except as provided in this Act or by regulation of the Secretary of the Interior, for any person or vessel subject to the jurisdiction of the United States to engage in the taking of fur seals in the North Pacific Ocean or on lands or waters under the jurisdiction of the United States, or to use any port or harbor or other place under the jurisdiction of the United States for any purpose connected in any way with such taking, or for any person to transport, import, offer for sale, or possess at any port or place or on any vessel, subject to the jurisdiction of the United States, fur seals or the parts thereof, including, but not limited to, raw, dressed, or dyed fur seal skins, taken contrary to the provisions of this Act or the Convention, or for any person subject to the jurisdiction of the United States to refuse to permit, except within the territorial waters of the United States, a duly authorized official of Canada, Japan, or the Union of Soviet Socialist Republics to board and search any vessel which is outfitted for the harvesting of living marine resources and which is subject to the jurisdiction of the United States to determine whether such vessel is engaged in sealing contrary to the provisions of said Convention.

Prohibitions.

8 UST 2283;  
15 UST 316.

SEC. 102. (a) Indians, Aleuts, and Eskimos who dwell on the coasts of the North Pacific Ocean are permitted to take fur seals and dispose of their skins in any manner after the skins have been officially marked and certified by a person authorized by the Secretary of the Interior, provided that the seals are taken only in canoes not transported by or used in connection with other vessels, and propelled entirely by oars, paddles, or sails, and manned by not more than five persons each, in the way hitherto practiced and without the use of firearms.

Sealing permitted by Eskimos and Indians.

(b) The authority contained in this section shall not apply to Indians, Aleuts, and Eskimos who are employed by any person for the purpose of taking fur seals or are under contract to deliver the skins to any person.

SEC. 103. The Secretary of the Interior shall (1) conduct such scientific research and investigations on the fur seal resources of the North Pacific Ocean as he deems necessary to carry out the obligations of the United States under the Convention, and (2) permit, subject to such terms and conditions as he deems desirable, the taking, transportation, importation, exportation, or possession of fur seals or their parts for educational, scientific, or exhibition purposes.

Fur seal resources, scientific research.

SEC. 104. (a) The Secretary shall (1) take and cure fur seal skins on the Pribilof Islands and on lands subject to the jurisdiction of the United States whenever he deems such taking and curing is necessary to carry out the provisions of the Convention or to manage the fur seal herd, (2) employ natives of the Pribilof Islands and, when necessary, other persons for taking and curing of fur seal skins pursuant to this section, and compensate them at rates to be determined by the Secretary, (3) deliver to authorized agents of the parties such fur seal skins as the parties are entitled under the Convention, (4)

Authority of Interior Secretary.

utilize such quantities of fur seal skins taken pursuant to this section or forfeited to, or seized by, the United States as the Secretary deems desirable for product development and market promotion, (5) provide for the disposal or destruction of any fur seal skins that are damaged or that are determined by the Secretary to have no value or use as luxury furs, (6) provide for the processing of such quantities of fur seal skins as he deems desirable, (7) provide from time to time for the sale, pursuant to such terms and conditions as the Secretary deems desirable, of fur seal skins and products of fur seals not otherwise used or disposed of pursuant to this Act, and (8) deposit into the Pribilof Islands fund in the Treasury the proceeds from such sales, except that the Secretary shall pay annually to the Commission the proceeds from the sales of any fur seal skins that are taken contrary to the provisions of this title and the regulations issued thereunder or that are forfeited to the United States.

Agreements.

(b) The Secretary is authorized to enter into agreements with any public or private agency or person for the purpose of carrying out the provisions of this title, other than for the purpose of taking fur seals.

Vessel search.

SEC. 105. (a) Any person authorized to enforce the provisions of this Act who has reasonable cause to believe that any vessel outfitted for the harvesting of living marine resources and subject to the jurisdiction of any of the parties to the Convention is violating the provisions of article III of the Convention may, except within the territorial waters of another nation, board and search such vessel. Such person shall carry a special certificate of identification issued by the Secretary of the Interior or Secretary of the Treasury which shall be in English, Japanese, and Russian and which shall be exhibited to the master of the vessel upon request.

8 UST 2287.

Seizure or arrest.

(b) If, after boarding and searching such vessel, such person continues to have reasonable cause to believe that such vessel, or any person on board, is violating said article, he may seize such vessel or arrest such person, or both. The Secretary of State shall, as soon as practicable, notify the party having jurisdiction over the vessel or person of such seizure or arrest.

The Secretary of the Interior or the Secretary of the Treasury, upon request of the Secretary of State, shall deliver the seized vessel or arrested person, or both, as promptly as practicable to the authorized officials of said party: *Provided*, That whenever said party cannot immediately accept such delivery, the Secretary of the Interior or the Secretary of the Treasury may, upon request of the Secretary of State, keep the vessel or person under surveillance within the United States.

(c) At the request of said party, the Secretary of the Interior or the Secretary of the Treasury shall direct the person authorized to enforce the provisions of this Act to attend the trial as a witness in any case arising under said article or give testimony by deposition, and shall produce such records and files or copies thereof as may be necessary to establish the offense.

North Pacific  
Fur Seal Commis-  
sion.

Appointment of  
Commissioner by  
President.

SEC. 106. The President shall appoint to the Commission a United States Commissioner who shall serve at the pleasure of the President. The President may also appoint a Deputy United States Commissioner who shall serve at the pleasure of the President. The Deputy Commissioner shall be the principal adviser of the Commissioner, and shall perform the duties of the Commissioner in the case of his death, resignation, absence, or illness. The Commissioner and the Deputy Commissioner shall receive no compensation for their services. The Commissioners may be paid travel expenses and per diem in lieu of subsistence at the rates authorized by section 5 of the Administra-

tive Expense Act of 1946 (5 U.S.C. 73b-2) when engaged in the performance of their duties.

60 Stat. 808;  
Ante, p. 653.

SEC. 107. The Secretary of State, with the concurrence of the Secretary of the Interior, is authorized to accept or reject, on behalf of the United States, recommendations made by the Commission pursuant to article V of the Convention.

SEC. 108. The head of any Federal agency is authorized to consult with and provide technical assistance to the Secretary of the Interior or the Commission whenever such assistance is needed and can reasonably be furnished in carrying out the provisions of this title. Any Federal agency furnishing assistance hereunder may expend its own funds for such purposes, with or without reimbursement.

SEC. 109. As used in this title, the term—

Definitions.

(a) "Convention" means the Interim Convention on the Conservation of North Pacific Fur Seals signed at Washington, on February 9, 1957, by the parties, as amended by the protocol signed at Washington, on October 8, 1963, by the parties,

8 UST 2283;  
15 UST 316.

(b) "Party" or "parties" means the United States of America, Canada, Japan, and the Union of Soviet Socialist Republics,

(c) "Commission" means the North Pacific Fur Seal Commission established pursuant to article V of the convention,

(d) "Sealing" means the taking of fur seals,

(e) "North Pacific Ocean" means the waters of the Pacific Ocean north of the thirtieth parallel of north latitude, including the Bering, Okhotsk, and Japan Seas,

(f) "Import" means to land on, or bring into, or attempt to land on, or bring into any place subject to the jurisdiction of the United States.

## TITLE II—ADMINISTRATION OF THE PRIBILOF ISLANDS

SEC. 201. The Pribilof Islands shall continue to be administered as a special reservation by the Secretary of the Interior for the purposes of conserving, managing, and protecting the North Pacific fur seals and other wildlife, and for other purposes.

Conservation  
and management  
by Interior Secretary.

SEC. 202. The Secretary, in carrying out the provisions of this title, is authorized to enter into contracts or agreements or leases with, or to issue permits to, public or private agencies or persons, including the natives of said islands, in accordance with such terms and conditions as he deems desirable for the use of any Government-owned real or personal property located on the Pribilof Islands, for the furnishing of accommodations for tourists and other visitors, for educational, recreational, residential, or commercial purposes, for the operation, maintenance, and repair of Government-owned facilities and utilities, for the transportation and storage of food and other supplies, and for such other purposes as the Secretary deems desirable.

Contract or  
agreement au-  
thority.

SEC. 203 (a) In carrying out the provisions of this title, the Secretary is also authorized—

(1) to provide, with or without reimbursement, the natives of the Pribilof Islands with such facilities, services, and equipment as he deems necessary, including, but not limited to, food, fuel, shelter, transportation, and education,

(2) to provide the employees of the Department of the Interior and other Federal agencies and their dependents, and tourists and other persons, at reasonable rates to be determined by the Secretary, with such facilities, services, and equipment as he deems necessary, including, but not limited to, food, fuel, shelter, transportation, and education,

Facilities for em-  
ployees and de-  
pendents.

(3) to purchase, transport, store, and distribute such supplies and equipment to carry out the provisions of this section as the Secretary deems necessary, and

(4) to purchase, construct, operate, and maintain such facilities as may be necessary to carry out the provisions of this section.

(b) The proceeds from the furnishing of facilities, services, supplies, and equipment pursuant to this section shall be credited to the appropriation current at the time the proceeds are received.

Alaska.  
Education, etc.,  
for natives.

SEC. 204. (a) The Secretary is authorized to enter into an agreement with the Governor of the State of Alaska pursuant to which the State shall assume full responsibility for furnishing education to the natives of the Pribilof Islands. The Secretary is also authorized to enter into agreements with said Governor pursuant to which the State shall furnish to such natives adequate food, shelter, transportation, and such other facilities, services, and equipment as the Secretary deems necessary.

(b) Any agreement entered into pursuant to this section for the transfer to the State of the responsibility for furnishing education to the natives of the Pribilof Islands shall provide, in addition to such terms and conditions as the Secretary deems desirable, that the State of Alaska, in assuming such responsibility, shall meet the educational needs of the said natives in the same manner as the State meets the educational needs of all of its citizens, including the furnishing of necessary facilities therefor.

HEW Secretary.  
Medical and  
dental care.

SEC. 205. The Secretary of Health, Education, and Welfare shall provide medical and dental care to the natives of the Pribilof Islands, with or without reimbursement, as provided by other law. He is authorized to provide such care to Federal employees and their dependents and tourists and other persons in the Pribilof Islands at reasonable rates to be determined by him. He may purchase, lease, construct, operate, and maintain such facilities, supplies, and equipment as he deems necessary to carry out the provisions of this section and the costs of such items, including medical and dental care, shall be charged to the budget of the Secretary of Health, Education, and Welfare. Nothing in this Act shall be construed as superseding or limiting the authority and responsibility of the Secretary of Health, Education, and Welfare under the Act of August 5, 1954 (42 U.S.C. 2001 et seq.), as amended, or any other law with respect to medical and dental care of natives or other persons in the Pribilof Islands.

68 Stat. 674;  
71 Stat. 371.

St. Paul Island.  
Townsite.

SEC. 206. (a) For the purpose of fostering self-sufficiency among the natives of the Pribilof Islands, and in order that they may enjoy local self-government, and to facilitate the establishment by such natives of a municipal corporation under the laws of the State of Alaska, the Secretary is authorized to set apart so much of the land on St. Paul Island as he determines necessary to establish a townsite. The Secretary shall survey the townsite into lots, blocks, streets, and alleys and he may issue a patent therefor to a trustee appointed by him, when he is satisfied that a viable self-governing community which is capable of providing adequate municipal services is established or will be established prior to the conveyance by the trustee of title to any property to the natives of the Pribilof Islands. The trustee is authorized to convey to the individual natives of the Pribilof Islands title to improved or unimproved lots or tracts of land within such townsite for homesite, commercial, or other purposes not inconsistent with the purpose for which the Secretary administers said islands, upon payment of an amount to be determined by the Secretary. Any deed issued by the trustee shall provide, in addition to such terms and conditions relating to the use of said lots or tracts as

the Secretary deems necessary, that the title conveyed is inalienable for a period of twenty years from the date of conveyance except upon approval of the Secretary. Any deed issued after twenty years from the date of conveyance shall not require approval of the Secretary. Any lot or tract conveyed by the trustee to said natives shall not, except as provided in the Act of March 29, 1956 (70 Stat. 62; 25 U.S.C. 483a), be subject to levy and sale in satisfaction of the debts, contracts, or liabilities of the purchaser or to any claims of adverse possession or to claims of prescription, except that such lot or tract shall be subject to taxation and to levy and sale in satisfaction thereof under the laws of the State of Alaska.

(b) In determining the amount to be paid for the purchase of lots or tracts under subsection (a) of this section, the Secretary shall consider the economic status of the natives of the Pribilof Islands, including the factor of isolation, the restrictive nature of the title to be conveyed, the improvements, if any, placed on the property by the purchaser and such other factors as he deems pertinent: *Provided*, That payment shall be made in accordance with such terms and conditions as the Secretary deems desirable.

(c) The net proceeds from the sale, pursuant to this section, of improved or unimproved lots or tracts shall be made available to the established local governing body to be used with other proceeds available to such body for the purpose of providing adequate municipal services to persons inhabiting the islands. In addition, at the close of the first fiscal year in which there is established a municipal corporation as provided in this section, the Secretary of the Interior shall certify to the Secretary of the Treasury for payment from the gross receipts of the Pribilof Islands fund, after deducting from such fund all costs to the United States in carrying out the provisions of this Act, the sum of \$50,000 to such community to assist it in providing adequate municipal services, and, at the close of each succeeding four fiscal years, he shall pay from such fund the sums of \$40,000, \$30,000, \$20,000, and \$10,000, respectively.

(d) Upon approval by the Secretary, the trustee shall convey, with or without reimbursement, any improved or unimproved land which was authorized to be sold under subsection (a), and which is unsold five years after incorporation, and which is not needed in connection with the Federal activities on said islands, to the municipality for the purposes of this section: *Provided*, That a conveyance pursuant to this subsection shall be subject to such terms and conditions as the Secretary deems necessary to enable him to administer the Pribilof Islands as provided in this title.

(e) The trustee shall convey to the municipality at the time of incorporation all surveyed streets and alleys of the townsite. All deeds issued by the trustee shall contain a reservation to the trustee of rights-of-way for streets and alleys to be surveyed and established upon and across land conveyed to the natives of the Pribilof Islands whenever he determines that it would be in the interest of the native owner to establish such streets and alleys. Such reservation shall be for a term not to exceed ten years. In addition the Secretary may convey without reimbursement to the municipality such lands or interests therein outside the townsite boundaries for any purpose subject to such conditions as the Secretary deems desirable to carry out the purposes of this Act.

(f) The provisions of this section shall not affect any valid existing rights.

SEC. 207. Any person who violates or fails to comply with any regulation issued by the Secretary of the Interior under this title relating

Sale proceeds.  
Availability for  
municipal services.

Conveyance of  
unsold lands.

Penalties.

to the use and management of the Pribilof Islands or to the conservation and protection of the fur seals or wildlife or other natural resources located thereon shall be fined not more than \$500 or be imprisoned not more than six months, or both.

Services performed by natives.

SEC. 208. (a) Service by natives of the Pribilof Islands engaged in the taking and curing of fur seal skins and other activities in connection with the administration of such islands prior to January 1, 1950, as determined by the Secretary of the Interior based on records available to him, shall be considered for purposes of credit under the Civil Service Retirement Act, as amended (5 U.S.C. 2251-2267), as civilian service performed by an employee, as defined in said Act.

70 Stat. 743;  
Ante, p. 659.

(b) The annuity of any person or the annuity of the survivor of any person who shall have performed service described in subsection (a), and who prior to the date of enactment of this Act died or shall have been retired on annuity payable from the civil service retirement and disability fund, shall, upon application filed by the annuitant within one year after the date of enactment of this Act, be adjusted, effective as of the first day of the month immediately following the date of enactment of this Act, so that the amount of the annuity will be the same as if such subsection had been in effect at the time of such person's retirement or death.

(c) Section 4(g) of the Civil Service Retirement Act (5 U.S.C. 2254(g)) is amended by inserting after the words "military service" a comma and the following: "for service performed prior to January 1, 1950, by natives of the Pribilof Islands in the taking and curing of fur seal skins and other activities in connection with the administration of such islands."

(d) In no case shall credit for the service described in subsection (a) entitle a person to the benefits of section 11(h) of the Civil Service Retirement Act (5 U.S.C. 2261(h)).

75 Stat. 771.

(e) Notwithstanding any other provision of this Act or any other law, benefits under the Civil Service Retirement Act made available by reason of the provisions of this section shall be paid from the civil service retirement and disability fund subject to reimbursement to such fund from the gross receipts of the Pribilof Islands fund, established in section 407 of this Act, for the purpose of compensating said retirement fund for the cost, as determined by the Civil Service Commission during each fiscal year, of benefits provided by this section. This reimbursement to the civil service retirement fund shall be considered a cost of administering the fur seal program.

### TITLE III—PROTECTION OF SEA OTTERS ON THE HIGH SEAS

SEC. 301. (a) It is unlawful, except as provided in this Act or by regulations issued by the Secretary of the Interior, for any person subject to the jurisdiction of the United States to take or engage in the taking of sea otters on the high seas beyond the territorial waters of the United States, or to possess, transport, sell, purchase, or offer to sell or purchase sea otters or their parts taken on the high seas, or to destroy, abandon, or waste needlessly sea otters on the high seas.

(b) The possession of sea otters or any part thereof by any person contrary to the provisions of this Act shall constitute prima facie evidence that the sea otter or part thereof was taken, purchased, sold, or transported in violation of the provisions of this Act or the regulations issued thereunder.

SEC. 302. The Secretary is authorized, from time to time, to sell, pursuant to such terms and conditions as he deems desirable, or otherwise dispose of, sea otter skins and all the products derived from sea otters that are forfeited to, or seized by, the United States pursuant to this Act, or that are taken by the Secretary on the high seas or within the Aleutian Islands National Wildlife Refuge. The proceeds of such sales shall be deposited in the Pribilof Islands fund in the Treasury.

Sea otter skins  
and products.  
Disposal.

#### TITLE IV—GENERAL

SEC. 401. (a) Every vessel subject to the jurisdiction of the United States that is employed in any manner in connection with a violation of the provisions of this Act, including its tackle, apparel, furniture, appurtenances, cargo, and stores shall be subject to forfeiture and all fur seals or sea otters, or parts thereof, taken or retained in violation of this Act or the monetary value thereof shall be forfeited.

Seizures and  
forfeitures of  
cargo, etc.

(b) All provisions of law relating to the seizure, summary and judicial forfeiture, and condemnation of a vessel, including its tackle, apparel, furniture, appurtenances, cargo, and stores for violation of the customs laws, the disposition of such vessel, including its tackle, apparel, furniture, appurtenances, cargo, and stores or the proceeds from the sale thereof, and the remission or mitigation of such forfeitures shall apply to seizures and forfeitures incurred, or alleged to have been incurred, under the provisions of this Act, insofar as such provisions of law are applicable and not inconsistent with the provisions of this Act.

SEC. 402. (a) Enforcement of the provisions of this Act is the joint responsibility of the Secretary of the Interior, the Secretary of the Treasury, and the Secretary of the Department in which the Coast Guard is operating. In addition, the Secretary of the Interior may designate officers and employees of the States of the United States to enforce the provisions of this Act which relate to persons or vessels subject to the jurisdiction of the United States. When so designated, such officers and employees are authorized to function as Federal law enforcement agents for these purposes, but they shall not be held and considered as employees of the United States for the purposes of any laws administered by the Civil Service Commission.

Enforcement.  
Joint responsi-  
bility.

(b) The judges of the United States district courts and the United States commissioners may, within their respective jurisdictions, upon proper oath or affirmation showing probable cause, issue such warrants or other process, including warrants or other process issued in admiralty proceedings in Federal district courts, as may be required for enforcement of this Act and any regulations issued thereunder.

Issuance of  
warrants, etc.

(c) Any person authorized to carry out enforcement activities hereunder shall have the power to execute any warrant or process issued by any officer or court of competent jurisdiction for the enforcement of this Act.

(d) Such person so authorized shall have the power—

(1) with or without a warrant or other process, to arrest any person committing in his presence or view a violation of this Act or the regulations issued thereunder;

(2) with a warrant or other process or without a warrant, if he has reasonable cause to believe that a vessel subject to the jurisdiction of the United States or any person on board is in violation of any provision of this Act or the regulations issued thereunder, to search such vessel and to arrest such person.

(e) Such person so authorized may seize any vessel subject to the jurisdiction of the United States, together with its tackle, apparel, furniture, appurtenances, cargo, and stores, used or employed contrary to the provisions of this Act or the regulations issued hereunder or which it reasonably appears has been used or employed contrary to the provisions of this Act or the regulations issued hereunder.

(f) Such person so authorized may seize, whenever and wherever lawfully found, all fur seals or sea otters taken or retained in violation of this Act or the regulations issued thereunder. Any fur seals so seized or forfeited to the United States pursuant to this Act shall be disposed of in accordance with the provisions of section 104, of this Act. Any sea otters so seized or forfeited to the United States pursuant to this Act shall be disposed of in accordance with the provisions of section 302 of this Act.

SEC. 403. The Secretary of the Interior is authorized to issue regulations to carry out the provisions of this Act.

SEC. 404. Any person violating the provisions of title I or III of this Act or the regulations issued thereunder shall be fined not more than \$2,000, or imprisoned not more than one year, or both.

SEC. 405. The Secretary of the Interior, in carrying out the provisions of this Act, is authorized to enter into contracts or agreements for research with any person or public or private agency.

SEC. 406. (a) The term "person" as used in this Act means any individual, partnership, corporation, or association.

(b) The terms "take" or "taking" or "taken" as used in this Act mean to pursue, hunt, shoot, capture, collect, kill, or attempt to pursue, hunt, shoot, capture, collect, or kill.

(c) The term "natives of the Pribilof Islands" as used in this Act means any Indians, Aleuts, or Eskimos who permanently reside on said island.

(d) The term "Pribilof Islands" as used in this Act means the islands of St. Paul and St. George, Walrus and Otter Islands, and Sea Lion Rock.

SEC. 407. There is established a Pribilof Islands fund and there are authorized to be appropriated such sums as may be necessary from the fund and from other funds in the Treasury to carry out the provisions of this Act and the provisions of section 6(e) of the Alaska Statehood Act which provides for the payment to the State of Alaska of certain specified proceeds deposited into said fund.

SEC. 408. (a) The Act of February 26, 1944 (58 Stat. 100; 16 U.S.C. 631a-631q), is repealed.

(b) The last three sentences of section 6(e) of the Alaska Statehood Act (72 Stat. 339) are amended to read as follows: "Commencing with the year during which Alaska is admitted into the Union, the Secretary of the Treasury, at the close of each fiscal year, shall pay to the State of Alaska 70 per centum of the net proceeds, as determined by the Secretary of the Interior, derived during such fiscal year from all sales of sealskins or sea otter skins made in accordance with the provisions of the Fur Seal Act of 1966. In arriving at the net proceeds, there shall be deducted from the receipts from all sales all costs to the United States in carrying out the provisions of the Fur Seal Act of 1966, including, but not limited to, the costs of handling and dressing the skins, the costs of making the sales, and all expenses incurred in the administration of the Pribilof Islands, and the payments made to any municipal corporation established pursuant to section 206 of the Fur Seal Act of 1966 and to the civil service retirement and disability

Penalties.

Contract or agreement authority.

Definitions.

Pribilof Islands fund, establishment.

72 Stat. 340.  
48 USC Chap. 2  
note.  
Repeal.

Alaska.  
Sealskins and sea otter skins.  
Disposition of proceeds from sales.

fund pursuant to section 208 of the Fur Seal Act of 1966. In administering the Pribilof Islands fund established by section 407 of the Fur Seal Act of 1966, the Secretary shall consult with the State of Alaska annually. Nothing in this Act shall be construed as affecting the rights of the United States under the provisions of the Fur Seal Act of 1966 and the Northern Pacific Halibut Act of 1937 (16 U.S.C. 772-772i)."

50 Stat. 325.

Approved November 2, 1966, 8:07 a.m., Anchorage, Alaska.

## Public Law 89-703

## JOINT RESOLUTION

To provide for the designation of the month of May of each year as "Steelmark Month".

November 2, 1966  
[H. J. Res. 1001]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the month of May of each year is hereby designated as "Steelmark Month" in recognition of the tremendous contribution made by the steel industry in the United States to the national security and defense of our country. The President is requested to issue a proclamation calling upon all people of the United States for the observance of such month with appropriate proceedings and ceremonies.*

"Steelmark  
Month," designa-  
tion.

Approved November 2, 1966.

## Public Law 89-704

## JOINT RESOLUTION

Fixing the time of assembly of the Ninetieth Congress.

November 2, 1966  
[H. J. Res. 1322]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Ninetieth Congress shall assemble at noon on Tuesday, January 10, 1967.*

Ninetieth Con-  
gress.

Approved November 2, 1966.

## Public Law 89-705

## AN ACT

To amend title 38, United States Code, to set aside funds for research into spinal cord injuries and diseases.

November 2, 1966  
[H. R. 203]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 216 of title 38, United States Code, is amended by adding at the end thereof the following new subsection:*

"(c) For each fiscal year in the period beginning July 1, 1966, and ending June 30, 1972, the Administrator shall set aside not less than \$100,000 of funds appropriated for medical research, authorized by section 4101 of this title, for the conduct of research into spinal cord injuries and diseases, and other disabilities that lead to paralysis of the lower extremities."

Veterans Ad-  
ministration.  
Spinal cord in-  
juries, research.  
72 Stat. 1116;  
78 Stat. 441.

72 Stat. 1243.

Approved November 2, 1966.

## Public Law 89-706

## AN ACT

November 2, 1966  
[H. R. 647]

To amend the Act of March 3, 1901, to permit the appointment of new trustees in deeds of trust in the District of Columbia by agreement of the parties.

D. C.  
Deeds of trust.  
Appointment of  
trustees.  
31 Stat. 1271.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) section 522 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901, as amended (D.C. Code, sec. 45-603), is amended by inserting immediately after "a new trustee" the following: "by agreement of the parties pursuant to section 538(b) (D.C. Code, sec. 45-614(b)) or", and by striking out "or trustee" in the proviso and inserting in lieu thereof the following: ", trustee, or new trustee".

(b) Section 534 of such Act of March 3, 1901, as amended (D.C. Code, sec. 45-611), is amended by adding at the end thereof the following: "Nothing contained in this section shall prevent the appointment of a new trustee pursuant to section 538(b) (D.C. Code, sec. 45-614(b)) and the execution of the trusts of said deed of trust by such new trustee."

(c) Section 537 of such Act of March 3, 1901, as amended (D.C. Code, sec. 45-619), is amended by adding at the end thereof the following: "Nothing contained in this section shall prevent the appointment of a new trustee pursuant to section 538(b) (D.C. Code, sec. 45-614(b)) and the execution of a deed of release by such new trustee."

(d) Section 538 of such Act of March 3, 1901, as amended (D.C. Code, sec. 45-614), is amended by inserting "(a)" immediately before "In case of the refusal" and by adding at the end thereof the following new subsection:

"(b) Notwithstanding the provisions of subsection (a) of this section, and notwithstanding any provision in a deed of trust to the contrary, whenever the grantors named in, and the persons secured by, the deed of trust (or their successors in interest) so desire, they may by written agreement executed and acknowledged in the same manner as an absolute deed substitute any trustee named in the deed of trust with a new trustee. No written instrument entered into pursuant to this subsection shall be effective as to any person not having actual notice thereof until a notice of the appointment of the new trustee signed, sealed, and acknowledged by the parties agreeing to the appointment of the new trustee shall be recorded among the land records in the Office of the Recorder of Deeds."

SEC. 2. The amendments made by the first section of this Act shall apply to all deeds of trust, whether entered into before, on, or after the date of enactment of this Act.

Approved November 2, 1966.

## Public Law 89-707

## AN ACT

November 2, 1966  
[H. R. 872]

To amend the provisions of title 18 of the United States Code relating to offenses committed in Indian country.

Indians.  
Offenses.  
62 Stat. 758,  
63 Stat. 94.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 1153, offenses committed within Indian country, of title 18 of the United States Code is amended to read as follows:

**"§ 1153. Offenses committed within Indian country**

"Any Indian who commits against the person or property of another Indian or other person any of the following offenses, namely, murder, manslaughter, rape, carnal knowledge of any female, not his wife, who has not attained the age of sixteen years, assault with intent to

commit rape, incest, assault with intent to kill, assault with a dangerous weapon, arson, burglary, robbery, and larceny within the Indian country, shall be subject to the same laws and penalties as all other persons committing any of the above offenses, within the exclusive jurisdiction of the United States.

"As used in this section, the offenses of rape and assault with intent to commit rape shall be defined in accordance with the laws of the State in which the offense was committed, and any Indian who commits the offenses of rape or assault with intent to commit rape upon any female Indian within the Indian country shall be imprisoned at the discretion of the court.

"As used in this section, the offenses of burglary, assault with a dangerous weapon, and incest shall be defined and punished in accordance with the laws of the State in which such offense was committed."

SEC. 2. Section 3242, Indians committing certain offenses; acts on reservations, of title 18 of the United States Code is amended to read as follows:

62 Stat. 827,  
63 Stat. 96.

**“§ 3242. Indians committing certain offenses; acts on reservations**

"All Indians committing any of the following offenses; namely, murder, manslaughter, rape, carnal knowledge of any female, not his wife, who has not attained the age of sixteen years, assault with intent to commit rape, incest, assault with intent to kill, assault with a dangerous weapon, arson, burglary, robbery, and larceny on and within the Indian country shall be tried in the same courts, and in the same manner, as are all other persons committing any of the above crimes within the exclusive jurisdiction of the United States."

Approved November 2, 1966.

Public Law 89-708

AN ACT

To provide for the acquisition and preservation of the real property known as the Ansley Wilcox House in Buffalo, New York, as a national historic site.

November 2, 1966  
[H. R. 2600]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the Secretary of the Interior shall, subject to the provisions of section 2 of this Act, acquire on behalf of the United States the real property described in section 3 of this Act, known as the Ansley Wilcox House, which real property is of national historic significance as the place in which Theodore Roosevelt took the oath of office as President of the United States on September 14, 1901, following the assassination of President William McKinley. The Secretary shall provide, in accordance with section 2 of this Act, for the operation and maintenance, at no expense to the United States of such property as a national historic site for the inspiration and benefit of the people of the United States.*

Ansley Wilcox  
House.  
Acquisition and  
preservation.

SEC. 2. (a) The Secretary shall not obligate or expend any moneys herein authorized to be appropriated for acquisition and restoration of the real property described in section 3, nor shall he establish such property as a national historic site in Federal ownership, unless and until commitments are obtained for donations of funds or services in an amount which in the judgment of the Secretary is sufficient to complete restoration of the property and to operate and maintain it for public benefit.

Donation of  
funds and serv-  
ices.

(b) The Secretary shall determine at the beginning of each fiscal year, beginning the first full fiscal year following the date of enactment of this Act, whether and to what extent donations of funds or services will be forthcoming for the purposes of subsection (a) of this section. If at any time following the acquisition of the property referred to in the first section of this Act the Secretary finds that during the next full fiscal year donated funds or services will not be forthcoming in amounts sufficient to satisfactorily carry on or complete restoration or to continue the operation and maintenance of the property as a national historic site in Federal ownership he shall, in accordance with such regulations as he may prescribe, dispose of such property at not less than its fair market value, as determined by him. The proceeds received from such disposal shall be credited to the Land and Water Conservation Fund in the Treasury of the United States.

SEC. 3. The real property referred to in the first section of this Act is more particularly described as follows:

All that tract or parcel of land, situate in the city of Buffalo, county of Erie, State of New York, and beginning at a point in the east line of Delaware Avenue distant 110 feet southerly from the southerly line of land of Catharine Marie Richmond, recorded in Erie County clerk's office in liber 247 of deeds at page 167; running thence easterly a distance of 110 feet;

Running thence southerly a distance of 60 feet to a point in the north line of land of Morris Michael, recorded in Erie County clerk's office in liber 531 of deeds at page 335; running thence easterly and along the north line of land of the said Morris Michael 64 feet more or less, and continuing easterly on a line extended from the land of Morris Michael a further distance of 174 feet more or less to the westerly line of Franklin Street; running thence northerly along the westerly line of Franklin Street 110 feet; running thence westerly 134 feet; running thence northerly and parallel with Franklin Street 59.51 feet more or less to a point distant 40 feet more or less easterly from the southeast corner of lands of Amelia Stevenson, recorded in Erie County clerk's office in liber 669 at page 299;

Running thence westerly 40 feet to the southeast corner of lands of the said Amelia Stevenson and continuing westerly in a line along the south line of the land of Catharine Marie Richmond a further distance of 174 feet more or less to the easterly line of Delaware Avenue; running thence southerly along the easterly line of Delaware Avenue 110 feet to the place of beginning.

And being subject to an easement as contained in a lease agreement dated January 6, 1959, between the landlord and the Liberty Bank of Buffalo covering a driveway ramp and automobile parking privileges, together with the right of ingress and egress to Delaware Avenue and Franklin Street, as contained in said lease.

SEC. 4. There is hereby authorized to be appropriated not more than \$250,000 for the acquisition and not more than \$50,000 for the restoration of the real property described in section 3 of this Act.

Approved November 2, 1966.

Property description.

Appropriation.

## Public Law 89-709

## AN ACT

November 2, 1966

[H. R. 3348]

To authorize a program for the construction of facilities for the teaching of veterinary medicine and a program of loans for students of veterinary medicine.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Veterinary Medical Education Act of 1966".*

Veterinary Medical Education Act of 1966.

## GRANTS FOR VETERINARY MEDICINE TEACHING FACILITIES

SEC. 2. (a) Section 720 of the Public Health Service Act (42 U.S.C. 293) is amended by inserting "veterinarians," after "podiatrists," each place where it appears.

79 Stat. 1056.

(b) (1) Subsections (b), (c), and (d) of section 721 of such Act are amended by inserting "veterinary medicine," after "podiatry,".

77 Stat. 165.  
42 USC 293a.

(2) Subsection (d) of such section 721 is further amended by inserting "veterinarians," after "podiatrists,".

(c) Paragraph (4) of section 724 of such Act is amended by inserting "school of veterinary medicine," after "school of podiatry," and by inserting "a degree of doctor of veterinary medicine or an equivalent degree," before "and a graduate degree".

42 USC 293d.

(d) (1) The first sentence of subsection (a) of section 725 of such Act is amended by striking out "sixteen" and inserting in lieu thereof "seventeen".

42 USC 293e.

(2) The second sentence of such subsection (a) is amended by (A) striking out "eight" and inserting in lieu thereof "nine" and (B) inserting "veterinary medicine," after "podiatry,".

(3) The third sentence of such subsection (a) is amended by inserting "veterinary medicine," after "podiatry,".

## LOANS FOR STUDENTS OF VETERINARY MEDICINE

SEC. 3. (a) Subsection (a) of section 740 of the Public Health Service Act (42 U.S.C. 294) is amended by striking out "or optometry" and inserting in lieu thereof "optometry, or veterinary medicine".

77 Stat. 170;  
78 Stat. 1086.

(b) Paragraph (4) of subsection (b) of such section 740 is amended by striking out "or doctor of optometry or an equivalent degree" and inserting in lieu thereof "doctor of optometry or an equivalent degree, or doctor of veterinary medicine or an equivalent degree".

(c) Subsection (b) of section 741 of the Public Health Service Act (42 U.S.C. 294a) is amended by striking out "or doctor of optometry or an equivalent degree" and inserting in lieu thereof "doctor of optometry or an equivalent degree, or doctor of veterinary medicine or an equivalent degree".

(d) Subsection (c) of such section 741 is amended by striking out "or optometry" and inserting in lieu thereof "optometry, or veterinary medicine".

(e) Section 742(a) of the Public Health Service Act is amended by inserting immediately after the first sentence thereof the following new sentence: "In addition to the sums authorized to be appropriated by the preceding sentence, there are authorized to be appropriated \$500,000 for the fiscal year ending June 30, 1967, \$1,000,000 for the fiscal year ending June 30, 1968, and \$1,500,000 for the fiscal year ending June 30, 1969, which sums shall be available for carrying out this part (other than section 744) solely with respect to students of veterinary medicine."

77 Stat. 172.  
42 USC 294b.

42 USC 294d.

Approved November 2, 1966.

## Public Law 89-710

## AN ACT

November 2, 1966.  
[H. R. 3993]

To authorize the issuance of certificates of citizenship in the Canal Zone.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 101 (a) (38) of the Immigration and Nationality Act (66 Stat. 171; 8 U.S.C. 1101 (a) (38)), is amended by adding thereto the following sentence: "For the purpose of issuing certificates of citizenship to persons who are citizens of the United States, the term 'United States' as used in section 341 of this Act includes the Canal Zone."

66 Stat. 263.  
8 USC 1452.

Approved November 2, 1966.

## Public Law 89-711

## AN ACT

November 2, 1966  
[H. R. 5958]

Relating to applications for writs of habeas corpus by persons in custody pursuant to judgments of State courts.

Habeas corpus.  
State custody.  
62 Stat. 965.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.* That section 2244 of title 28, United States Code, is amended (a) by inserting at the beginning of the text thereof the subsection designation "(a)", (b) by striking out of such section the words ", or of any State," and (c) by inserting in such section at the end thereof two additional subsections to read as follows:

"(b) When after an evidentiary hearing on the merits of a material factual issue, or after a hearing on the merits of an issue of law, a person in custody pursuant to the judgment of a State court has been denied by a court of the United States or a justice or judge of the United States release from custody or other remedy on an application for a writ of habeas corpus, a subsequent application for a writ of habeas corpus in behalf of such person need not be entertained by a court of the United States or a justice or judge of the United States unless the application alleges and is predicated on a factual or other ground not adjudicated on the hearing of the earlier application for the writ, and unless the court, justice, or judge is satisfied that the applicant has not on the earlier application deliberately withheld the newly asserted ground or otherwise abused the writ.

"(c) In a habeas corpus proceeding brought in behalf of a person in custody pursuant to the judgment of a State court, a prior judgment of the Supreme Court of the United States on an appeal or review by a writ of certiorari at the instance of the prisoner of the decision of such State court, shall be conclusive as to all issues of fact or law with respect to an asserted denial of a Federal right which constitutes ground for discharge in a habeas corpus proceeding, actually adjudicated by the Supreme Court therein, unless the applicant for the writ of habeas corpus shall plead and the court shall find the existence of a material and controlling fact which did not appear in the record of the proceeding in the Supreme Court and the court shall further find

that the applicant for the writ of habeas corpus could not have caused such fact to appear in such record by the exercise of reasonable diligence.”

SEC. 2. Section 2254 of title 28, United States Code is amended—

62 Stat. 967.

(a) by amending the catchline of the section to read as follows:

**“§ 2254. State custody; remedies in Federal courts.”**

(b) by inserting in such section, immediately after the catchline thereof, the following new subsection:

“(a) The Supreme Court, a Justice thereof, a circuit judge, or a district court shall entertain an application for a writ of habeas corpus in behalf of a person in custody pursuant to the judgment of a State court only on the ground that he is in custody in violation of the Constitution or laws or treaties of the United States.”; and

(c) by inserting at the beginning of the two paragraphs thereof existing on the day preceding the date of enactment of this Act the subsection designations “(b)” and “(c)”, respectively; and

(d) by inserting immediately after such paragraphs the following new subsections “(d)”, “(e)”, and “(f)”;

“(d) In any proceeding instituted in a Federal court by an application for a writ of habeas corpus by a person in custody pursuant to the judgment of a State court, a determination after a hearing on the merits of a factual issue, made by a State court of competent jurisdiction in a proceeding to which the applicant for the writ and the State or an officer or agent thereof were parties, evidenced by a written finding, written opinion, or other reliable and adequate written indicia, shall be presumed to be correct, unless the applicant shall establish or it shall otherwise appear, or the respondent shall admit—

“(1) that the merits of the factual dispute were not resolved in the State court hearing;

“(2) that the factfinding procedure employed by the State court was not adequate to afford a full and fair hearing;

“(3) that the material facts were not adequately developed at the State court hearing;

“(4) that the State court lacked jurisdiction of the subject matter or over the person of the applicant in the State court proceeding;

“(5) that the applicant was an indigent and the State court, in deprivation of his constitutional right, failed to appoint counsel to represent him in the State court proceeding;

“(6) that the applicant did not receive a full, fair, and adequate hearing in the State court proceeding; or

“(7) that the applicant was otherwise denied due process of law in the State court proceeding;

“(8) or unless that part of the record of the State court proceeding in which the determination of such factual issue was made, pertinent to a determination of the sufficiency of the evidence to support such factual determination, is produced as provided for hereinafter, and the Federal court on a consideration of such part of the record as a whole concludes that such factual determination is not fairly supported by the record:

And in an evidentiary hearing in the proceeding in the Federal court, when due proof of such factual determination has been made, unless

the existence of one or more of the circumstances respectively set forth in paragraphs numbered (1) to (7), inclusive, is shown by the applicant, otherwise appears, or is admitted by the respondent, or unless the court concludes pursuant to the provisions of paragraph numbered (8) that the record in the State court proceeding, considered as a whole, does not fairly support such factual determination, the burden shall rest upon the applicant to establish by convincing evidence that the factual determination by the State court was erroneous.

“(e) If the applicant challenges the sufficiency of the evidence adduced in such State court proceeding to support the State court’s determination of a factual issue made therein, the applicant, if able, shall produce that part of the record pertinent to a determination of the sufficiency of the evidence to support such determination. If the applicant, because of indigency or other reason is unable to produce such part of the record, then the State shall produce such part of the record and the Federal court shall direct the State to do so by order directed to an appropriate State official. If the State cannot provide such pertinent part of the record, then the court shall determine under the existing facts and circumstances what weight shall be given to the State court’s factual determination.

“(f) A copy of the official records of the State court, duly certified by the clerk of such court to be a true and correct copy of a finding, judicial opinion, or other reliable written indicia showing such a factual determination by the State court shall be admissible in the Federal court proceeding.”

SEC. 3. Item 2254 in the analysis of chapter 153 of title 28, United States Code, immediately preceding section 2241 thereof, is amended to read as follows:

“Sec. 2254. State custody: remedies in Federal courts.”

Approved November 2, 1966.

## Public Law 89-712

### AN ACT

To grant increased benefits to persons receiving cash relief under the Panama Canal Cash Relief Act of July 8, 1937.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subsection 181 (b) of title 2, Canal Zone Code, approved October 18, 1962 (76A Stat. 20), is amended to read as follows:

“(b) An additional amount of \$20 per month shall be paid to each person who receives payment of cash relief under subsection (a) of this section and shall be allowed without regard to the limitations contained therein.”

SEC. 2. This Act shall take effect on the first day of the month following that in which it is enacted.

Approved November 2, 1966.

November 2, 1966  
[H. R. 5990]

Panama Canal.  
Benefits to cer-  
tain former em-  
ployees.

## Public Law 89-713

## AN ACT

To amend the Internal Revenue Code of 1954 to promote savings under the Internal Revenue Service's automatic data processing system.

November 2, 1966  
[H. R. 6958]

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

**SECTION 1. CENTRALIZED FILING OF RETURNS AND PAYMENT OF TAX.**

Taxes.  
Direct filing of  
returns.

(a) **PLACE FOR FILING RETURNS.**—Section 6091(b) of the Internal Revenue Code of 1954 (relating to place for filing certain tax returns) is amended—

68A Stat. 752.  
26 USC 6091.

(1) by amending paragraphs (1) and (2) to read as follows—

“(1) **PERSONS OTHER THAN CORPORATIONS.**—

“(A) **GENERAL RULE.**—Except as provided in subparagraph (B), a return (other than a corporation return) shall be made to the Secretary or his delegate—

“(i) in the internal revenue district in which is located the legal residence or principal place of business of the person making the return, or

“(ii) at a service center serving the internal revenue district referred to in clause (i),  
as the Secretary or his delegate may by regulations designate.

“(B) **EXCEPTION.**—Returns of—

“(i) persons who have no legal residence or principal place of business in any internal revenue district,

“(ii) citizens of the United States whose principal place of abode for the period with respect to which the return is filed is outside the United States,

“(iii) persons who claim the benefits of section 911 (relating to earned income from sources without the United States), section 931 (relating to income from sources within possessions of the United States), or section 933 (relating to income from sources within Puerto Rico), and

76 Stat. 1003.

“(iv) nonresident alien persons,

shall be made at such place as the Secretary or his delegate may by regulations designate.

“(2) **CORPORATIONS.**—

“(A) **GENERAL RULE.**—Except as provided in subparagraph (B), a return of a corporation shall be made to the Secretary or his delegate—

“(i) in the internal revenue district in which is located the principal place of business or principal office or agency of the corporation, or

“(ii) at a service center serving the internal revenue district referred to in clause (i),  
as the Secretary or his delegate may by regulations designate.

“(B) **EXCEPTION.**—Returns of—

“(i) corporations which have no principal place of business or principal office or agency in any internal revenue district,

“(ii) corporations which claim the benefits of section 922 (relating to special deduction for Western Hemisphere trade corporations), section 931 (relating to income from sources within possessions of the United States), or section 941 (relating to the special deduction for China Trade Act corporations), and

“(iii) foreign corporations, shall be made at such place as the Secretary or his delegate may by regulations designate.”

(2) by redesignating paragraph (4) as paragraph (5) and by striking “or (3)” and inserting in lieu thereof “(3), or (4)”; and

(3) by adding after paragraph (3) the following:

“(4) **HAND-CARRIED RETURNS.**—Notwithstanding paragraph (1) or (2), a return to which paragraph (1)(A) or (2)(A) would apply, but for this paragraph, which is made to the Secretary or his delegate by hand carrying shall, under regulations prescribed by the Secretary or his delegate, be made in the internal revenue district referred to in paragraph (1)(A)(i) or (2)(A)(i), as the case may be.”

(b) **PLACE FOR PAYING TAX SHOWN ON RETURN.**—Section 6151(a) of such Code (relating to time and place for paying tax shown on return) is amended by striking out “to the principal internal revenue officer for the internal revenue district in which the return is required to be filed” and inserting in lieu thereof “to the internal revenue officer with whom the return is filed”.

68A Stat. 757.  
26 USC 6151.

## **SEC. 2. RELATED AMENDMENT CONCERNING VENUE FOR CRIMINAL CASES.**

Section 3237(b) of title 18 of the United States Code (relating to offenses committed in more than one district) is amended by striking out “where an offense involves use of the mails and is an offense described in section 7201 or 7206 (1), (2), or (5) of the Internal Revenue Code of 1954” and by inserting in lieu thereof “where an offense is described in section 7203 of the Internal Revenue Code of 1954, or where an offense involves use of the mails and is an offense described in section 7201 or 7206 (1), (2), or (5) of such Code”.

72 Stat. 512.

## **SEC. 3. RELATED AMENDMENTS CONCERNING VENUE FOR CIVIL CASES.**

(a) **ABOLITION OF REFUND SUITS AGAINST COLLECTION OFFICERS.**—Section 7422 of the Internal Revenue Code of 1954 (relating to civil actions for refund) is amended by redesignating subsection (f) as subsection (g) and inserting after subsection (e) the following new subsection:

68A Stat. 876.  
26 USC 7422.

“(f) **LIMITATION ON RIGHT OF ACTION FOR REFUND.**—

“(1) **GENERAL RULE.**—A suit or proceeding referred to in subsection (a) may be maintained only against the United States and not against any officer or employee of the United States (or former officer or employee) or his personal representative. Such suit or proceeding may be maintained against the United States notwithstanding the provisions of section 2502 of title 28 of the United States Code (relating to aliens' privilege to sue).

“(2) **MISJOINDER AND CHANGE OF VENUE.**—If a suit or proceeding brought in a United States district court against an officer or employee of the United States (or former officer or employee) or his personal representative is improperly brought solely by virtue of paragraph (1), the court shall order, upon such terms as are just, that the pleadings be amended to substitute the United States as a party for such officer or employee as of the time such action commenced, upon proper service of process on the United States. Such suit or proceeding shall upon request by the United States be transferred to the district or division where it should have been brought if such action initially had been brought against the United States.”

(b) **TECHNICAL AMENDMENT.**—Section 2502 of title 28 of the United States Code (relating to aliens' privilege to sue under Court of Claims procedure) is amended by striking out “Citizens or” and inserting in

62 Stat. 976.

lieu thereof "(a) Citizens or" and by adding at the end thereof the following:

"(b) See section 7422(f) of the Internal Revenue Code of 1954 for exception with respect to suits involving internal revenue taxes."

*Ante*, p. 1108.

(c) **VENUE FOR REVIEW OF TAX COURT DECISIONS.**—Section 7482 (b)(1) of the Internal Revenue Code of 1954 (relating to venue for review of decisions of the Tax Court) is amended to read as follows:

68A Stat. 890.  
26 USC 7482.

"(1) **IN GENERAL.**—Except as otherwise provided in paragraph (2), such decisions may be reviewed by the United States court of appeals for the circuit in which is located—

"(A) in the case of a petitioner seeking redetermination of tax liability other than a corporation, the legal residence of the petitioner,

"(B) in the case of a corporation seeking redetermination of tax liability, the principal place of business or principal office or agency of the corporation, or, if it has no principal place of business or principal office or agency in any judicial circuit, then the office to which was made the return of the tax in respect of which the liability arises.

If for any reason neither subparagraph (A) nor (B) applies, then such decisions may be reviewed by the Court of Appeals for the District of Columbia. For purposes of this paragraph, the legal residence, principal place of business, or principal office or agency referred to herein shall be determined as of the time the petition seeking redetermination of tax liability was filed with the Tax Court."

(d) **EFFECTIVE DATES.**—The amendments made by subsections (a) and (b) shall apply to suits brought against officers, employees, or personal representatives referred to therein which are instituted 90 days or more after the date of the enactment of this Act. The amendment made by subsection (c) shall apply to all decisions of the Tax Court entered after the date of enactment of this Act.

#### **SEC. 4. PUBLICITY OF RETURNS AND DISCLOSURE OF INFORMATION.**

(a) **DISCLOSURE OF INFORMATION AS TO PERSONS FILING INCOME TAX RETURNS.**—Section 6103 of the Internal Revenue Code of 1954 (relating to publicity of returns and lists of taxpayers) is amended—

(1) by striking out—

"**SEC. 6103. PUBLICITY OF RETURNS AND LISTS OF TAXPAYERS.**"

and inserting in lieu thereof the following:

"**SEC. 6103. PUBLICITY OF RETURNS AND DISCLOSURE OF INFORMATION AS TO PERSONS FILING INCOME TAX RETURNS.**";

and

(2) by striking out subsection (f) and inserting in lieu thereof the following:

"(f) **DISCLOSURE OF INFORMATION AS TO PERSONS FILING INCOME TAX RETURNS.**—The Secretary or his delegate shall, upon inquiry as to whether any person has filed an income tax return in a designated internal revenue district for a particular taxable year, furnish to the inquirer, in such manner as the Secretary or his delegate may determine, information showing that such person has, or has not, filed an income tax return in such district for such taxable year."

(b) **TECHNICAL AMENDMENT.**—The table of sections for subchapter B of chapter 61 of such Code is amended by striking out—

"Sec. 6103. Publicity of returns and lists of taxpayers."

and inserting in lieu thereof the following:

"Sec. 6103. Publicity of returns and disclosure of information as to persons filing income tax returns."

68A Stat. 756.  
26 USC 6107.

(c) **LIST OF SPECIAL TAXPAYERS FOR PUBLIC INSPECTION.**—Section 6107 of such Code is amended by striking out “within such district.” and inserting in lieu thereof “with respect to a trade or business carried on within such district.”

**SEC. 5. TIMELY MAILING TREATED AS TIMELY FILING EXTENDED TO RETURNS AND TO PAYMENTS.**

(a) **IN GENERAL.**—Section 7502 (relating to timely mailing treated as timely filing) is amended to read as follows:

**“SEC. 7502. TIMELY MAILING TREATED AS TIMELY FILING AND PAYING.**

**“(a) GENERAL RULE.—**

**“(1) DATE OF DELIVERY.**—If any return, claim, statement, or other document required to be filed, or any payment required to be made, within a prescribed period or on or before a prescribed date under authority of any provision of the internal revenue laws is, after such period or such date, delivered by United States mail to the agency, officer, or office with which such return, claim, statement, or other document is required to be filed, or to which such payment is required to be made, the date of the United States postmark stamped on the cover in which such return, claim, statement, or other document, or payment, is mailed shall be deemed to be the date of delivery or the date of payment, as the case may be.

**“(2) MAILING REQUIREMENTS.**—This subsection shall apply only if—

**“(A) the postmark date falls within the prescribed period or on or before the prescribed date—**

**“(i) for the filing (including any extension granted for such filing) of the return, claim, statement, or other document, or**

**“(ii) for making the payment (including any extension granted for making such payment), and**

**“(B) the return, claim, statement, or other document, or payment was, within the time prescribed in subparagraph (A), deposited in the mail in the United States in an envelope or other appropriate wrapper, postage prepaid, properly addressed to the agency, officer, or office with which the return, claim, statement, or other document is required to be filed, or to which such payment is required to be made.**

**“(b) POSTMARKS.**—This section shall apply in the case of postmarks not made by the United States Post Office only if and to the extent provided by regulations prescribed by the Secretary or his delegate.

**“(c) REGISTERED AND CERTIFIED MAILING.—**

**“(1) REGISTERED MAIL.**—For purposes of this section, if any such return, claim, statement, or other document, or payment, is sent by United States registered mail—

**“(A) such registration shall be prima facie evidence that the return, claim, statement, or other document was delivered to the agency, officer, or office to which addressed, and**

**“(B) the date of registration shall be deemed the postmark date.**

**“(2) CERTIFIED MAIL.**—The Secretary or his delegate is authorized to provide by regulations the extent to which the provisions of paragraph (1) of this subsection with respect to prima facie evidence of delivery and the postmark date shall apply to certified mail.

**“(d) EXCEPTIONS.**—This section shall not apply with respect to—

**“(1) the filing of a document in, or the making of a payment to, any court other than the Tax Court,**

“(2) currency or other medium of payment unless actually received and accounted for, or

“(3) returns, claims, statements, or other documents, or payments, which are required under any provision of the internal revenue laws or the regulations thereunder to be delivered by any method other than by mailing.”

(b) **TABLE OF SECTIONS.**—The table of sections for chapter 77 is amended by striking out—

“Sec. 7502. Timely mailing treated as timely filing.”

and inserting in lieu thereof

“Sec. 7502. Timely mailing treated as timely filing and paying.”

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply only if the mailing occurs after the date of the enactment of this Act.

**SEC. 6. EFFECTIVE DATES.**

Except as otherwise provided in this Act, the amendments made by this Act shall take effect upon the date of the enactment of this Act.

**SEC. 7. REASONABLE COST FOR REIMBURSEMENT OF PROPRIETARY EXTENDED CARE FACILITIES UNDER HEALTH INSURANCE FOR THE AGED.**

Section 1861(v)(1) of the Social Security Act is amended by adding at the end thereof the following new sentences: “Such regulations in the case of extended care services furnished by proprietary facilities shall include provision for specific recognition of a reasonable return on equity capital, including necessary working capital, invested in the facility and used in the furnishing of such services, in lieu of other allowances to the extent that they reflect similar items. The rate of return recognized pursuant to the preceding sentence for determining the reasonable cost of any services furnished in any fiscal period shall not exceed one and one-half times the average of the rates of interest, for each of the months any part of which is included in such fiscal period, on obligations issued for purchase by the Federal Hospital Insurance Trust Fund.”

Approved November 2, 1966.

79 Stat. 313.  
42 USC 1395x.

Public Law 89-714

AN ACT

To amend section 1391 of title 28 of the United States Code relating to venue.

November 2, 1966  
[H. R. 7382]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subsections (a) and (b) of section 1391 of title 28 of the United States Code are amended to read as follows:

District courts.  
Venue.  
62 Stat. 935.

“(a) A civil action wherein jurisdiction is founded only on diversity of citizenship may, except as otherwise provided by law, be brought only in the judicial district where all plaintiffs or all defendants reside, or in which the claim arose.

“(b) A civil action wherein jurisdiction is not founded solely on diversity of citizenship may be brought only in the judicial district where all defendants reside, or in which the claim arose, except as otherwise provided by law.”

**SEC. 2.** Subsection (f) of section 1391, title 28, United States Code, is hereby repealed.

Repeal.  
77 Stat. 473.

Approved November 2, 1966.

## Public Law 89-715

## AN ACT

November 2, 1966  
[H. R. 7648]

To authorize long-term leases on the San Xavier and Salt River Pima-Maricopa Indian Reservations, and for other purposes.

San Xavier and  
Salt River Pima-  
Maricopa Indian  
Reservations.  
Leases.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any trust or restricted Indian lands, whether tribally or individually owned, located on the San Xavier Indian Reservation and the Salt River Pima-Maricopa Indian Reservation, in the State of Arizona, may be leased by the Indian owners, with the approval of the Secretary of the Interior, for public, religious, educational, recreational, residential, business, farming or grazing purposes, including the development or utilization of natural resources in connection with operations under such leases, but no lease shall be executed under this Act for purposes that are subject to the laws governing mining leases on Indian lands. The term of a grazing lease shall not exceed ten years, the term of a farming lease that does not require the making of a substantial investment in the improvement of the land shall not exceed ten years, and the term of a farming lease that requires the making of a substantial investment in the improvement of the land shall not exceed forty years. The term of any other lease shall not exceed ninety-nine years. No lease shall contain an option to renew which, if exercised, will extend the total term beyond the maximum term permitted by this Act. The Secretary of the Interior shall not approve any lease with a term that is longer than is necessary in his judgment to obtain maximum economic benefits for the Indian owners.

Covenant pro-  
vision.

SEC. 2. (a) Every lease entered into under the first section of this Act shall contain a covenant on the part of the lessee that he will not commit or permit on the leased land any act which causes waste or a nuisance or which creates a hazard to health of persons or to property, wherever such persons or property may be.

Right to bring  
suit in U.S. Dis-  
trict Court.

(b) The State of Arizona, or any political subdivision thereof contiguous with the San Xavier or Salt River Pima-Maricopa Indian Reservation, may bring suit, without regard to the amount in controversy, in the United States District Court for the District of Arizona to abate or enjoin any violation of the covenant required under section 2(a) of this Act: *Provided*, That if, by reason of the citizenship of the parties and the law applicable to the cause of action, the District Court finds it lacks jurisdiction to hear and determine such suit, it may be brought in any court of competent jurisdiction of the State of Arizona.

Notification of  
lease provisions.

SEC. 3. (a) The Secretary of the Interior shall, before he approves any lease under this Act for public, religious, educational, recreational, business, or residential purposes and if he determines that such lease will substantially affect the governmental interests of a municipality described hereunder, notify the appropriate authorities of any municipality contiguous to the San Xavier or Salt River Pima-Maricopa Reservation, as the case may be, of the pendency of the proposed lease and, in his discretion, furnish them with an outline of the major provisions of the lease which affect such governmental interests and shall consider any comments on the terms of the lease affecting the municipality, or on the absence of such terms from the lease, that such authorities may offer within such reasonable period, but not more than thirty days, as the Secretary may prescribe in his notice to them.

Non-Indian  
lessees.

(b) It is the intent of the Congress that the terms under which lands located on the San Xavier and Salt River Pima-Maricopa Reservations are developed by non-Indian lessees shall, to the extent reasonably possible, be similar to those applicable under State or local

law to the development of non-Indian lands in the municipalities contiguous thereto.

SEC. 4. Trust or restricted lands of deceased Indians located on the San Xavier and Salt River Pima-Maricopa Reservations may be leased under this Act, for the benefit of their heirs or devisees, in the circumstances and by the persons prescribed in the Act of July 8, 1940 (54 Stat. 745; 25 U.S.C. 380): *Provided*, That if the authority of the Secretary under this section is delegated to a subordinate official, then any heir or devisee shall have the right to appeal the action of any such official to the Secretary under such rules and regulations as he may prescribe.

Lands of deceased Indians.

SEC. 5. No rent or other consideration for the use of land leased under this Act shall be paid or collected more than one year in advance, unless so provided in the lease.

Payment of rent.

SEC. 6. The Secretary of the Interior shall approve no lease pursuant to this Act that contains any provision that will prevent or delay a termination of Federal trust responsibilities with respect to the land during the term of the lease.

SEC. 7. Individual or tribal owners of trust or restricted Indian land on the San Xavier and Salt River Pima-Maricopa Reservations may, with the approval of the Secretary, dedicate land to the public for streets, alleys, or other public purposes under those laws of the State of Arizona that are applicable to the dedication of land for public purposes.

Land for public purposes.

SEC. 8. The Papago Council and the Salt River Pima-Maricopa Community Council, with the approval of the Secretary of the Interior, may contract with the State of Arizona or its political subdivisions for the furnishing of water, sewerage, law enforcement, or other public services on terms and conditions deemed advantageous to the tribe and individual Indian landowners.

Contract for water, sewerage, etc.

SEC. 9. The Papago Council and the Salt River Pima-Maricopa Community Council, with the consent of the Secretary of the Interior, are hereby authorized, for their respective reservations, to enact zoning, building, and sanitary regulations covering the lands on their reservations for which leasing authority is granted by this Act in the absence of State civil and criminal jurisdiction over such particular lands, and said councils may contract with local municipalities for assistance in preparing such regulations.

Zoning and building, etc., regulations.

SEC. 10. Nothing contained in this Act shall—

Restrictions.

(a) authorize the alienation, encumbrance, or taxation of any interest in real or personal property, including water rights, held in trust by the United States or held by an individual Indian, the Papago Tribe or the Salt River Pima-Maricopa Community subject to a restriction against alienation imposed by the United States, or any income therefrom: *Provided*, That the foregoing shall not affect the power to lease as provided in the first section of this Act or the power to dedicate as provided in section 7 of this Act and shall not affect or abridge any right of the State of Arizona or its political subdivisions to tax non-Indian leasehold and possessory interests, buildings, improvements and personal property located on the San Xavier and Salt River Pima-Maricopa Reservations and not owned by Papago or Pima-Maricopa Indians residing thereon;

(b) confer jurisdiction on the State of Arizona to adjudicate in probate proceedings or otherwise the ownership or right to possession of trust or restricted property or any interests therein;

(c) alter or abridge in any way the authority of public school districts to include areas within the San Xavier and Salt River Pima-Maricopa Reservation;

(d) be construed to repeal any authority to lease or mortgage trust or restricted Indian lands conferred by or pursuant to any other provision of law.

Mission San  
Xavier del Bac.

SEC. 11. Nothing in this Act shall authorize the Secretary to approve any development which would detract from the scenic, historic, and religious values of the Mission San Xavier del Bac owned by the Franciscan Order of Friars Minor and located on the San Xavier Reservation.

Approved November 2, 1966.

### Public Law 89-716

#### AN ACT

November 2, 1966  
[H. R. 7973]

To amend section 4339 of title 10, United States Code.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4339 of title 10, United States Code, is repealed.*

U.S. Military  
Academy.  
70A Stat. 240.

SEC. 2. The organist and choirmaster and the civilian instructors in the departments of foreign languages and tactics at the United States Military Academy who are serving under appointments made prior to January 17, 1963, are entitled to public quarters without charge, and to fuel and light without charge when they occupy public quarters.

Approved November 2, 1966.

### Public Law 89-717

#### AN ACT

November 2, 1966  
[H. R. 8917]

To provide for the disposition of funds appropriated to pay a judgment in favor of the Omaha Tribe of Nebraska, and for other purposes.

Omaha Tribe of  
Indians.  
Judgement funds.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from the funds on deposit in the Treasury of the United States to the credit of the Omaha Tribe of Nebraska that were appropriated by the Act of June 9, 1964, to pay a judgment obtained by the tribe in Indian Claims Commission docket numbered 138, after deduction of attorney fees, litigation expenses, and such sums as may be required to distribute individual shares, the Secretary of the Interior shall make a per capita distribution of no more than \$270 to each person living on the date of this Act whose name appears on the roll of the tribe prepared pursuant to Section 1 of the Act of September 14, 1961 (75 Stat. 508), and to each child living on the date of this Act who was born after September 14, 1961, and who possesses aboriginal Omaha blood of the degree of one-fourth or more except for any such child who is enrolled with any other tribe of Indians. The balance of such funds, and the interest thereon, may be advanced or expended for any purpose that*

is authorized by the tribal governing body and approved by the Secretary. The amount of \$150,000 of said funds and any interest thereon shall not be distributed, advanced or expended until said \$150,000 and any interest thereon becomes available for disbursement pursuant to the terms of the final judgment dated April 14, 1964, by the Indian Claims Commission in docket numbered 138.

SEC. 2. Sums payable to persons or to their heirs or legatees who are less than twenty-one years of age or who are under a legal disability shall be paid in accordance with such procedures as the Secretary, after consultation with the tribal governing body, determines will adequately protect their best interests. Proportional shares of heirs or legatees amounting to \$5 or less shall not be distributed and such amounts shall escheat to the Omaha Tribe of Nebraska.

SEC. 3. The funds distributed under the provisions of this Act shall not be subject to Federal or State income taxes.

SEC. 4. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

Approved November 2, 1966.

## Public Law 89-718

### AN ACT

November 2, 1966  
[H. R. 9778]

To amend titles 10 and 37, United States Code, to codify recent military law, and to improve the Code.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 123 of title 10, United States Code, is amended by striking out "5907,"

Armed Forces.  
Military law.  
74 Stat. 264.  
70A Stat. 8.

SEC. 2. Section 173(c) of title 10, United States Code, is repealed.

SEC. 3. Sections 564(a), 1164, 1221, 1255(a), 1263(a), 1305(a), 1404 (including the catchline), 3883, 3884, 3885, 3886, 3913(a), 3915, 3916(a), 3921(a), 3922(a), 3923, 8883, 8884, 8885, 8886, 8913(a), 8915(a), 8916(a), 8921(a), 8922(a), and 8923, and the item relating to section 1404 in the analysis for chapter 71, of title 10, United States Code, are each amended by striking out the figure "47a" wherever it appears and by inserting in place thereof the figure "8301".

SEC. 4. Sections 591(a) and 5792 of title 10, United States Code, are each amended by striking out the figure "16" and inserting in place thereof the figure "3331".

SEC. 5. Section 651(a) of title 10, United States Code, is amended by striking out "enlisted under section 1013 of title 50 or".

72 Stat. 1440.

SEC. 6. Section 687 of title 10, United States Code, is amended—

76 Stat. 507.

(1) by striking out the first sentence of subsection (a) and inserting in place thereof the following new sentences: "Except for members covered by subsection (b), a member of a reserve component or a member of the Army or the Air Force without component who is released from active duty involuntarily, or because he was not accepted for an additional tour of active duty for which he volunteered after he had completed a tour of active

duty, and who has completed, immediately before his release, at least five years of continuous active duty, is entitled to a readjustment payment computed by multiplying his years of active service (other than in time of war or of national emergency declared by Congress after June 28, 1962), but not more than eighteen, by two months' basic pay of the grade in which he is serving at the time of his release. However, a member who is released from active duty because his performance of duty has fallen below standards prescribed by the Secretary concerned, or because his retention on active duty is not clearly consistent with the interests of national security, is entitled to a readjustment payment computed on the basis of one-half of one month's basic pay of the grade in which the member is serving at the time of his release from active duty. A person covered by this subsection may not be paid more than two years' basic pay of the grade in which he is serving at the time of his release or \$15,000, whichever amount is the lesser.”;

(2) by amending clause (3) of subsection (a) by striking out “severance” and inserting in place thereof “readjustment”;

(3) by amending subsection (b) to read as follows: “(b) Subsection (a) does not apply to a member who—

“(1) is released from active duty at his request;

“(2) is released from active duty for training;

“(3) under regulations to be prescribed by the Secretary of Defense, or by the Secretary of the Treasury with respect to the Coast Guard when it is not operating as a service in the Navy, is released from active duty because of moral or professional dereliction;

“(4) upon release from active duty, is immediately eligible for retired pay or retainer pay based entirely on his military service;

“(5) upon release from active duty, is immediately eligible for severance pay (other than under section 680 of this title) based on his military service and who elects to receive that severance pay; or

“(6) upon release from active duty, is immediately eligible for disability compensation under a law administered by the Veterans' Administration and who elects to receive that compensation.

However, a member covered by clause (6) may receive a readjustment payment under this section and disability compensation if an amount equal to 75 percent of the readjustment payment is deducted from the disability compensation. This subsection does not prevent a member who elects to receive a readjustment payment under this section from becoming entitled to disability compensation based on his service performed after he makes that election.”; and

(4) by striking out subsection (e), and by adding the following new subsection:

“(f) If a member who received a readjustment payment under this section after June 28, 1962, qualifies for retired pay under any provision of this title or title 14 that authorizes his retirement upon completion of twenty years of active service, an amount equal to 75 percent of that payment, without interest, shall be deducted immediately from his retired pay.”

SEC. 7. Section 717(b) of title 10, United States Code, is repealed.

SEC. 8. (a) Sections 802(8), 1072(1), 1073, 1208(a)(2)(B), 1213, 1444(a), 2733(f), 2771(b), 4537, 7204(a)(1)(D), 7205(a)(4), 7211(a)(4), 7218(b), 7571(a)(3), 7572(a)(3), 7576(a)(3), and 9537 of title 10, United States Code, are each amended by striking out "Coast and Geodetic Survey" and inserting in place thereof "Environmental Science Services Administration".

(b) Section 1208(a) of title 10, United States Code, is amended by adding the following sentence flush at the end thereof: "For the purpose of clause (2)(B) of this subsection, active service as a member of the Environmental Science Services Administration includes active service as a member of the Coast and Geodetic Survey."

SEC. 9. Chapter 57 of title 10, United States Code, is amended by redesignating section 1124, relating to the gold star lapel button, as section "1126", redesignating the corresponding item in the analysis as item "1126", transferring the section to follow section 1112, and transferring the analysis item to follow that for section 1125.

SEC. 10. Section 1124(g) of title 10, United States Code, is amended by striking out "program report" in the last sentence and inserting in place thereof "progress report".

SEC. 11. Section 1478(a)(4) of title 10, United States Code, is amended by striking out "United States Code" in two places.

SEC. 12. (a) Chapter 77 of title 10, United States Code, is amended as follows:

(1) By adding the following new section:

**"§ 1524. Posthumous commissions and warrants: determination of date of death**

"For the purposes of sections 1521 and 1522 of this title, in any case where the date of death is established or determined under sections 551-558 of title 37, the date of death is the date the Secretary concerned receives evidence that the person is dead, or the date the finding of death is made under section 555 of title 37."

(2) By adding the following new item in the analysis:

"1524. Posthumous commissions and warrants: determination of date of death."

(b) Section 5 of the Act of July 28, 1942, ch. 528, as added by section 1(e) of the Act of July 17, 1953, ch. 220, 67 Stat. 177, is repealed.

SEC. 13. The analysis of chapter 81 of title 10, United States Code, is amended by striking out the item relating to section 1580.

SEC. 14. Section 1583 of title 10, United States Code, is amended as follows:

(1) By striking out the designation "(a)" at the beginning thereof.

(2) By repealing subsection (b).

SEC. 15. Section 1586 of title 10, United States Code, is amended by striking out the reference "section 12 of the Act of June 27, 1944 (5 U.S.C. 861)" wherever it appears and inserting in place thereof "sections 3501-3503 of title 5".

SEC. 16. Section 2031(d) of title 10, United States Code, is amended—

(1) by striking out "retired" at the beginning of clause (1) and inserting in place thereof "Retired"; and

*Ante*, p. 345.

*Ante*, p. 339.  
79 Stat. 830.

78 Stat. 1071.

70A Stat. 115.  
10 USC 1521-1523.

*Ante*, p. 625.

Repeal.

76 Stat. 519;  
*Ante*, p. 663.  
70A Stat. 118.

74 Stat. 325.

*Ante*, p. 428.  
78 Stat. 1063.

(2) by striking out "notwithstanding" at the beginning of clause (2) and inserting in place thereof "Notwithstanding".

78 Stat. 1068.

SEC. 17. Section 2109(b)(3) of title 10, United States Code, is amended by inserting "and" at the end thereof.

SEC. 18. Section 2110(a)(1) of title 10, United States Code, is amended by striking out "education" and inserting in place thereof "educational".

72 Stat. 1457.

SEC. 19. Section 2237(a) of title 10, United States Code, is amended by striking out "the Chief of the Bureau of Yards and Docks of the Navy" and inserting in place thereof "the head of such office or agency in the Department of the Navy as the Secretary of the Navy may designate".

76 Stat. 511.

SEC. 20. Section 2680(a) of title 10, United States Code, is amended by striking out "1001 and 1003-1011" and inserting in place thereof "551-559 and 701-706".

76 Stat. 767.

SEC. 21. (a) Chapter 163 of title 10, United States Code, is amended by redesignating section 2736, relating to property loss, or personal injury or death, incident to the use of property of the United States and not cognizable under other law, as section "2737".

(b) Chapter 163 of title 10, United States Code, is further amended by redesignating item 2736 of the analysis, relating to property loss, or personal injury or death, incident to the use of property of the United States and not cognizable under other law, as item "2737".

70A Stat. 157.

SEC. 22. Section 3012(b) of title 10, United States Code, is amended to read as follows:

"(b) The Secretary is responsible for and has the authority necessary to conduct all affairs of the Department of the Army, including—

"(1) functions necessary or appropriate for the training, operations, administration, logistical support and maintenance, welfare, preparedness, and effectiveness of the Army, including research and development;

"(2) direction of the construction, maintenance, and repair of buildings, structures, and utilities for the Army;

"(3) acquisition of all real estate and the issue of licenses in connection with Government reservations;

"(4) operation of water, gas, electric, and sewer utilities; and

"(5) such other activities as may be prescribed by the President or the Secretary of Defense as authorized by law.

He shall perform such other duties relating to Army affairs, and conduct the business of the Department in such manner, as the President or the Secretary of Defense may prescribe. The Secretary is responsible to the Secretary of Defense for the operation and efficiency of the Department. After first informing the Secretary of Defense, the Secretary may make such recommendations to Congress relating to the Department of Defense as he may consider appropriate."

70A Stat. 159,  
489.

SEC. 23. Sections 3017 and 8017 of title 10, United States Code, are each amended by striking out the figure "6" wherever it appears and inserting in place thereof the figure "3347".

SEC. 24. Section 3036(a) of title 10, United States Code, is amended to read as follows:

“(a) There are in the Army the following officers:

- “(1) Chief of Engineers.
- “(2) Surgeon General.
- “(3) Judge Advocate General.
- “(4) Chief of Chaplains.”

SEC. 25. (a) Section 3038 of title 10, United States Code, is repealed.

Repeal.

(b) The analysis of chapter 305 of title 10, United States Code, is amended by striking out the following item:

“3038. Chief of Engineers: additional duties.”

SEC. 26. Section 3533 of title 10, United States Code, is amended by striking out “upon the recommendation of the Chief of Engineers, and”.

SEC. 27. Section 4508 of title 10, United States Code, is amended by striking out “Chief of Ordnance” wherever it appears and inserting in place thereof “Secretary”.

SEC. 28. Sections 4540(c), 7212(a), and 9540(c) of title 10, United States Code, are each amended by striking out “1071-1153” and inserting in place thereof “305, 3324, 5101-5115, 5331-5338, 5341, 5342, and 7154”.

SEC. 29. Section 4565(a) of title 10, United States Code, is amended by striking out “Quartermaster General” and inserting in place thereof “Secretary”.

SEC. 30. Section 4712(a) of title 10, United States Code, is amended by striking out “the court-martial jurisdiction of the Army or the Air Force” and inserting in place thereof “military law”.

SEC. 31. Section 4834 of title 10, United States Code, is amended by striking out the designation “(a)” and subsection (b).

SEC. 32. Section 5036(a) of title 10, United States Code, is amended by striking out “and the Assistant Secretary of the Navy for Air” and “and the Assistant Secretary for Air”.

SEC. 33. Chapter 509 of title 10, United States Code, is amended by striking out “and Chief of Naval Material” in the catchline of section 5082 and in the corresponding item in the analysis and by amending section 5082(a) to read as follows:

“(a) To coordinate military operations and their support effectively, the Chief of Naval Operations, under the direction of the Secretary of the Navy, shall—

“(1) determine the personnel and the material requirements of the operating forces, including the order in which ships, aircraft, surface craft, weapons, and facilities are to be constructed, maintained, altered, repaired, and overhauled; and

“(2) coordinate and direct the efforts of the bureaus and offices of the executive part of the Department of the Navy as may be necessary to make available and distribute, when and where needed, the personnel and material required.”

SEC. 34. (a) Chapter 511 of title 10, United States Code, is repealed.

<sup>10 USC 5111,</sup>  
5112.

(b) The chapter analysis of subtitle C of title 10, United States

Code, and the chapter analysis of part I of subtitle C of title 10 are each amended by striking out the following item :

"511. Office of the Chief of Naval Material..... 5111".

SEC. 35. Chapter 513 of title 10, United States Code, is amended by—

70A Stat. 285.

(1) striking out clauses (3)–(6) in section 5131;

(2) amending the catchline of section 5133 and the corresponding item in the analysis by inserting "and Judge Advocate General" after "Bureau Chiefs" in each case;

(3) striking out "Chief of the Bureau of Naval Weapons" in section 5133(a) and inserting in place thereof "Judge Advocate General";

(4) inserting "or the Judge Advocate General" after the words "chief of bureau" wherever they appear in the first sentences of sections 5133(a) and 5133(b); and

(5) repealing sections 5145, 5146, 5147, and 5154 and striking out the corresponding items in the analysis.

79 Stat. 1050.  
Repeal.  
70A Stat. 289;  
73 Stat. 395.

SEC. 36. Chapter 513 of title 10, United States Code, is amended by striking out "pay," in item 5149 of the analysis and in the catchline for section 5149.

SEC. 37. Subsections (b) and (c) of section 6970 of title 10, United States Code, are amended to read as follows:

"(b) Under such regulations as the Secretary prescribes, the storekeeper shall make quarterly returns of the property to the head of such office or agency in the Department of the Navy as the Secretary may designate. The officer so designated shall report annually to the Secretary the receipts and expenditures under this section.

"(c) The storekeeper's accounts shall be inspected quarterly by the inspector general of the Supply Corps. A report of the inspection, with any recommendation of the inspector general, shall be made to the person designated by the Secretary under subsection (b)."

SEC. 38. Section 6971(a) of title 10, United States Code, is amended by striking out "Bureau of Supplies and Accounts" and inserting in place thereof "person designated by the Secretary of the Navy under section 6970(b) of this title".

SEC. 39. Section 7083 of title 10, United States Code, is amended by striking out "through the Chief, Field Branch, Bureau of Supplies and Accounts,".

SEC. 40. Section 7086(g) of title 10, United States Code, is amended by striking out "sections 751–756, 757–791, and 793" and inserting in place thereof "chapter 81".

SEC. 41. Section 7303(a) of title 10, United States Code, is amended by striking out "The Bureau of Ships" and inserting in place thereof "An office or agency in the Department of the Navy designated by the Secretary of the Navy".

SEC. 42. Section 7306 of title 10, United States Code, is amended as follows:

(1) By striking out the designation "(a)" at the beginning thereof.

(2) By repealing subsection (b).

SEC. 43. The analysis of chapter 643 of title 10, United States Code, is amended by striking out the item relating to section 7474.

SEC. 44. Section 7604(a) of title 10, United States Code, is amended by striking out "Bureau of Supplies and Accounts" and inserting in place thereof "office or agency in the Department of the Navy designated by the Secretary".

Ante, p. 663.

SEC. 45. The last sentence of section 8031(c) of title 10, United States Code, is amended by striking out "quarterly" and inserting in place thereof "annually".

70A Stat. 490;  
79 Stat. 1312.

SEC. 46. Section 9343 of title 10, United States Code, is amended by striking out "faculty" in the first sentence and inserting in place thereof "Academy Board".

78 Stat. 153.

SEC. 47. Section 9346 of title 10, United States Code, is amended by adding the following new subsection:

70A Stat. 565.

"(d) To be admitted to the Academy, an appointee must take and subscribe to an oath prescribed by the Secretary of the Air Force. If a candidate for admission refuses to take and subscribe to the prescribed oath, his appointment is terminated."

SEC. 48. Section 9712(a) of title 10, United States Code, is amended by striking out "the court-martial jurisdiction of the Air Force or the Army" and inserting in place thereof "military law".

SEC. 49. (a) Title 37, United States Code, is amended as follows:

(1) Sections 101(3) and (5)(E) 201 (third column of table), 205(a)(5), 403(e), 501(b) and (e), 502(a), 503, 706 (catchline and text), 801(c), and 1001(b) are each amended by striking out "Coast and Geodetic Survey" and inserting in place thereof "Environmental Science Services Administration".

76 Stat. 451.

(2) Section 414(a)(2) is amended by striking out ", or as Director of the Coast and Geodetic Survey".

(3) The analysis of chapter 13 is amended by striking out the following item:

"706. Commissioned officer of Coast and Geodetic Survey."

and inserting in place thereof:

"706. Commissioned officers of Environmental Science Services Administration."

(b) Section 205(a) of title 37, United States Code, is amended by adding the following sentence at the end thereof: "For the purpose of clause (5) of this subsection, periods during which a member was a deck officer or junior engineer in the Environmental Science Services Administration includes periods during which a member was a deck officer or junior engineer in the Coast and Geodetic Survey."

SEC. 50. Section 202 of title 37, United States Code, is amended—

(1) by striking out the words "or as Chief of the Bureau of Naval Weapons" in subsection (g); and

(2) by striking out clause (2) in subsection (h).

SEC. 51. Section 209 of title 37, United States Code, is amended—

78 Stat. 1070.

(1) by striking out "United States Code," by striking out "twenty" and inserting in place thereof "20", and by striking out "section 6(d)(1) of the Universal Military Training and Service Act, as amended (50 U.S.C. App. 456(d)(1))" and inserting in place thereof "section 456(d)(1) of title 50, appendix", in subsection (a); and

(2) by striking out "United States Code," in subsection (c).

SEC. 52. Section 301(a)(2) of title 37, United States Code, is amended to read as follows:

77 Stat. 215.

"(2) as determined by the Secretary concerned, on a submarine (including, in the case of nuclear-powered submarines, periods of

training and rehabilitation after assignment thereto), or, in the case of personnel qualified in submarines, as a member of a submarine operational command staff whose duties require serving on a submarine during underway operations—

“(A) during one calendar month: 48 hours;

“(B) during any two consecutive calendar months when the requirements of clause (A) above have not been met: 96 hours; or

“(C) during any three consecutive calendar months when the requirements of clause (B) above have not been met: 144 hours;

as a prospective crew-member of submarine being constructed, and during periods of instruction to prepare for assignment to a submarine of advanced design or a position of increased responsibility on a submarine;”.

76 Stat. 464.

SEC. 53. Section 302(b)(3) of title 37, United States Code, is amended by striking out “and” at the end thereof and inserting in place thereof “or”.

SEC. 54. Section 403(a) of title 37, United States Code, is amended to read as follows:

“(a) Except as otherwise provided by this section or by another law, a member of a uniformed service who is entitled to basic pay is entitled to a basic allowance for quarters at the following monthly rates according to the pay grade in which he is assigned or distributed for basic pay purposes:

“Pay grade	Without dependents	With dependents
O-10.....	\$160.20	\$201.00
O-9.....	160.20	201.00
O-8.....	160.20	201.00
O-7.....	160.20	201.00
O-6.....	140.10	170.10
O-5.....	130.20	157.50
O-4.....	120.00	145.05
O-3.....	105.00	130.05
O-2.....	95.10	120.00
O-1.....	85.20	110.10
W-4.....	120.00	145.05
W-3.....	105.00	130.05
W-2.....	95.10	120.00
W-1.....	85.20	110.10
E-9.....	85.20	120.00
E-8.....	85.20	120.00
E-7.....	75.00	114.90
E-6.....	70.20	110.10
E-5.....	70.20	105.00
E-4 (over 4 years' service).....	70.20	105.00
E-4 (4 years' or less service).....	45.00	45.00
E-3.....	45.00	45.00
E-2.....	45.00	45.00
E-1.....	45.00	45.00

A member in pay grade E-4 (less than four years' service), E-3, E-2, or E-1 is considered at all times to be without dependents.”

76 Stat. 472.

SEC. 55. Section 404(d) of title 37, United States Code, is amended—

(1) by striking out “by the Chief of Finance of the Army” in clause (1);

(2) by striking out “section” in clause (2) and inserting in place thereof “subsection”;

(3) by striking out “\$12” in clause (2) and inserting in place thereof “\$16”;

(4) by striking out "section" in clause (3) and inserting in place thereof "subsection"; and

(5) by adding at the end thereof the following new flush sentence:

"Where due to unusual circumstances of a travel assignment the maximum per diem allowance would be less than the amount required to meet the actual and necessary expenses of the trip, reimbursement for such expenses may be authorized, under regulations prescribed by the Secretaries concerned, on an actual expense basis, but not more than the amount specified in the travel authorization, and in any event not more than \$30 for each day in a travel status."

SEC. 56. Section 404(e) of title 37, United States Code, is amended by striking out "Military Air Transport Service" and inserting in place thereof "Military Airlift Command".

SEC. 57. Section 405 of title 37, United States Code, is amended by striking out "a" after "including" in the first sentence and inserting in place thereof "the".

SEC. 58. Section 406 of title 37, United States Code, is amended—

(1) by striking out "temporary or permanent change of station" in subsection (b) and inserting in place thereof "change of temporary or permanent station"; and

(2) by inserting "is" before "placed" in subsection (g) (1).

SEC. 59. The last sentence of section 406(g) of title 37, United States Code, is amended by striking out "members'" and inserting in place thereof "member's".

SEC. 60. Section 407 of title 37, United States Code, is amended by striking out "permanent change of station" in subsections (a) and (b) (2) and inserting in place thereof "change of permanent station".

SEC. 61. Section 409 of title 37, United States Code, is amended by striking out "goods" in the first sentence and inserting in place thereof "effects".

78 Stat. 383.

SEC. 62. Section 409 of title 37, United States Code, is amended by striking out "forty-eight" in the last sentence and inserting in place thereof "48".

SEC. 63. Sections 415(a), 416(b), and 422(c) of title 37, United States Code, are each amended by striking out "United States Code,".

78 Stat. 1070.

SEC. 64. Section 419 of title 37, United States Code, is amended by striking out "716" wherever that figure appears and inserting in place thereof "717".

76 Stat. 478.

SEC. 65. The last sentence of section 501(d) of title 37, United States Code, is amended by striking out "sixty" and inserting in place thereof "60".

79 Stat. 586.

SEC. 66. The catchline of section 604 of title 37, United States Code, is amended by striking out "the".

76 Stat. 484.

SEC. 67. Section 701(d) of title 37, United States Code, is amended by striking out "Chief of Finance (in cases involving the Army) or by the Secretary of the Air Force." and inserting in place thereof "Secretary concerned".

SEC. 68. Section 801 of title 37, United States Code, is amended—

(1) by striking out subsection (b); and

(2) by striking out "two" in subsection (c) and inserting in place thereof "three".

SEC. 69. Section 1001(b) of title 37, United States Code, is amended by inserting "and allowances" before "matters".

SEC. 70. Section 1006 of title 37, United States Code, is amended by redesignating subsection "(g)" (relating to advance payment of

pay and allowances to members of the armed forces), as subsection "(h)".

SEC. 71. Section 1007(a) of title 37, United States Code, is amended by striking out the figure "82" and by inserting in place thereof the figure "5512".

SEC. 72. Section 1007(c) of title 37, United States Code, is amended by striking out "basic" in the second sentence.

SEC. 73. (a) The Act of September 7, 1962, Public Law 87-649 (76 Stat. 451), is amended as follows:

(1) The first sentence of section 10 (76 Stat. 496) is amended by striking out "(64 Stat. 795)" and inserting in place thereof "(64 Stat. 794)".

(2) Section 14b, headed "Statutes at Large" (76 Stat. 498), is amended by striking out, in the item relating to the Act of September 8, 1950, "1, 4," "794, 795," and "231, 252".

(3) Section 14d, headed "Sections of Title 14, United States Code" (76 Stat. 502), is amended by adding at the end thereof the following:

"(7) Section 471 (a) and (b)."

(b) Clause (2) of subsection (a) of this section is effective as of November 1, 1962.

(c) (1) Section 461 of title 14, United States Code, is amended by striking out the designation "(c)" and by amending the catchline to read as follows:

**"§ 461. Remission of indebtedness of enlisted members upon discharge".**

(2) The item in the analysis of chapter 13 of title 14, United States Code, relating to section 461 is amended to read as follows:

"461. Remission of indebtedness of enlisted members upon discharge."

SEC. 74. (a) Laws becoming effective after June 1, 1965, that are inconsistent with this Act shall be considered as superseding it to the extent of the inconsistency.

(b) References made by other laws, regulations, and orders to the laws restated by this Act shall be considered to be made to the corresponding provisions of this Act.

(c) Actions taken under the laws restated by this Act shall be considered to have been taken under the corresponding provisions of this Act.

SEC. 75. The following laws are repealed except with respect to rights and duties that matured, penalties that were incurred, and proceedings that were begun before the effective date of this Act:

(1) Section 1409 of the Supplemental Appropriation Act, 1953 (66 Stat. 661), as amended by section 2 of the Act of October 9, 1962, Public Law 87-777 (76 Stat. 777).

(2) Section 1309 of the Supplemental Appropriation Act, 1954 (67 Stat. 437), as amended by section 2 of the Act of October 9, 1962, Public Law 87-777 (76 Stat. 777).

(3) The Act of June 27, 1962, Public Law 87-500 (76 Stat. 111).

(4) Section 1 of the Act of June 28, 1962, Public Law 87-509 (76 Stat. 120).

(5) Section 1 of the Act of July 10, 1962, Public Law 87-531 (76 Stat. 152).

(6) The Act of October 9, 1962, Public Law 87-777 (76 Stat. 777).

(7) Section 6112 of title 10, United States Code.

Approved November 2, 1966.

76 Stat. 141.

Repeals.

5 USC 59c.

37 USC 404  
note.

50 USC 1016.

37 USC 403  
notes.

## Public Law 89-719

## AN ACT

To amend the Internal Revenue Code of 1954 with respect to the priority and effect of Federal tax liens and levies, and for other purposes.

November 2, 1966  
[H. R. 11256]

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

Federal Tax  
Lien Act of 1966.

**SECTION 1. SHORT TITLE, ETC.**

(a) **SHORT TITLE.**—This Act may be cited as the “Federal Tax Lien Act of 1966”.

(b) **AMENDMENT OF 1954 CODE.**—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1954.

68A Stat. 3.  
26 USC 1 et  
seq.

## TITLE I—PRIORITY AND EFFECT OF TAX LIENS AND LEVIES

**SEC. 101. PRIORITY OF LIENS.**

(a) **AMENDMENT OF SECTION 6323.**—Section 6323 (relating to validity of tax liens against mortgagees, pledgees, purchasers, and judgment creditors) is amended to read as follows:

**“SEC. 6323. VALIDITY AND PRIORITY AGAINST CERTAIN PERSONS.**

“(a) **PURCHASES, HOLDERS OF SECURITY INTERESTS, MECHANIC’S LIENORS, AND JUDGMENT LIEN CREDITORS.**—The lien imposed by section 6321 shall not be valid as against any purchaser, holder of a security interest, mechanic’s lienor, or judgment lien creditor until notice thereof which meets the requirements of subsection (f) has been filed by the Secretary or his delegate.

“(b) **PROTECTION FOR CERTAIN INTERESTS EVEN THOUGH NOTICE FILED.**—Even though notice of a lien imposed by section 6321 has been filed, such lien shall not be valid—

“(1) **SECURITIES.**—With respect to a security (as defined in subsection (h) (4))—

“(A) as against a purchaser of such security who at the time of purchase did not have actual notice or knowledge of the existence of such lien; and

“(B) as against a holder of a security interest in such security who, at the time such interest came into existence, did not have actual notice or knowledge of the existence of such lien.

“(2) **MOTOR VEHICLES.**—With respect to a motor vehicle (as defined in subsection (h) (3)), as against a purchaser of such motor vehicle, if—

“(A) at the time of the purchase such purchaser did not have actual notice or knowledge of the existence of such lien, and

“(B) before the purchaser obtains such notice or knowledge, he has acquired possession of such motor vehicle and has not thereafter relinquished possession of such motor vehicle to the seller or his agent.

“(3) **PERSONAL PROPERTY PURCHASED AT RETAIL.**—With respect to tangible personal property purchased at retail, as against a purchaser in the ordinary course of the seller’s trade or business, unless at the time of such purchase such purchaser intends such

purchase to (or knows such purchase will) hinder, evade, or defeat the collection of any tax under this title.

"(4) **PERSONAL PROPERTY PURCHASED IN CASUAL SALE.**—With respect to household goods, personal effects, or other tangible personal property described in section 6334(a) purchased (not for resale) in a casual sale for less than \$250, as against the purchaser, but only if such purchaser does not have actual notice or knowledge (A) of the existence of such lien, or (B) that this sale is one of a series of sales.

"(5) **PERSONAL PROPERTY SUBJECT TO POSSESSORY LIEN.**—With respect to tangible personal property subject to a lien under local law securing the reasonable price of the repair or improvement of such property, as against a holder of such a lien, if such holder is, and has been, continuously in possession of such property from the time such lien arose.

"(6) **REAL PROPERTY TAX AND SPECIAL ASSESSMENT LIENS.**—With respect to real property, as against a holder of a lien upon such property, if such lien is entitled under local law to priority over security interests in such property which are prior in time, and such lien secures payment of—

"(A) a tax of general application levied by any taxing authority based upon the value of such property;

"(B) a special assessment imposed directly upon such property by any taxing authority, if such assessment is imposed for the purpose of defraying the cost of any public improvement; or

"(C) charges for utilities or public services furnished to such property by the United States, a State or political subdivision thereof, or an instrumentality of any one or more of the foregoing.

"(7) **RESIDENTIAL PROPERTY SUBJECT TO A MECHANIC'S LIEN FOR CERTAIN REPAIRS AND IMPROVEMENTS.**—With respect to real property subject to a lien for repair or improvement of a personal residence (containing not more than four dwelling units) occupied by the owner of such residence, as against a mechanic's lienor, but only if the contract price on the contract with the owner is not more than \$1,000.

"(8) **ATTORNEYS' LIENS.**—With respect to a judgment or other amount in settlement of a claim or of a cause of action, as against an attorney who, under local law, holds a lien upon or a contract enforceable against such judgment or amount, to the extent of his reasonable compensation for obtaining such judgment or procuring such settlement, except that this paragraph shall not apply to any judgment or amount in settlement of a claim or of a cause of action against the United States to the extent that the United States offsets such judgment or amount against any liability of the taxpayer to the United States.

"(9) **CERTAIN INSURANCE CONTRACTS.**—With respect to a life insurance, endowment, or annuity contract, as against the organization which is the insurer under such contract, at any time—

"(A) before such organization had actual notice or knowledge of the existence of such lien;

"(B) after such organization had such notice or knowledge, with respect to advances required to be made automatically to maintain such contract in force under an agreement entered into before such organization had such notice or knowledge; or

"(C) after satisfaction of a levy pursuant to section 6332(b), unless and until the Secretary or his delegate

delivers to such organization a notice, executed after the date of such satisfaction, of the existence of such lien.

“(10) **PASSBOOK LOANS.**—With respect to a savings deposit, share, or other account, evidenced by a passbook, with an institution described in section 581 or 591, to the extent of any loan made by such institution without actual notice or knowledge of the existence of such lien, as against such institution, if such loan is secured by such account and if such institution has been continuously in possession of such passbook from the time the loan is made.

68A Stat. 202.  
26 USC 581,  
591.

“(c) **PROTECTION FOR CERTAIN COMMERCIAL TRANSACTIONS FINANCING AGREEMENTS, ETC.**—

“(1) **IN GENERAL.**—To the extent provided in this subsection, even though notice of a lien imposed by section 6321 has been filed, such lien shall not be valid with respect to a security interest which came into existence after tax lien filing but which—

“(A) is in qualified property covered by the terms of a written agreement entered into before tax lien filing and constituting—

“(i) a commercial transactions financing agreement,

“(ii) a real property construction or improvement financing agreement, or

“(iii) an obligatory disbursement agreement, and

“(B) is protected under local law against a judgment lien arising, as of the time of tax lien filing, out of an unsecured obligation.

“(2) **COMMERCIAL TRANSACTIONS FINANCING AGREEMENT.**—For purposes of this subsection—

“(A) **DEFINITION.**—The term ‘commercial transactions financing agreement’ means an agreement (entered into by a person in the course of his trade or business)—

“(i) to make loans to the taxpayer to be secured by commercial financing security acquired by the taxpayer in the ordinary course of his trade or business, or

“(ii) to purchase commercial financing security (other than inventory) acquired by the taxpayer in the ordinary course of his trade or business;

but such an agreement shall be treated as coming within the term only to the extent that such loan or purchase is made before the 46th day after the date of tax lien filing or (if earlier) before the lender or purchaser had actual notice or knowledge of such tax lien filing.

“(B) **LIMITATION ON QUALIFIED PROPERTY.**—The term ‘qualified property’, when used with respect to a commercial transactions financing agreement, includes only commercial financing security acquired by the taxpayer before the 46th day after the date of tax lien filing.

“(C) **COMMERCIAL FINANCING SECURITY DEFINED.**—The term ‘commercial financing security’ means (i) paper of a kind ordinarily arising in commercial transactions, (ii) accounts receivable, (iii) mortgages on real property, and (iv) inventory.

“(D) **PURCHASER TREATED AS ACQUIRING SECURITY INTEREST.**—A person who satisfies subparagraph (A) by reason of clause (ii) thereof shall be treated as having acquired a security interest in commercial financing security.

“(3) **REAL PROPERTY CONSTRUCTION OR IMPROVEMENT FINANCING AGREEMENT.**—For purposes of this subsection—

“(A) DEFINITION.—The term ‘real property construction or improvement financing agreement’ means an agreement to make cash disbursements to finance—

“(i) the construction or improvement of real property,

“(ii) a contract to construct or improve real property, or

“(iii) the raising or harvesting of a farm crop or the raising of livestock or other animals.

For purposes of clause (iii), the furnishing of goods and services shall be treated as the disbursement of cash.

“(B) LIMITATION ON QUALIFIED PROPERTY.—The term ‘qualified property’, when used with respect to a real property construction or improvement financing agreement, includes only—

“(i) in the case of subparagraph (A) (i), the real property with respect to which the construction or improvement has been or is to be made,

“(ii) in the case of subparagraph (A) (ii), the proceeds of the contract described therein, and

“(iii) in the case of subparagraph (A) (iii), property subject to the lien imposed by section 6321 at the time of tax lien filing and the crop or the livestock or other animals referred to in subparagraph (A) (iii).

“(4) OBLIGATORY DISBURSEMENT AGREEMENT.—For purposes of this subsection—

“(A) DEFINITION.—The term ‘obligatory disbursement agreement’ means an agreement (entered into by a person in the course of his trade or business) to make disbursements, but such an agreement shall be treated as coming within the term only to the extent of disbursements which are required to be made by reason of the intervention of the rights of a person other than the taxpayer.

“(B) LIMITATION ON QUALIFIED PROPERTY.—The term ‘qualified property’, when used with respect to an obligatory disbursement agreement, means property subject to the lien imposed by section 6321 at the time of tax lien filing and (to the extent that the acquisition is directly traceable to the disbursements referred to in subparagraph (A)) property acquired by the taxpayer after tax lien filing.

“(C) SPECIAL RULES FOR SURETY AGREEMENTS.—Where the obligatory disbursement agreement is an agreement ensuring the performance of a contract between the taxpayer and another person—

“(i) the term ‘qualified property’ shall be treated as also including the proceeds of the contract the performance of which was ensured, and

“(ii) if the contract the performance of which was ensured was a contract to construct or improve real property, to produce goods, or to furnish services, the term ‘qualified property’ shall be treated as also including any tangible personal property used by the taxpayer in the performance of such ensured contract.

“(d) 45-DAY PERIOD FOR MAKING DISBURSEMENTS.—Even though notice of a lien imposed by section 6321 has been filed, such lien shall not be valid with respect to a security interest which came into existence after tax lien filing by reason of disbursements made before the 46th day after the date of tax lien filing, or (if earlier) before the person making such disbursements had actual notice or knowledge of tax lien filing, but only if such security interest—

"(1) is in property (A) subject, at the time of tax lien filing, to the lien imposed by section 6321, and (B) covered by the terms of a written agreement entered into before tax lien filing, and

"(2) is protected under local law against a judgment lien arising, as of the time of tax lien filing, out of an unsecured obligation.

"(e) **PRIORITY OF INTEREST AND EXPENSES.**—If the lien imposed by section 6321 is not valid as against a lien or security interest, the priority of such lien or security interest shall extend to—

"(1) any interest or carrying charges upon the obligation secured,

"(2) the reasonable charges and expenses of an indenture trustee or agent holding the security interest for the benefit of the holder of the security interest,

"(3) the reasonable expenses, including reasonable compensation for attorneys, actually incurred in collecting or enforcing the obligation secured,

"(4) the reasonable costs of insuring, preserving, or repairing the property to which the lien or security interest relates,

"(5) the reasonable costs of insuring payment of the obligation secured, and

"(6) amounts paid to satisfy any lien on the property to which the lien or security interest relates, but only if the lien so satisfied is entitled to priority over the lien imposed by section 6321, to the extent that, under local law, any such item has the same priority as the lien or security interest to which it relates.

"(f) **PLACE FOR FILING NOTICE; FORM.**—

"(1) **PLACE FOR FILING.**—The notice referred to in subsection (a) shall be filed—

"(A) **UNDER STATE LAWS.**—

"(i) **REAL PROPERTY.**—In the case of real property, in one office within the State (or the county, or other governmental subdivision), as designated by the laws of such State, in which the property subject to the lien is situated; and

"(ii) **PERSONAL PROPERTY.**—In the case of personal property, whether tangible or intangible, in one office within the State (or the county, or other governmental subdivision), as designated by the laws of such State, in which the property subject to the lien is situated; or

"(B) **WITH CLERK OF DISTRICT COURT.**—In the office of the clerk of the United States district court for the judicial district in which the property subject to the lien is situated, whenever the State has not by law designated one office which meets the requirements of subparagraph (A); or

"(C) **WITH RECORDER OF DEEDS OF THE DISTRICT OF COLUMBIA.**—In the office of the Recorder of Deeds of the District of Columbia, if the property subject to the lien is situated in the District of Columbia.

"(2) **SITUS OF PROPERTY SUBJECT TO LIEN.**—For purposes of paragraph (1), property shall be deemed to be situated—

"(A) **REAL PROPERTY.**—In the case of real property, at its physical location; or

"(B) **PERSONAL PROPERTY.**—In the case of personal property, whether tangible or intangible, at the residence of the taxpayer at the time the notice of lien is filed.

For purposes of paragraph (2)(B), the residence of a corporation or partnership shall be deemed to be the place at which the

principal executive office of the business is located, and the residence of a taxpayer whose residence is without the United States shall be deemed to be in the District of Columbia.

“(3) **FORM.**—The form and content of the notice referred to in subsection (a) shall be prescribed by the Secretary or his delegate. Such notice shall be valid notwithstanding any other provision of law regarding the form or content of a notice of lien.

“(g) **REFILING OF NOTICE.**—For purposes of this section—

“(1) **GENERAL RULE.**—Unless notice of lien is refiled in the manner prescribed in paragraph (2) during the required refiling period, such notice of lien shall be treated as filed on the date on which it is filed (in accordance with subsection (f)) after the expiration of such refiling period.

“(2) **PLACE FOR FILING.**—A notice of lien refiled during the required refiling period shall be effective only—

“(A) if such notice of lien is refiled in the office in which the prior notice of lien was filed; and

“(B) in any case in which, 90 days or more prior to the date of a refiling of notice of lien under subparagraph (A), the Secretary or his delegate received written information (in the manner prescribed in regulations issued by the Secretary or his delegate) concerning a change in the taxpayer's residence, if a notice of such lien is also filed in accordance with subsection (f) in the State in which such residence is located.

“(3) **REQUIRED REFILING PERIOD.**—In the case of any notice of lien, the term ‘required refiling period’ means—

“(A) the one-year period ending 30 days after the expiration of 6 years after the date of the assessment of the tax, and

“(B) the one-year period ending with the expiration of 6 years after the close of the preceding required refiling period for such notice of lien.

“(4) **TRANSITIONAL RULE.**—Notwithstanding paragraph (3), if the assessment of the tax was made before January 1, 1962, the first required refiling period shall be the calendar year 1967.

“(h) **DEFINITIONS.**—For purposes of this section and section 6324—

“(1) **SECURITY INTEREST.**—The term ‘security interest’ means any interest in property acquired by contract for the purpose of securing payment or performance of an obligation or indemnifying against loss or liability. A security interest exists at any time (A) if, at such time, the property is in existence and the interest has become protected under local law against a subsequent judgment lien arising out of an unsecured obligation, and (B) to the extent that, at such time, the holder has parted with money or money's worth.

“(2) **MECHANIC'S LIENOR.**—The term ‘mechanic's lienor’ means any person who under local law has a lien on real property (or on the proceeds of a contract relating to real property) for services, labor, or materials furnished in connection with the construction or improvement of such property. For purposes of the preceding sentence, a person has a lien on the earliest date such lien becomes valid under local law against subsequent purchasers without actual notice, but not before he begins to furnish the services, labor, or materials.

“(3) **MOTOR VEHICLE.**—The term ‘motor vehicle’ means a self-propelled vehicle which is registered for highway use under the laws of any State or foreign country.

“(4) **SECURITY.**—The term ‘security’ means any bond, debenture, note, or certificate or other evidence of indebtedness, issued

by a corporation or a government or political subdivision thereof, with interest coupons or in registered form, share of stock, voting trust certificate, or any certificate of interest or participation in, certificate of deposit or receipt for, temporary or interim certificate for, or warrant or right to subscribe to or purchase, any of the foregoing; negotiable instrument; or money.

“(5) **TAX LIEN FILING.**—The term ‘tax lien filing’ means the filing of notice (referred to in subsection (a)) of the lien imposed by section 6321.

68A Stat. 779.  
26 USC 6321.

“(6) **PURCHASER.**—The term ‘purchaser’ means a person who, for adequate and full consideration in money or money’s worth, acquires an interest (other than a lien or security interest) in property which is valid under local law against subsequent purchasers without actual notice. In applying the preceding sentence for purposes of subsection (a) of this section, and for purposes of section 6324—

Post, p. 1132.

“(A) a lease of property,

“(B) a written executory contract to purchase or lease property,

“(C) an option to purchase or lease property or any interest therein, or

“(D) an option to renew or extend a lease of property, which is not a lien or security interest shall be treated as an interest in property.

“(i) **SPECIAL RULES.**—

“(1) **ACTUAL NOTICE OR KNOWLEDGE.**—For purposes of this subchapter, an organization shall be deemed for purposes of a particular transaction to have actual notice or knowledge of any fact from the time such fact is brought to the attention of the individual conducting such transaction, and in any event from the time such fact would have been brought to such individual’s attention if the organization had exercised due diligence. An organization exercises due diligence if it maintains reasonable routines for communicating significant information to the person conducting the transaction and there is reasonable compliance with the routine. Due diligence does not require an individual acting for the organization to communicate information unless such communication is part of his regular duties or unless he has reason to know of the transaction and that the transaction would be materially affected by the information.

“(2) **SUBROGATION.**—Where, under local law, one person is subrogated to the rights of another with respect to a lien or interest, such person shall be subrogated to such rights for purposes of any lien imposed by section 6321 or 6324.

“(3) **DISCLOSURE OF AMOUNT OF OUTSTANDING LIEN.**—If a notice of lien has been filed pursuant to subsection (f), the Secretary or his delegate is authorized to provide by regulations the extent to which, and the conditions under which, information as to the amount of the outstanding obligation secured by the lien may be disclosed.”

(b) **CLERICAL AMENDMENTS.**—

(1) The table of sections for subchapter C of chapter 64 is amended by striking out

“Sec. 6323. Validity against mortgagees, pledgees, purchasers, and judgment creditors.”

and inserting in lieu thereof

“Sec. 6323. Validity and priority against certain persons.”

68A Stat. 189.  
26 USC 545.

(2) Section 545(b)(9) is amended by striking out "section 6323(a)(1), (2), or (3)" and inserting in lieu thereof "section 6323(f)".

**SEC. 102. SPECIAL LIENS FOR ESTATE AND GIFT TAXES.**

Section 6324 (relating to special liens for estate and gift taxes) is amended to read as follows:

**"SEC. 6324. SPECIAL LIENS FOR ESTATE AND GIFT TAXES.**

**"(a) LIENS FOR ESTATE TAX.**—Except as otherwise provided in subsection (c)—

26 USC 2001-  
2209.

**"(1) UPON GROSS ESTATE.**—Unless the estate tax imposed by chapter 11 is sooner paid in full, or becomes unenforceable by reason of lapse of time, it shall be a lien upon the gross estate of the decedent for 10 years from the date of death, except that such part of the gross estate as is used for the payment of charges against the estate and expenses of its administration, allowed by any court having jurisdiction thereof, shall be divested of such lien.

**"(2) LIABILITY OF TRANSFEREES AND OTHERS.**—If the estate tax imposed by chapter 11 is not paid when due, then the spouse, transferee, trustee (except the trustee of an employees' trust which meets the requirements of section 401(a)), surviving tenant, person in possession of the property by reason of the exercise, non-exercise, or release of a power of appointment, or beneficiary, who receives, or has on the date of the decedent's death, property included in the gross estate under sections 2034 to 2042, inclusive, to the extent of the value, at the time of the decedent's death, of such property, shall be personally liable for such tax. Any part of such property transferred by (or transferred by a transferee of) such spouse, transferee, trustee, surviving tenant, person in possession, or beneficiary, to a purchaser or holder of a security interest shall be divested of the lien provided in paragraph (1) and a like lien shall then attach to all the property of such spouse, transferee, trustee, surviving tenant, person in possession, or beneficiary, or transferee of any such person, except any part transferred to a purchaser or a holder of a security interest.

**"(3) CONTINUANCE AFTER DISCHARGE OF EXECUTOR.**—The provisions of section 2204 (relating to discharge of executor from personal liability) shall not operate as a release of any part of the gross estate from the lien for any deficiency that may thereafter be determined to be due, unless such part of the gross estate (or any interest therein) has been transferred to a purchaser or a holder of a security interest, in which case such part (or such interest) shall not be subject to a lien or to any claim or demand for any such deficiency, but the lien shall attach to the consideration received from such purchaser or holder of a security interest, by the heirs, legatees, devisees, or distributees.

26 USC 2501-  
2524.

**"(b) LIEN FOR GIFT TAX.**—Except as otherwise provided in subsection (c), unless the gift tax imposed by chapter 12 is sooner paid in full or becomes unenforceable by reason of lapse of time, such tax shall be a lien upon all gifts made during the calendar year, for 10 years from the date the gifts are made. If the tax is not paid when due, the donee of any gift shall be personally liable for such tax to the extent of the value of such gift. Any part of the property comprised in the gift transferred by the donee (or by a transferee of the donee) to a purchaser or holder of a security interest shall be divested of the lien imposed by this subsection and such lien, to the extent of the value of such gift, shall attach to all the property (including after-acquired

property) of the donee (or the transferee) except any part transferred to a purchaser or holder of a security interest.

“(c) EXCEPTIONS.—

“(1) The lien imposed by subsection (a) or (b) shall not be valid as against a mechanic’s lienor and, subject to the conditions provided by section 6323 (b) (relating to protection for certain interests even though noticed filed), shall not be valid with respect to any lien or interest described in section 6323 (b).

Ante, p. 1125.

“(2) If a lien imposed by subsection (a) or (b) is not valid as against a lien or security interest, the priority of such lien or security interest shall extend to any item described in section 6323 (e) (relating to priority of interest and expenses) to the extent that, under local law, such item has the same priority as the lien or security interest to which it relates.”

**SEC. 103. CERTIFICATES RELATING TO LIENS.**

(a) AMENDMENT OF SECTION 6325.—Section 6325 (relating to release of lien or partial discharge of property) is amended to read as follows:

68A Stat. 781.  
26 USC 6325.

**“SEC. 6325. RELEASE OF LIEN OR DISCHARGE OF PROPERTY.**

“(a) RELEASE OF LIEN.—Subject to such regulations as the Secretary or his delegate may prescribe, the Secretary or his delegate may issue a certificate of release of any lien imposed with respect to any internal revenue tax if—

“(1) LIABILITY SATISFIED OR UNENFORCEABLE.—The Secretary or his delegate finds that the liability for the amount assessed, together with all interest in respect thereof, has been fully satisfied or has become legally unenforceable; or

“(2) BOND ACCEPTED.—There is furnished to the Secretary or his delegate and accepted by him a bond that is conditioned upon the payment of the amount assessed, together with all interest in respect thereof, within the time prescribed by law (including any extension of such time), and that is in accordance with such requirements relating to terms, conditions, and form of the bond and sureties thereon, as may be specified by such regulations.

“(b) DISCHARGE OF PROPERTY.—

“(1) PROPERTY DOUBLE THE AMOUNT OF THE LIABILITY.—Subject to such regulations as the Secretary or his delegate may prescribe, the Secretary or his delegate may issue a certificate of discharge of any part of the property subject to any lien imposed under this chapter if the Secretary or his delegate finds that the fair market value of that part of such property remaining subject to the lien is at least double the amount of the unsatisfied liability secured by such lien and the amount of all other liens upon such property which have priority over such lien.

“(2) PART PAYMENT; INTEREST OF UNITED STATES VALUELESS.—Subject to such regulations as the Secretary or his delegate may prescribe, the Secretary or his delegate may issue a certificate of discharge of any part of the property subject to the lien if—

“(A) there is paid over to the Secretary or his delegate in partial satisfaction of the liability secured by the lien an amount determined by the Secretary or his delegate, which shall not be less than the value, as determined by the Secretary or his delegate, of the interest of the United States in the part to be so discharged, or

“(B) the Secretary or his delegate determines at any time that the interest of the United States in the part to be so discharged has no value.

In determining the value of the interest of the United States in the part to be so discharged, the Secretary or his delegate shall give consideration to the value of such part and to such liens thereon as have priority over the lien of the United States.

“(3) **SUBSTITUTION OF PROCEEDS OF SALE.**—Subject to such regulations as the Secretary or his delegate may prescribe, the Secretary or his delegate may issue a certificate of discharge of any part of the property subject to the lien if such part of the property is sold and, pursuant to an agreement with the Secretary or his delegate, the proceeds of such sale are to be held, as a fund subject to the liens and claims of the United States, in the same manner and with the same priority as such liens and claims had with respect to the discharged property.

“(c) **ESTATE OR GIFT TAX.**—Subject to such regulations as the Secretary or his delegate may prescribe, the Secretary or his delegate may issue a certificate of discharge of any or all of the property subject to any lien imposed by section 6324 if the Secretary or his delegate finds that the liability secured by such lien has been fully satisfied or provided for.

*Ante*, p. 1132.

“(d) **SUBORDINATION OF LIEN.**—Subject to such regulations as the Secretary or his delegate may prescribe, the Secretary or his delegate may issue a certificate of subordination of any lien imposed by this chapter upon any part of the property subject to such lien if—

“(1) there is paid over to the Secretary or his delegate an amount equal to the amount of the lien or interest to which the certificate subordinates the lien of the United States, or

“(2) the Secretary or his delegate believes that the amount realizable by the United States from the property to which the certificate relates, or from any other property subject to the lien, will ultimately be increased by reason of the issuance of such certificate and that the ultimate collection of the tax liability will be facilitated by such subordination.

“(e) **NONATTACHMENT OF LIEN.**—If the Secretary or his delegate determines that, because of confusion of names or otherwise, any person (other than the person against whom the tax was assessed) is or may be injured by the appearance that a notice of lien filed under section 6323 refers to such person, the Secretary or his delegate may issue a certificate that the lien does not attach to the property of such person.

*Ante*, p. 1125.

“(f) **EFFECT OF CERTIFICATE.**—

“(1) **CONCLUSIVENESS.**—Except as provided in paragraphs (2) and (3), if a certificate is issued pursuant to this section by the Secretary or his delegate and is filed in the same office as the notice of lien to which it relates (if such notice of lien has been filed) such certificate shall have the following effect:

“(A) in the case of a certificate of release, such certificate shall be conclusive that the lien referred to in such certificate is extinguished;

“(B) in the case of a certificate of discharge, such certificate shall be conclusive that the property covered by such certificate is discharged from the lien;

“(C) in the case of a certificate of subordination, such certificate shall be conclusive that the lien or interest to which the lien of the United States is subordinated is superior to the lien of the United States; and

“(D) in the case of a certificate of nonattachment, such certificate shall be conclusive that the lien of the United States does not attach to the property of the person referred to in such certificate.

“(2) **REVOCATION OF CERTIFICATE OF RELEASE OR NONATTACHMENT.**—If the Secretary or his delegate determines that a certificate of release or nonattachment of a lien imposed by section 6321 was issued erroneously or improvidently, or if a certificate of release of such lien was issued pursuant to a collateral agreement entered into in connection with a compromise under section 7122 which has been breached, and if the period of limitation on collection after assessment has not expired, the Secretary or his delegate may revoke such certificate and reinstate the lien—

68A Stat. 779.  
26 USC 6321.

“(A) by mailing notice of such revocation to the person against whom the tax was assessed at his last known address, and

“(B) by filing notice of such revocation in the same office in which the notice of lien to which it relates was filed (if such notice of lien had been filed).

Such reinstated lien (i) shall be effective on the date notice of revocation is mailed to the taxpayer in accordance with the provisions of subparagraph (A), but not earlier than the date on which any required filing of notice of revocation is filed in accordance with the provisions of subparagraph (B), and (ii) shall have the same force and effect (as of such date), until the expiration of the period of limitation on collection after assessment, as a lien imposed by section 6321 (relating to lien for taxes).

“(3) **CERTIFICATES VOID UNDER CERTAIN CONDITIONS.**—Notwithstanding any other provision of this subtitle, any lien imposed by this chapter shall attach to any property with respect to which a certificate of discharge has been issued if the person liable for the tax reacquires such property after such certificate has been issued.

“(g) **FILING OF CERTIFICATES AND NOTICES.**—If a certificate or notice issued pursuant to this section may not be filed in the office designated by State law in which the notice of lien imposed by section 6321 is filed, such certificate or notice shall be effective if filed in the office of the clerk of the United States district court for the judicial district in which such office is situated.

“(h) **CROSS REFERENCE.**—

“For provisions relating to bonds, see chapter 73 (sec. 7101 and following).”

(b) **CLERICAL AMENDMENT.**—The table of sections for subchapter C of chapter 64 is amended by striking out

“Sec. 6325. Release of lien or partial discharge of property.”

and inserting in lieu thereof

“Sec. 6325. Release of lien or discharge of property.”

#### SEC. 104. SEIZURE OF PROPERTY FOR COLLECTION OF TAXES.

(a) **EFFECT OF LEVY.**—Section 6331(b) (relating to seizure and sale of property by levy and distraint) is amended by inserting after the first sentence the following new sentence: “A levy shall extend only to property possessed and obligations existing at the time thereof.”

(b) **SURRENDER OF PROPERTY SUBJECT TO LEVY.**—Section 6332 relating to surrender of property subject to levy) is amended—

(1) by striking out “Any person” in subsection (a) and inserting in lieu thereof “Except as otherwise provided in subsection (b), any person”;

(2) by amending subsection (b) to read as follows:

“(b) SPECIAL RULE FOR LIFE INSURANCE AND ENDOWMENT CONTRACTS.—

“(1) IN GENERAL.—A levy on an organization with respect to a life insurance or endowment contract issued by such organization shall, without necessity for the surrender of the contract document, constitute a demand by the Secretary or his delegate for payment of the amount described in paragraph (2) and the exercise of the right of the person against whom the tax is assessed to the advance of such amount. Such organization shall pay over such amount 90 days after service of notice of levy. Such notice shall include a certification by the Secretary or his delegate that a copy of such notice has been mailed to the person against whom the tax is assessed at his last known address.

“(2) SATISFACTION OF LEVY.—Such levy shall be deemed to be satisfied if such organization pays over to the Secretary or his delegate the amount which the person against whom the tax is assessed could have had advanced to him by such organization on the date prescribed in paragraph (1) for the satisfaction of such levy, increased by the amount of any advance (including contractual interest thereon) made to such person on or after the date such organization had actual notice or knowledge (within the meaning of section 6323(i)(1)) of the existence of the lien with respect to which such levy is made, other than an advance (including contractual interest thereon) made automatically to maintain such contract in force under an agreement entered into before such organization had such notice or knowledge.

“(3) ENFORCEMENT PROCEEDINGS.—The satisfaction of a levy under paragraph (2) shall be without prejudice to any civil action for the enforcement of any lien imposed by this title with respect to such contract.”;

(3) by redesignating subsection (c) as subsection (e); and

(4) by inserting after subsection (b) the following new subsections:

“(c) ENFORCEMENT OF LEVY.—

“(1) EXTENT OF PERSONAL LIABILITY.—Any person who fails or refuses to surrender any property or rights to property, subject to levy, upon demand by the Secretary or his delegate, shall be liable in his own person and estate to the United States in a sum equal to the value of the property or rights not so surrendered, but not exceeding the amount of taxes for the collection of which such levy has been made, together with costs and interest on such sum at the rate of 6 percent per annum from the date of such levy. Any amount (other than costs) recovered under this paragraph shall be credited against the tax liability for the collection of which such levy was made.

“(2) PENALTY FOR VIOLATION.—In addition to the personal liability imposed by paragraph (1), if any person required to surrender property or rights to property fails or refuses to surrender such property or rights to property without reasonable cause, such person shall be liable for a penalty equal to 50 percent of the amount recoverable under paragraph (1). No part of such penalty shall be credited against the tax liability for the collection of which such levy was made.

“(d) EFFECT OF HONORING LEVY.—Any person in possession of (or obligated with respect to) property or rights to property subject to levy upon which a levy has been made who, upon demand by the Secretary or his delegate, surrenders such property or rights to property (or discharges such obligation) to the Secretary or his delegate (or

who pays a liability under subsection (c)(1)) shall be discharged from any obligation or liability to the delinquent taxpayer with respect to such property or rights to property arising from such surrender or payment. In the case of a levy which is satisfied pursuant to subsection (b), such organization shall also be discharged from any obligation or liability to any beneficiary arising from such surrender or payment."

(c) **PROPERTY EXEMPT FROM LEVY.**—Section 6334(a) (relating to enumeration of property exempt from levy) is amended—

(1) by striking out "or Territory" in paragraph (4); and

(2) by adding at the end thereof the following new paragraphs:

"(6) **CERTAIN ANNUITY AND PENSION PAYMENTS.**—Annuity or pension payments under the Railroad Retirement Act, benefits under the Railroad Unemployment Insurance Act, special pension payments received by a person whose name has been entered on the Army, Navy, Air Force, and Coast Guard Medal of Honor roll (38 U.S.C. 562), and annuities based on retired or retiree pay under chapter 73 of title 10 of the United States Code.

"(7) **WORKMEN'S COMPENSATION.**—Any amount payable to an individual as workmen's compensation (including any portion thereof payable with respect to dependents) under a workmen's compensation law of the United States, any State, the District of Columbia, or the Commonwealth of Puerto Rico."

(d) **PUBLICATION OF NOTICE OF SALE.**—The first sentence of section 6335 (b) (relating to notice of sale of seized property) is amended to read as follows: "The Secretary or his delegate shall as soon as practicable after the seizure of the property give notice to the owner, in the manner prescribed in subsection (a), and shall cause a notification to be published in some newspaper published or generally circulated within the county wherein such seizure is made, or if there be no newspaper published or generally circulated in such county, shall post such notice at the post office nearest the place where the seizure is made, and in not less than two other public places."

(e) **REDEMPTION PERIOD.**—Paragraph (1) of section 6337(b) (relating to period of redemption of real estate after sale) is amended by striking out "1 year" and inserting in lieu thereof "120 days".

(f) **PREPARATION OF DEED.**—Section 6338(c) (relating to real property purchased by United States) is amended to read as follows:

"(c) **REAL PROPERTY PURCHASED BY UNITED STATES.**—If real property is declared purchased by the United States at a sale pursuant to section 6335, the Secretary or his delegate shall at the proper time execute a deed therefor, and without delay cause such deed to be duly recorded in the proper registry of deeds."

(g) **DISCHARGE OF JUNIOR ENCUMBRANCES.**—Section 6339 (relating to legal effect of certificate of sale of personal property and deed of real property) is amended by adding at the end thereof the following new subsections:

"(c) **EFFECT OF JUNIOR ENCUMBRANCES.**—A certificate of sale of personal property given or a deed to real property executed pursuant to section 6338 shall discharge such property from all liens, encumbrances, and titles over which the lien of the United States with respect to which the levy was made had priority.

"(d) **CROSS REFERENCES.**—

"(1) For distribution of surplus proceeds, see section 6342(b).

"(2) For judicial procedure with respect to surplus proceeds, see section 7426(a)(2)."

(h) **APPLICATION OF PROCEEDS OF LEVY AND SALE.**—Subsection (a) of section 6342 (relating to collection of liability) is amended—

68A Stat. 784;  
72 Stat. 1047;  
79 Stat. 170.  
26 USC 6334.

Ante, p. 1079;  
50 Stat. 307.  
45 USC 228a-  
228s-2.  
52 Stat. 1094.  
45 USC 367.  
72 Stat. 1140.  
70A Stat. 108.  
10 USC 1431.

(1) by striking out so much thereof as precedes paragraph (1) and inserting in lieu thereof

“(a) **COLLECTION OF LIABILITY.**—Any money realized by proceedings under this subchapter (whether by seizure, by surrender under section 6332 (except pursuant to subsection (c) (2) thereof), or by sale of seized property) or by sale of property redeemed by the United States (if the interest of the United States in such property was a lien arising under the provisions of this title) shall be applied as follows:”;

(2) by striking out “under this subchapter” in paragraph (1); and

(3) by adding “or the sale was conducted” after “levy was made” in paragraph (3).

(i) **RETURN OF PROPERTY.**—Section 6343 (relating to authority to release levy) is amended—

(1) by striking out the heading of such section and inserting in lieu thereof the following:

“**SEC. 6343. AUTHORITY TO RELEASE LEVY AND RETURN PROPERTY.**”;

(2) by striking out “It shall be” and inserting in lieu thereof

“(a) **RELEASE OF LEVY.**—It shall be”; and

(3) by adding at the end thereof the following new subsection:

“(b) **RETURN OF PROPERTY.**—If the Secretary or his delegate determines that property has been wrongfully levied upon, it shall be lawful for the Secretary or his delegate to return—

“(1) the specific property levied upon,

“(2) an amount of money equal to the amount of money levied upon, or

“(3) an amount of money equal to the amount of money received by the United States from a sale of such property.

Property may be returned at any time. An amount equal to the amount of money levied upon or received from such sale may be returned at any time before the expiration of 9 months from the date of such levy. For purposes of paragraph (3), if property is declared purchased by the United States at a sale pursuant to section 6335(e) (relating to manner and conditions of sale), the United States shall be treated as having received an amount of money equal to the minimum price determined pursuant to such section or (if larger) the amount received by the United States from the resale of such property.”

(j) **CLERICAL AMENDMENT.**—The table of sections for subchapter D of chapter 64 is amended by striking out—

“Sec. 6343. Authority to release levy.”

and inserting in lieu thereof

“Sec. 6343. Authority to release levy and return property.”

#### **SEC. 105. LIABILITY FOR WITHHELD TAXES.**

(a) **EFFECT ON THIRD PARTIES.**—Chapter 25 (relating to general provisions relating to employment taxes) is amended by adding at the end thereof the following new section:

#### **“SEC. 3505. LIABILITY OF THIRD PARTIES PAYING OR PROVIDING FOR WAGES.**

“(a) **DIRECT PAYMENT BY THIRD PARTIES.**—For purposes of sections 3102, 3202, 3402, and 3403, if a lender, surety, or other person, who is not an employer under such sections with respect to an employee or group of employees, pays wages directly to such an employee or group of employees, employed by one or more employers, or to an

Ante, p. 1136.

68A Stat. 789.  
26 USC 6343.

26 USC 3501-  
3504.

agent on behalf of such employee or employees, such lender, surety, or other person shall be liable in his own person and estate to the United States in a sum equal to the taxes (together with interest) required to be deducted and withheld from such wages by such employer.

“(b) **PERSONAL LIABILITY WHERE FUNDS ARE SUPPLIED.**—If a lender, surety, or other person supplies funds to or for the account of an employer for the specific purpose of paying wages of the employees of such employer, with actual notice or knowledge (within the meaning of section 6323 (i) (1)) that such employer does not intend to or will not be able to make timely payment or deposit of the amounts of tax required by this subtitle to be deducted and withheld by such employer from such wages, such lender, surety, or other person shall be liable in his own person and estate to the United States in a sum equal to the taxes (together with interest) which are not paid over to the United States by such employer with respect to such wages. However, the liability of such lender, surety, or other person shall be limited to an amount equal to 25 percent of the amount so supplied to or for the account of such employer for such purpose.

*Ante*, p. 1131.

“(c) **EFFECT OF PAYMENT.**—Any amounts paid to the United States pursuant to this section shall be credited against the liability of the employer.”

(b) **PERFORMANCE BONDS OF CONTRACTORS FOR PUBLIC BUILDINGS OR WORKS.**—The first section of the Act entitled “An Act requiring contracts for the construction, alteration, and repair of any public building or public work of the United States to be accompanied by a performance bond protecting the United States and by an additional bond for the protection of persons furnishing material and labor for the construction, alteration, or repair of said public buildings or public work”, approved August 24, 1935 (49 Stat. 793; 40 U.S.C. 270a), is amended by adding at the end thereof the following new subsection:

“(d) Every performance bond required under this section shall specifically provide coverage for taxes imposed by the United States which are collected, deducted, or withheld from wages paid by the contractor in carrying out the contract with respect to which such bond is furnished. However, the United States shall give the surety or sureties on such bond written notice, with respect to any such unpaid taxes attributable to any period, within ninety days after the date when such contractor files a return for such period, except that no such notice shall be given more than one hundred and eighty days from the date when a return for the period was required to be filed under the Internal Revenue Code of 1954. No suit on such bond for such taxes shall be commenced by the United States unless notice is given as provided in the preceding sentence, and no such suit shall be commenced after the expiration of one year after the day on which such notice is given.”

(c) **CLERICAL AMENDMENT.**—The table of sections for chapter 25 is amended by adding at the end thereof the following:

“Sec. 3505. Liability of third parties paying or providing for wages.”

#### SEC. 106. SUSPENSION OF RUNNING OF PERIOD OF LIMITATION.

(a) **ASSETS OF ESTATE OF DECEDENT OR INCOMPETENT.**—Section 6503(b) (relating to assets of taxpayer in control or custody of court) is amended by striking out “(other than the estate of a decedent or of an incompetent)” and “or Territory”.

68A Stat. 806.  
26 USC 6503.

(b) **COLLECTION HINDERED BY ABSENCE OF TAXPAYER.**—Section 6503(c) (relating to location of property outside the United States or

removal of property from the United States) is amended to read as follows:

68A Stat. 806.  
26 USC 6502.

“(c) **TAXPAYER OUTSIDE UNITED STATES.**—The running of the period of limitations on collection after assessment prescribed in section 6502 shall be suspended for the period during which the taxpayer is outside the United States if such period of absence is for a continuous period of at least 6 months. If the preceding sentence applies and at the time of the taxpayer's return to the United States the period of limitations on collection after assessment prescribed in section 6502 would expire before the expiration of 6 months from the date of his return, such period shall not expire before the expiration of such 6 months.”

70 Stat. 1075;  
Ante, p. 104.

(c) **WRONGFUL SEIZURE OF PROPERTY OF THIRD PARTIES.**—Section 6503 (relating to suspension of period of limitation) is amended by redesignating subsection (g) as subsection (h) and by inserting after subsection (f) the following new subsection:

Ante, p. 1138.  
Post, p. 1143.

“(g) **WRONGFUL SEIZURE OF PROPERTY OF THIRD PARTY.**—The running of the period of limitations on collection after assessment prescribed in section 6502 shall be suspended for a period equal to the period from the date property (including money) of a third party is wrongfully seized or received by the Secretary or his delegate to the date the Secretary or his delegate returns property pursuant to section 6343(b) or the date on which a judgment secured pursuant to section 7426 with respect to such property becomes final, and for 30 days thereafter. The running of the period of limitations on collection after assessment shall be suspended under this subsection only with respect to the amount of such assessment equal to the amount of money or the value of specific property returned.”

#### SEC. 107. PROCEEDINGS WHERE UNITED STATES HAS TITLE TO PROPERTY.

(a) **ACTION TO QUIET TITLE.**—Section 7402 (relating to jurisdiction of district courts) is amended by redesignating subsection (e) as subsection (f) and by inserting after subsection (d) the following new subsection:

“(e) **TO QUIET TITLE.**—The United States district courts shall have jurisdiction of any action brought by the United States to quiet title to property if the title claimed by the United States to such property was derived from enforcement of a lien under this title.”

(b) **SALE BIDS.**—Section 7403(c) (relating to adjudication and decree) is amended by adding at the end thereof the following new sentence: “If the property is sold to satisfy a first lien held by the United States, the United States may bid at the sale such sum, not exceeding the amount of such lien with expenses of sale, as the Secretary or his delegate directs.”

#### SEC. 108. INTERVENTION BY UNITED STATES.

26 USC 7424.

Section 724 (relating to civil action to clear title to property) is amended to read as follows:

##### “SEC. 7424. INTERVENTION.

Post, p. 1147.  
62 Stat. 938.

“If the United States is not a party to a civil action or suit, the United States may intervene in such action or suit to assert any lien arising under this title on the property which is the subject of such action or suit. The provisions of section 2410 of title 28 of the United States Code (except subsection (b)) and of section 1444 of title 28 of the United States Code shall apply in any case in which the United States intervenes as if the United States had originally been named a defendant in such action or suit. In any case in which the application of the United States to intervene is denied, the adjudication in such civil action or suit shall have no effect upon such lien.”

**SEC. 109. DISCHARGE OF LIENS HELD BY UNITED STATES.**

Subchapter B of chapter 76 (relating to proceedings by taxpayers) is amended by redesignating section 7425 as section 7427 and by inserting after section 7424 the following new section:

68A Stat. 876.  
26 USC 7421-  
7425.

**“SEC. 7425. DISCHARGE OF LIENS.**

“(a) **JUDICIAL PROCEEDINGS.**—If the United States is not joined as a party, a judgment in any civil action or suit described in subsection (a) of section 2410 of title 28 of the United States Code, or a judicial sale pursuant to such a judgment, with respect to property on which the United States has or claims a lien under the provisions of this title—

*Post*, p. 1147.

“(1) shall be made subject to and without disturbing the lien of the United States, if notice of such lien has been filed in the place provided by law for such filing at the time such action or suit is commenced, or

“(2) shall have the same effect with respect to the discharge or divestment of such lien of the United States as may be provided with respect to such matters by the local law of the place where such property is situated, if no notice of such lien has been filed in the place provided by law for such filing at the time such action or suit is commenced or if the law makes no provision for such filing.

If a judicial sale of property pursuant to a judgment in any civil action or suit to which the United States is not a party discharges a lien of the United States arising under the provisions of this title, the United States may claim, with the same priority as its lien had against the property sold, the proceeds (exclusive of costs) of such sale at any time before the distribution of such proceeds is ordered.

“(b) **OTHER SALES.**—Notwithstanding subsection (a) a sale of property on which the United States has or claims a lien, or a title derived from enforcement of a lien, under the provisions of this title, made pursuant to an instrument creating a lien on such property, pursuant to a confession of judgment on the obligation secured by such an instrument, or pursuant to a nonjudicial sale under a statutory lien on such property—

“(1) shall, except as otherwise provided, be made subject to and without disturbing such lien or title, if notice of such lien was filed or such title recorded in the place provided by law for such filing or recording more than 30 days before such sale and the United States is not given notice of such sale in the manner prescribed in subsection (c) (1); or

“(2) shall have the same effect with respect to the discharge or divestment of such lien or such title of the United States, as may be provided with respect to such matters by the local law of the place where such property is situated, if—

“(A) notice of such lien or such title was not filed or recorded in the place provided by law for such filing more than 30 days before such sale,

“(B) the law makes no provision for such filing, or

“(C) notice of such sale is given in the manner prescribed in subsection (c) (1).

**“(c) SPECIAL RULES.—**

“(1) **NOTICE OF SALE.**—Notice of a sale to which subsection (b) applies shall be given (in accordance with regulations prescribed by the Secretary or his delegate) in writing, by registered or certified mail or by personal service, not less than 25 days prior to such sale, to the Secretary or his delegate.

“(2) **CONSENT TO SALE.**—Notwithstanding the notice requirement of subsection (b) (2) (C), a sale described in subsection (b) of

property shall discharge or divest such property of the lien or title of the United States if the United States consents to the sale of such property free of such lien or title.

“(3) **SALE OF PERISHABLE GOODS.**—Notwithstanding the notice requirement of subsection (b) (2) (C), a sale described in subsection (b) of property liable to perish or become greatly reduced in price or value by keeping, or which cannot be kept without great expense, shall discharge or divest such property of the lien or title of the United States if notice of such sale is given (in accordance with regulations prescribed by the Secretary or his delegate) in writing, by registered or certified mail or by personal service, to the Secretary or his delegate before such sale. The proceeds (exclusive of costs) of such sale shall be held as a fund subject to the liens and claims of the United States, in the same manner and with the same priority as such liens and claims had with respect to the property sold, for not less than 30 days after the date of such sale.

“(d) **REDEMPTION BY UNITED STATES.**—

“(1) **RIGHT TO REDEEM.**—In the case of a sale of real property to which subsection (b) applies to satisfy a lien prior to that of the United States, the Secretary or his delegate may redeem such property within the period of 120 days from the date of such sale or the period allowable for redemption under local law, whichever is longer.

“(2) **AMOUNT TO BE PAID.**—In any case in which the United States redeems real property pursuant to paragraph (1), the amount to be paid for such property shall be the amount prescribed by subsection (d) of section 2410 of title 28 of the United States Code.

“(3) **CERTIFICATE OF REDEMPTION.**—

“(A) **IN GENERAL.**—In any case in which real property is redeemed by the United States pursuant to this subsection, the Secretary or his delegate shall apply to the officer designated by local law, if any, for the documents necessary to evidence the fact of redemption and to record title to such property in the name of the United States. If no such officer is designated by local law or if such officer fails to issue such documents, the Secretary or his delegate shall execute a certificate of redemption therefor.

“(B) **FILING.**—The Secretary or his delegate shall, without delay, cause such documents or certificate to be duly recorded in the proper registry of deeds. If the State in which the real property redeemed by the United States is situated has not by law designated an office in which such certificate may be recorded, the Secretary or his delegate shall file such certificate in the office of the clerk of the United States district court for the judicial district in which such property is situated.

“(C) **EFFECT.**—A certificate of redemption executed by the Secretary or his delegate shall constitute prima facie evidence of the regularity of such redemption and shall, when recorded, transfer to the United States all the rights, title, and interest in and to such property acquired by the person from whom the United States redeems such property by virtue of the sale of such property.”

**SEC. 110. PROCEEDINGS BY THIRD PARTIES AGAINST THE UNITED STATES.**

(a) **ACTIONS BY THIRD PARTIES.**—Subchapter B of chapter 76 (relating to proceedings by taxpayers) is amended by inserting after

section 7425 (as added by section 109 of this Act) the following new section:

**“SEC. 7426. CIVIL ACTIONS BY PERSONS OTHER THAN TAXPAYERS.**

**“(a) ACTIONS PERMITTED.—**

**“(1) WRONGFUL LEVY.—**If a levy has been made on property or property has been sold pursuant to a levy, any person (other than the person against whom is assessed the tax out of which such levy arose) who claims an interest in or lien on such property and that such property was wrongfully levied upon may bring a civil action against the United States in a district court of the United States. Such action may be brought without regard to whether such property has been surrendered to or sold by the Secretary or his delegate.

**“(2) SURPLUS PROCEEDS.—**If property has been sold pursuant to a levy, any person (other than the person against whom is assessed the tax out of which such levy arose) who claims an interest in or lien on such property junior to that of the United States and to be legally entitled to the surplus proceeds of such sale may bring a civil action against the United States in a district court of the United States.

**“(3) SUBSTITUTED SALE PROCEEDS.—**If property has been sold pursuant to an agreement described in section 6325(b)(3) (relating to substitution of proceeds of sale), any person who claims to be legally entitled to all or any part of the amount held as a fund pursuant to such agreement may bring a civil action against the United States in a district court of the United States.

*Ante*, p. 1133.

**“(b) ADJUDICATION.—**The district court shall have jurisdiction to grant only such of the following forms of relief as may be appropriate in the circumstances:

**“(1) INJUNCTION.—**If a levy or sale would irreparably injure rights in property which the court determines to be superior to rights of the United States in such property, the court may grant an injunction to prohibit the enforcement of such levy or to prohibit such sale.

**“(2) RECOVERY OF PROPERTY.—**If the court determines that such property has been wrongfully levied upon, the court may—

**“(A) order the return of specific property if the United States is in possession of such property;**

**“(B) grant a judgment for the amount of money levied upon; or**

**“(C) grant a judgment for an amount not exceeding the amount received by the United States from the sale of such property.**

For the purposes of subparagraph (C), if the property was declared purchased by the United States at a sale pursuant to section 6335(e) (relating to manner and conditions of sale), the United States shall be treated as having received an amount equal to the minimum price determined pursuant to such section or (if larger) the amount received by the United States from the resale of such property.

**“(3) SURPLUS PROCEEDS.—**If the court determines that the interest or lien of any party to an action under this section was transferred to the proceeds of a sale of such property, the court may grant a judgment in an amount equal to all or any part of the amount of the surplus proceeds of such sale.

**“(4) SUBSTITUTED SALE PROCEEDS.—**If the court determines that a party has an interest in or lien on the amount held as a fund pursuant to an agreement described in section 6325(b)(3) (relat-

ing to substitution of proceeds of sale), the court may grant a judgment in an amount equal to all or any part of the amount of such fund.

“(c) **VALIDITY OF ASSESSMENT.**—For purposes of an adjudication under this section, the assessment of tax upon which the interest or lien of the United States is based shall be conclusively presumed to be valid.

“(d) **LIMITATION ON RIGHTS OF ACTION.**—No action may be maintained against any officer or employee of the United States (or former officer or employee) or his personal representative with respect to any acts for which an action could be maintained under this section.

“(e) **SUBSTITUTION OF UNITED STATES AS PARTY.**—If an action, which could be brought against the United States under this section, is improperly brought against any officer or employee of the United States (or former officer or employee) or his personal representative, the court shall order, upon such terms as are just, that the pleadings be amended to substitute the United States as a party for such officer or employee as of the time such action was commenced upon proper service of process on the United States.

68A Stat. 876.  
26 USC 7422.

“(f) **PROVISION INAPPLICABLE.**—The provisions of section 7422(a) (relating to prohibition of suit prior to filing claim for refund) shall not apply to actions under this section.

“(g) **INTEREST.**—Interest shall be allowed at the rate of 6 percent per annum—

“(1) in the case of a judgment pursuant to subsection (b) (2) (B), from the date the Secretary or his delegate receives the money wrongfully levied upon to the date of payment of such judgment; and

“(2) in the case of a judgment pursuant to subsection (b) (2) (C), from the date of the sale of the property wrongfully levied upon to the date of payment of such judgment.

“(h) **CROSS REFERENCE.**—

“For period of limitation, see section 6532(c).”

(b) **PERIOD OF LIMITATION ON SUIT.**—Section 6532 (relating to period of limitation on suits) is amended by adding at the end thereof the following new subsection:

“(c) **SUITS BY PERSONS OTHER THAN TAXPAYERS.**—

Ante, p. 1143.

“(1) **GENERAL RULE.**—Except as provided by paragraph (2), no suit or proceeding under section 7426 shall be begun after the expiration of 9 months from the date of the levy or agreement giving rise to such action.

Ante, p. 1138.

“(2) **PERIOD WHEN CLAIM IS FILED.**—If a request is made for the return of property described in section 6343(b), the 9-month period prescribed in paragraph (1) shall be extended for a period of 12 months from the date of filing of such request or for a period of 6 months from the date of mailing by registered or certified mail by the Secretary or his delegate to the person making such request of a notice of disallowance of the part of the request to which the action relates, whichever is shorter.”

(c) **PROHIBITION OF SUITS TO RESTRAIN ASSESSMENT OR COLLECTION.**—Section 7421(a) (relating to prohibition of suits to restrain assessment or collection of tax) is amended to read as follows:

“(a) **TAX.**—Except as provided in sections 6212 (a) and (c), 6213(a), and 7426 (a) and (b) (1), no suit for the purpose of restraining the assessment or collection of any tax shall be maintained in any court by any person, whether or not such person is the person against whom such tax was assessed.”

## (d) CLERICAL AMENDMENTS.—

(1) The heading of subchapter B of chapter 76 is amended to read as follows:

**“Subchapter B—Proceedings by Taxpayers and Third Parties”**

(2) The table of sections for subchapter B of chapter 76 is amended by striking out

“Sec. 7424. Civil action to clear title to property.

“Sec. 7425. Cross references.”

and inserting in lieu thereof

“Sec. 7424. Intervention.

“Sec. 7425. Discharge of liens.

“Sec. 7426. Civil actions by persons other than taxpayers.

“Sec. 7427. Cross references.”

(3) The table of subchapters for chapter 76 is amended by striking out

“SUBCHAPTER B. Proceedings by Taxpayers.”

and inserting in lieu thereof

“SUBCHAPTER B. Proceedings by Taxpayers and Third Parties.”

**SEC. 111. SALE OF PROPERTY ACQUIRED BY UNITED STATES.**

(a) **PERSONAL PROPERTY ACQUIRED.**—Section 7505(a) (relating to sale of personal property purchased by the United States) is amended by striking out “purchased by the United States under the authority of section 6335(e) (relating to purchase for the account of the United States of property sold under levy)” and inserting in lieu thereof “acquired by the United States in payment of or as security for debts arising under the internal revenue laws”.

68A Stat. 896.  
26 USC 7505.

(b) **REAL PROPERTY REDEEMED.**—Section 7506(a) (relating to person charged with administration of real estate acquired by the United States) is amended by striking out “for the payment of such debts,” and inserting in lieu thereof “for the payment of such debts, or which has been redeemed by the United States.”.

(c) CLERICAL AMENDMENTS.—

(1) The heading of section 7505 is amended by striking out “PURCHASED” and inserting in lieu thereof “ACQUIRED”;

(2) The table of sections for chapter 77 is amended by striking out

“Sec. 7505. Sale of personal property purchased by the United States.”

and inserting in lieu thereof

“Sec. 7505. Sale of personal property acquired by the United States.”

**SEC. 112. FUND FOR REDEMPTION OF REAL PROPERTY BY UNITED STATES.**

(a) **CREATION OF FUND FOR REDEMPTION OF REAL PROPERTY.**—Subchapter A of chapter 80 (relating to application of internal revenue laws) is amended by adding at the end thereof the following new section:

26 USC 7801-  
7809.

**“SEC. 7810. REVOLVING FUND FOR REDEMPTION OF REAL PROPERTY.**

“(a) **ESTABLISHMENT OF FUND.**—There is established a revolving fund, under the control of the Secretary or his delegate, which shall be available without fiscal year limitation for all expenses necessary for the redemption (by the Secretary or his delegate) of real property

*Ante*, p. 1141.  
*Post*, p. 1147.

as provided in section 7425(d) and section 2410 of title 28 of the United States Code. There are authorized to be appropriated from time to time such sums (not to exceed \$1,000,000 in the aggregate) as may be necessary to carry out the purposes of this section.

“(b) REIMBURSEMENT OF FUND.—The fund shall be reimbursed from the proceeds of a subsequent sale of real property redeemed by the United States in an amount equal to the amount expended out of such fund for such redemption.

“(c) SYSTEM OF ACCOUNTS.—The Secretary or his delegate shall maintain an adequate system of accounts for such fund and prepare annual reports on the basis of such accounts.”

68A Stat. 918.  
26 USC 7809.

(b) DEPOSIT OF MONEY RECEIVED.—Section 7809 (relating to deposit of collections) is amended by striking out “and 7654,” in subsection (a) and inserting in lieu thereof “7654, and 7810,”; and by amending subsection (b)—

(1) by striking out “and” at the end of paragraph (2),

(2) by striking out the period at the end of paragraph (3) and inserting in lieu thereof “; and”, and

(3) by inserting after paragraph (3) the following new paragraph:

“(4) SURPLUS PROCEEDS IN SALES OF REDEEMED PROPERTY.—Surplus proceeds in any sale under section 7506 of real property redeemed by the United States, after making allowance for the amount of the tax, interest, penalties, and additions thereto, and for the costs of sale.”

(c) CLERICAL AMENDMENT.—The table of sections for subchapter A of chapter 80 is amended by adding at the end thereof the following:

“Sec. 7810. Revolving fund for redemption of real property.”

#### SEC. 113. EFFECT OF JUDGMENT ON TAX LIEN AND LEVY.

(a) LIEN NOT MERGED IN JUDGMENT.—Section 6322 (relating to period of lien) is amended by inserting after “liability for the amount so assessed” the following: “(or a judgment against the taxpayer arising out of such liability)”.

(b) LEVY.—Section 6502(a) (relating to length of period for collection after assessment) is amended by adding at the end thereof the following new sentence: “The period provided by this subsection during which a tax may be collected by levy shall not be extended or curtailed by reason of a judgment against the taxpayer.”

#### SEC. 114. EFFECTIVE DATE.

(a) GENERAL RULE.—Except as otherwise provided, the amendments made by this title shall apply after the date of enactment of this Act, regardless of when a lien or a title of the United States arose or when the lien or interest of any other person was acquired.

(b) EXCEPTIONS.—The amendments made by this title shall not apply in any case—

(1) in which a lien or a title derived from enforcement of a lien held by the United States has been enforced by a civil action or suit which has become final by judgment, sale, or agreement before the date of enactment of this Act; or

(2) in which such amendments would—

(A) impair a priority enjoyed by any person (other than the United States) holding a lien or interest prior to the date of enactment of this Act;

(B) operate to increase the liability of any such person; or  
 (C) shorten the time for bringing suit with respect to transactions occurring before the date of enactment of this Act.

(c) **LIABILITY FOR WITHHELD TAXES.—**

(1) The amendments made by section 105(a) (relating to effect on third parties) shall apply only with respect to wages paid on or after January 1, 1967.

(2) The amendments made by section 105(b) (relating to performance bonds of contractors for public buildings or works) shall apply to contracts entered into pursuant to invitations for bids issued after June 30, 1967.

(d) **CIVIL ACTION TO CLEAR TITLE TO PROPERTY.—**If, before the date of enactment of this Act, any person has commenced a civil action to clear title to property pursuant to section 7424 of the Internal Revenue Code of 1954 as in effect immediately before the enactment of this Act, such action shall be determined in accordance with section 7424 of such Code as in effect immediately before the enactment of this Act.

68A Stat. 877.  
26 USC 7424.

## **TITLE II—CONSENT OF UNITED STATES TO BE SUED IN ACTIONS AFFECTING PROPERTY IN WHICH IT HAS A LIEN OR INTEREST**

### **SEC. 201. JOINDER OF UNITED STATES IN CERTAIN PROCEEDINGS.**

Section 2410 of title 28 of the United States Code is amended by redesignating subsection (d) as subsection (e) and by striking out subsections (a), (b), and (c) and inserting in lieu thereof the following new subsections:

62 Stat. 972.

“(a) Under the conditions prescribed in this section and section 1444 of this title for the protection of the United States, the United States may be named a party in any civil action or suit in any district court, or in any State court having jurisdiction of the subject matter—

“(1) to quiet title to,

“(2) to foreclose a mortgage or other lien upon,

“(3) to partition,

“(4) to condemn, or

“(5) of interpleader or in the nature of interpleader with respect to,

real or personal property on which the United States has or claims a mortgage or other lien.

“(b) The complaint or pleading shall set forth with particularity the nature of the interest or lien of the United States. In actions or suits involving liens arising under the internal revenue laws, the complaint or pleading shall include the name and address of the taxpayer whose liability created the lien and, if a notice of the tax lien was filed, the identity of the internal revenue office which filed the notice, and the date and place such notice of lien was filed. In actions in the State courts service upon the United States shall be made by serving the process of the court with a copy of the complaint upon the United States attorney for the district in which the action is brought or upon an assistant United States attorney or clerical employee designated by the United States attorney in writing filed with the clerk of the court in which the action is brought and by

sending copies of the process and complaint, by registered mail, or by certified mail, to the Attorney General of the United States at Washington, District of Columbia. In such actions the United States may appear and answer, plead or demur within sixty days after such service or such further time as the court may allow.

“(c) A judgment or decree in such action or suit shall have the same effect respecting the discharge of the property from the mortgage or other lien held by the United States as may be provided with respect to such matters by the local law of the place where the court is situated. However, an action to foreclose a mortgage or other lien, naming the United States as a party under this section, must seek judicial sale. A sale to satisfy a lien inferior to one of the United States shall be made subject to and without disturbing the lien of the United States, unless the United States consents that the property may be sold free of its lien and the proceeds divided as the parties may be entitled. Where a sale of real estate is made to satisfy a lien prior to that of the United States, the United States shall have one year from the date of sale within which to redeem, except that with respect to a lien arising under the internal revenue laws the period shall be 120 days or the period allowable for redemption under State law, whichever is longer, and in any case in which, under the provisions of section 505 of the Housing Act of 1950, as amended (12 U.S.C. 1701k), and subsection (d) of section 1820 of title 38 of the United States Code, the right to redeem does not arise, there shall be no right of redemption. In any case where the debt owing the United States is due, the United States may ask, by way of affirmative relief, for the foreclosure of its own lien and where property is sold to satisfy a first lien held by the United States, the United States may bid at the sale such sum, not exceeding the amount of its claim with expenses of sale, as may be directed by the head (or his delegate) of the department or agency of the United States which has charge of the administration of the laws in respect to which the claim of the United States arises.

“(d) In any case in which the United States redeems real property under this section or section 7425 of the Internal Revenue Code of 1954, the amount to be paid for such property shall be the sum of—

“(1) the actual amount paid by the purchaser at such sale (which, in the case of a purchaser who is the holder of the lien being foreclosed, shall include the amount of the obligation secured by such lien to the extent satisfied by reason of such sale),

“(2) interest on the amount paid (as determined under paragraph (1)) at 6 percent per annum from the date of such sale, and

“(3) the amount (if any) equal to the excess of (A) the expenses necessarily incurred in connection with such property, over (B) the income from such property plus (to the extent such property is used by the purchaser) a reasonable rental value of such property.”

#### SEC. 202. JURISDICTION AND VENUE IN CERTAIN ACTIONS AGAINST UNITED STATES.

(a) JURISDICTION IN PROCEEDINGS BROUGHT BY THIRD PARTIES.—Section 1346 of title 28 of the United States Code is amended by adding at the end thereof the following new subsection:

“(e) The district courts shall have original jurisdiction of any civil action against the United States provided in section 7426 of the Internal Revenue Code of 1954.”

64 Stat. 81.  
72 Stat. 1213.

Ante, p. 1141.

62 Stat. 933.

Ante, p. 1143.

(b) VENUE IN PROCEEDINGS BROUGHT BY THIRD PARTIES.—Section 1402 of title 28 of the United States Code is amended by adding at the end thereof the following new subsection:

62 Stat. 937.

“(c) Any civil action against the United States under subsection (e) of section 1346 of this title may be prosecuted only in the judicial district where the property is situated at the time of levy, or if no levy is made, in the judicial district in which the event occurred which gave rise to the cause of action.”

Ante, p. 1148.

SEC. 203. EFFECTIVE DATE.

The amendments made by this title shall apply after the date of the enactment of this Act.

Approved November 2, 1966.

Public Law 89-720

AN ACT

To provide for the control or elimination of jellyfish and other such pests in the coastal waters of the United States, and for other purposes.

November 2, 1966  
[H. R. 11475]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of conserving and protecting the fish and shellfish resources in the coastal waters of the United States and the Commonwealth of Puerto Rico, and promoting and safeguarding water-based recreation for present and future generations in these waters, the Secretary of the Interior is authorized to cooperate with, and provide assistance to, the States in controlling and eliminating jellyfish, commonly referred to as “sea nettles”, and other such pests and in conducting research for the purposes of controlling floating seaweed in such waters.

Jellyfish.  
Control or elimination in coastal waters.

SEC. 2. In carrying out the purposes of this Act, the Secretary, in cooperation with the States and the Commonwealth of Puerto Rico, is authorized (1) to conduct, directly or by contract, such studies, research, and investigations, as he deems desirable, to determine the abundance and distribution of jellyfish and other such pests and their effects on fish and shellfish and water-based recreation, (2) to conduct studies of control measures of such pests and of floating seaweed, (3) to carry out, based on studies made pursuant to this Act, a program of controlling or eliminating such pests and such seaweed, and (4) to take such other actions as the Secretary deems desirable: *Provided*, That the costs of such actions shall be borne equally by the Federal Government and by the States and the Commonwealth of Puerto Rico, acting jointly or severally.

Studies.

SEC. 3. There is authorized to be appropriated not to exceed \$500,000 for the fiscal year ending June 30, 1968, \$750,000 for the fiscal year ending June 30, 1969, and \$1,000,000 for the fiscal year ending June 30, 1970.

Appropriation.

SEC. 4. The Congress consents to any compact or agreement between any two or more States for the purpose of carrying out a program of research, study, investigation, and control of jellyfish and other such pests in the coastal waters of the United States. The right to alter, amend, or repeal this section or the consent granted herein is expressly reserved.

Compacts.

SEC. 5. Nothing in this Act shall be construed to alter, amend, repeal, modify, or diminish the present general authority of the Secretary of the Interior to conduct studies, research, and investigations related to the mission of the Department of the Interior.

Approved November 2, 1966.

## Public Law 89-721

## AN ACT

November 2, 1966  
[H. R. 11660]

Relating to interest on income tax refunds made within 45 days after the filing of the tax return, and for other purposes.

Income tax.  
Interest on re-  
funds.  
68A Stat. 819.  
26 USC 6611.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) section 6611(e) of the Internal Revenue Code of 1954 (relating to income tax refunds within 45 days after due date of tax) is amended to read as follows:

“(e) **INCOME TAX REFUND WITHIN 45 DAYS AFTER RETURN IS FILED.**—If any overpayment of tax imposed by subtitle A is refunded within 45 days after the last date prescribed for filing the return of such tax (determined without regard to any extension of time for filing the return) or, in case the return is filed after such last date, is refunded within 45 days after the date the return is filed, no interest shall be allowed under subsection (a) on such overpayment.”

(b) The amendment made by subsection (a) shall apply with respect to refunds made more than 45 days after the date of the enactment of this Act.

**SEC. 2.** (a) The first two sentences of section 6411(a) of the Internal Revenue Code of 1954 (relating to quick refunds of income taxes attributable to a net operating loss carryback) are amended to read as follows: “A taxpayer may file an application for a tentative carryback adjustment of the tax for the prior taxable year affected by a net operating loss carryback provided in section 172(b), or by an investment credit carryback provided in section 46(b), from any taxable year. The application shall be verified in the manner prescribed by section 6065 in the case of a return of such taxpayer, and shall be filed, on or after the date of filing of the return for the taxable year of the net operating loss or unused investment credit from which the carryback results and within a period of 12 months from the end of such taxable year, in the manner and form required by regulations prescribed by the Secretary or his delegate.”

(b) Paragraph (1) of such section 6411(a) is amended by inserting after the words “net operating loss” the following: “or unused investment credit”.

(c) Paragraph (5) of such section 6411(a) is amended by striking out the words “of such loss” and inserting in lieu thereof “from which the carryback is made”.

(d) Subsections (b) and (c) of section 6411 of such Code are amended by inserting the words “or unused investment credit” after the words “net operating loss” each time they appear in such subsections.

(e) Subsection (c) of such section 6411 is amended by striking out the words “such loss” and inserting in lieu thereof “such loss or credit”.

(f) Subsection (j) of section 6501 of such Code (relating to investment credit carrybacks) is amended by striking out “investment credit carryback,” and inserting in lieu thereof “investment credit carryback (including deficiencies which may be assessed pursuant to the provisions of section 6213(b)(2)).”

(g) The amendments made by this section shall apply with respect to taxable years ending after December 31, 1961, but only in the case of applications filed after the date of the enactment of this Act. The period of 12 months referred to in the second sentence of section 6411 (a) of the Internal Revenue Code of 1954 (as amended by this section) for filing an application for a tentative carryback adjustment of tax

76 Stat. 963.

68A Stat. 749.

76 Stat. 971.

68A Stat. 772.

attributable to the carryback of any unused investment credit shall not expire before the close of December 31, 1966.

SEC. 3. (a) Section 6501 of the Internal Revenue Code of 1954 (relating to limitations on assessment and collection) is amended by inserting after subsection (l) the following new subsection:

26 USC 6501.

“(m) TENTATIVE CARRYBACK ADJUSTMENT ASSESSMENT PERIOD.—In a case where an amount has been applied, credited, or refunded under section 6411 (relating to tentative carryback adjustments) by reason of a net operating loss carryback or an investment credit carryback to a prior taxable year, the period described in subsection (a) of this section for assessing a deficiency for such prior taxable year shall be extended to include the period described in subsection (h) or (j), whichever is applicable; except that the amount which may be assessed solely by reason of this subsection shall not exceed the amount so applied, credited, or refunded under section 6411, reduced by any amount which may be assessed solely by reason of subsection (h) or (j), as the case may be.”

(b) The amendment made by subsection (a) shall apply in any case where the application under section 6411 of the Internal Revenue Code of 1954 is filed after the date of the enactment of this Act.

Approved November 2, 1966.

## Public Law 89-722

### AN ACT

To amend the Internal Revenue Code of 1954 to allow a deduction for additions to a reserve for certain guaranteed debt obligations, and for other purposes.

November 2, 1966  
[H. R. 11782]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) section 166 of the Internal Revenue Code of 1954 (relating to bad debts) is amended by redesignating subsection (g) as subsection (h), and by inserting after subsection (f) a new subsection (g) as follows:

Taxes.  
Reserve for cer-  
tain guaranteed  
debt obligations.  
68A Stat. 50.  
26 USC 166.

“(g) RESERVE FOR CERTAIN GUARANTEED DEBT OBLIGATIONS.—

“(1) ALLOWANCE OF DEDUCTION.—In the case of a taxpayer who is a dealer in property, in lieu of any deduction under subsection (a), there shall be allowed (in the discretion of the Secretary or his delegate) for any taxable year ending after October 21, 1965, a deduction—

“(A) for a reasonable addition to a reserve for bad debts which may arise out of his liability as a guarantor, endorser, or indemnitor of debt obligations arising out of the sale by him of real property or tangible personal property (including related services) in the ordinary course of his trade or business; and

“(B) for the amount of any reduction in the suspense account required by paragraph (4) (B) (i).

“(2) DEDUCTION DISALLOWED IN OTHER CASES.—Except as provided in paragraph (1), no deduction shall be allowed to a taxpayer for any addition to a reserve for bad debts which may arise out of his liability as guarantor, endorser, or indemnitor of debt obligations.

“(3) OPENING BALANCE.—The opening balance of a reserve described in paragraph (1) (A) for the first taxable year ending after October 21, 1965, for which a taxpayer maintains such reserve shall, under regulations prescribed by the Secretary or his delegate, be determined as if the taxpayer had maintained such reserve for the preceding taxable years.

“(4) **SUSPENSE ACCOUNT.**—

“(A) **REQUIREMENT.**—Except as provided by subparagraph (C), each taxpayer who maintains a reserve described in paragraph (1) (A) shall, for purposes of this subsection and section 81, establish and maintain a suspense account. The initial balance of such account shall be equal to the opening balance described in paragraph (3).

“(B) **ADJUSTMENTS.**—At the close of each taxable year the suspense account shall be—

“(i) reduced by the excess of the suspense account at the beginning of the year over the reserve described in paragraph (1) (A) (after making the addition for such year provided in such paragraph), or

“(ii) increased (but not to an amount greater than the initial balance of the suspense account) by the excess of the reserve described in paragraph (1) (A) (after making the addition for such year provided in such paragraph) over the suspense account at the beginning of such year.

“(C) **LIMITATIONS.**—Subparagraphs (A) and (B) shall not apply in the case of the taxpayer who maintained for his last taxable year ending before October 22, 1965, a reserve for bad debts under subsection (c) which included debt obligations described in paragraph (1) (A).

“(D) **SECTION 381 ACQUISITIONS.**—The application of this paragraph in any acquisition to which section 381(a) applies shall be determined under regulations prescribed by the Secretary or his delegate.”

(b) (1) Part II of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to items specifically included in gross income) is amended by inserting after section 80 the following new section:

“**SEC. 81. INCREASES IN SUSPENSE ACCOUNT UNDER SECTION 166(g).**

“The amount of any increase in the suspense account required by paragraph (4) (B) (ii) of section 166 (g) (relating to certain debt obligations guaranteed by dealers) shall be included in gross income for the taxable year for which such increase is required.”

(2) The table of sections for part II of subchapter B of chapter 1 is amended by adding at the end thereof the following:

“Sec. 81. Increases in suspense account under section 166 (g).”

(c) If the taxpayer establishes a reserve described in section 166 (g) (1) of the Internal Revenue Code of 1954 (as amended by subsection (a) of this section) for a taxable year ending after October 21, 1965, and beginning before August 2, 1966, the establishment of such reserve shall not be considered as a change in method of accounting for purposes of section 446 (e) of such Code.

**SEC. 2.** (a) Except as provided in subsections (b) and (c), the amendments made by the first section of this Act shall apply to taxable years ending after October 21, 1965.

(b) If—

(1) the taxpayer before October 22, 1965, claimed a deduction, for a taxable year ending before such date, under section 166 (c) of the Internal Revenue Code of 1954 for an addition to a reserve for bad debts on account of debt obligations described in section 166 (g) (1) (A) of such Code (as amended by the first section of this Act), and

(2) the assessment of a deficiency of the tax imposed by chapter 1 of such Code for such taxable year and each subsequent

*Infra.*

68 A Stat. 124.  
26 USC 381.

26 USC 71.

*Supra.*

26 USC 446.  
Effective date.

26 USC 166.

taxable year ending before October 22, 1965, is not prevented on December 31, 1966, by the operation of any law or rule of law, then such deduction on account of such debt obligations shall be allowed for each such taxable year under such section 166(c) to the extent that the deduction would have been allowable under the provisions of such section 166(g)(1)(A) if such provisions applied to such taxable years.

(c) Section 166(g)(2) of the Internal Revenue Code of 1954 (as amended by the first section of this Act) shall apply to taxable years beginning after December 31, 1953, and ending after August 16, 1954.

Approved November 2, 1966.

### Public Law 89-723

#### AN ACT

November 2, 1966  
[H. R. 13320]

To authorize the disposal of industrial diamond stones from the national stockpile and the supplemental stockpile.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately one million and eight hundred thousand carats of industrial diamond stones now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98-98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(b)). Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided,* That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

Industrial dia-  
mond stones.  
Disposal.

60 Stat. 596.

73 Stat. 607.

Approved November 2, 1966.

### Public Law 89-724

#### AN ACT

November 2, 1966  
[H. R. 13370]

To authorize the disposal of fused crude aluminum oxide from the national stockpile and the supplemental stockpile.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately one hundred and thirty thousand short tons of fused crude aluminum oxide now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98-98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(b)). Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided,* That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

Fused crude  
aluminum oxide.  
Disposal.

60 Stat. 596.

73 Stat. 607.

Approved November 2, 1966.

## Public Law 89-725

## AN ACT

November 2, 1966

[H. R. 13448]

To amend title 39, United States Code, with respect to mailing privileges of members of the United States Armed Forces and other Federal Government personnel overseas, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 4169(a) of title 39, United States Code, is amended—

(1) by striking out “First-class letter mail, including postal cards and post cards, shall be carried as airmail, at no cost to the sender, when mailed by—” and inserting in lieu thereof “First-class letter mail, including postal cards and post cards, and sound-recorded communications having the character of personal correspondence shall be carried, at no cost to the sender, in the manner provided by section 4303(d)(5) of this title, when mailed by—”;

(2) by striking out, in subparagraph (A) of paragraph (1), “the letter is mailed” and inserting in lieu thereof “the letter or sound-recorded communication is mailed”; and

(3) by striking out, in subparagraph (D) of paragraph (2), “The letter is mailed” and inserting in lieu thereof “the letter or sound-recorded communication is mailed”.

SEC. 2. Paragraphs (5) and (6) of section 4303(d) of title 39, United States Code, are amended to read as follows:

“(5) There shall be transported by air, between Armed Forces post offices established under section 705(d) of this title which are located outside the forty-eight contiguous States of the United States, or between any such Armed Forces post office and the point of embarkation or debarkation within the fifty States of the United States, the territories and possessions of the United States in the Pacific area, the Commonwealth of Puerto Rico, the Virgin Islands or the Canal Zone, on a space available basis, on scheduled United States air carriers at rates fixed and determined by the Civil Aeronautics Board in accordance with section 406 of the Federal Aviation Act of 1958 (49 U.S.C. 1376), the following categories of mail matter:

“(A) (i) first-class letter mail (including postal cards and post cards),

“(ii) sound-recorded communications having the character of personal correspondence, and

“(iii) parcels of any class of mail not exceeding five pounds in weight and sixty inches in length and girth combined, which are mailed at or addressed to any such Armed Forces post office;

“(B) second-class publications published once each week or more frequently and featuring principally current news of interest to members of the Armed Forces and the general public which are mailed at or addressed to any such Armed Forces post office in an overseas area designated by the President under section 4169 of this title; and

“(C) parcels of any class of mail exceeding five pounds but not exceeding seventy pounds in weight and not exceeding one hundred inches in length and girth combined which are mailed at or addressed to any such Armed Forces post office where adequate surface transportation is not available.

Whenever adequate service by scheduled United States air carriers is not available to provide transportation of mail matter by air in accordance with the foregoing provisions of this paragraph, the transporta-

Postal service.  
Armed Forces  
overseas.  
79 Stat. 1163.

Air transporta-  
tion of mail.  
79 Stat. 1164.

77 Stat. 462.

72 Stat. 763.

tion of such mail matter may be authorized by aircraft other than scheduled United States air carriers. This paragraph shall not affect the operation of section 4169 (a) of this title.

“(6) Paragraphs (4) and (5) of this subsection shall be administered under such conditions and regulations as the Postmaster General and the Secretary of Defense severally may prescribe to carry out their respective functions under such paragraphs.”

SEC. 3. Paragraph (4) of section 4303 (d) of title 39, United States Code, is amended by inserting before the period at the end thereof a comma and the following: “except that the rate of postage applicable to air parcel post transported directly between (1) Hawaii, Alaska, or the territories and possessions of the United States in the Pacific area, and (2) an Army, Air Force, or fleet post office served by the postmaster at San Francisco, California, or Seattle, Washington, shall be the rate which would be applicable if the parcel were in fact mailed from or delivered to that city, as the case may be”.

SEC. 4. Section 4303 of title 39, United States Code, is amended by adding at the end thereof the following new subsection:

“(f) The Department of Defense shall reimburse the Post Office Department, out of any appropriations or funds available to the Department of Defense, as a necessary expense of the appropriations or funds and of the activities concerned, sums equal to the expenses incurred by the Post Office Department, as determined by the Postmaster General, in providing air transportation of mail between Armed Forces post offices established under section 705 (d) of this title which are not located within the fifty States of the United States, the territories and possessions of the United States in the Pacific area, the Commonwealth of Puerto Rico, the Virgin Islands or the Canal Zone, or between any such Armed Forces post office and the point of embarkation or debarkation within the fifty States, the territories and possessions of the United States in the Pacific area, the Commonwealth of Puerto Rico, the Virgin Islands or the Canal Zone.”

Approved November 2, 1966.

Ante, p. 1154.

79 Stat. 1164.

Reimbursement.  
74 Stat. 665.

77 Stat. 462.

## Public Law 89-726

### AN ACT

To authorize the disposal of battery-grade synthetic manganese dioxide from the national stockpile.

November 2, 1966  
[H. R. 13661]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately fourteen thousand five hundred and seventy-two short dry tons of battery-grade synthetic manganese dioxide now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98-98h). Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided*, That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

Approved November 2, 1966.

Battery-grade  
synthetic manga-  
nese dioxide.  
Disposal.

60 Stat. 596.

## Public Law 89-727

## AN ACT

November 2, 1966  
[H. R. 13935]

To give the consent of Congress to the State of Massachusetts to become a party to the agreement relating to bus taxation proration and reciprocity as set forth in title II of the Act of April 14, 1965 (79 Stat. 60), and consented to by Congress in that Act and in the Act of November 1, 1965 (79 Stat. 1157).

Massachusetts.  
Bus taxation  
agreement.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is given to the State of Massachusetts to become a party to the agreement relating to bus taxation proration and reciprocity as set forth in title II of the Act of April 14, 1965 (79 Stat. 60), and consented to by Congress in that Act and in the Act of November 1, 1965 (79 Stat. 1157).

SEC. 2. The right to alter, amend, or repeal this Act is expressly reserved.

Approved November 2, 1966.

## Public Law 89-728

## AN ACT

November 2, 1966  
[H. R. 13982]

To amend the Act of August 14, 1964, to authorize payments of any amounts authorized under the Act to the estates of persons who would have been eligible for payments under the authority of the Act, and for other purposes.

Coast Guard.  
Per diem allow-  
ance refunds.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Public Law 88-435, approved August 14, 1964 (78 Stat. 443), is amended by adding the following new sentence after the word "repaid" in the second sentence thereof: "In the event that any such member or former member is deceased, the refund provided for in this Act shall be made to his estate."

Approved November 2, 1966.

## Public Law 89-729

## AN ACT

November 2, 1966  
[H. R. 14075]

To authorize the Secretary of Commerce to settle and pay certain claims arising out of the taking of the 1960 decennial census.

Department of  
Commerce.  
Employees'  
claims, settle-  
ment.  
79 Stat. 789.  
31 USC 241.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* Notwithstanding the limitation of section 3(b) of the Military Personnel and Civilian Employees' Claims Act of 1964, as amended, that only claims arising after August 31, 1964, may be settled and paid, the Secretary of Commerce is authorized to settle and pay, in accordance with the other provisions of that Act, the claims of employees and former employees of the Department of Commerce incident to their service in taking the 1960 decennial census: *Provided, however,* That each such claim was presented in writing within two years after it accrued and it has not been settled and paid.

Approved November 2, 1966.

Public Law 89-730

AN ACT

To liberalize the provisions for payment to parents and children of dependency and indemnity compensation, and for other purposes.

November 2, 1966  
[H. R. 14347]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 415(b), title 38, United States Code, is amended to read as follows:

Veterans.  
Dependency and  
indemnity compen-  
sation.  
72 Stat. 1129.

“(b)(1) Except as provided in subsection (b)(2), if there is only one parent, dependency and indemnity compensation shall be paid to him at a monthly rate equal to the amount under column II of the following table opposite his total annual income as shown in column I:

“Column I		Column II
Total annual income		
More than—	but	Equal to or less than—
----- \$800		\$87
1, 100		69
1, 300		52
1, 500		35
1, 800		18
	-----	No amount payable”

“(2) If there is only one parent, and he has remarried and is living with his spouse, dependency and indemnity compensation shall be paid to him under either the table in subsection (b)(1) or the table in subsection (d), whichever is the greater. In such a case of remarriage the total combined annual income of the parent and his spouse shall be counted in determining the monthly rate of dependency and indemnity compensation under the appropriate table.”

(b) The table in section 415(c), title 38, United States Code, is amended to read as follows:

“Column I		Column II
Total annual income		
More than—	but	Equal to or less than—
----- \$800		\$58
1, 100		46
1, 300		35
1, 500		23
1, 800		12
	-----	No amount payable”

(c) The table in section 415(d), title 38, United States Code, is amended to read as follows:

"Column I		Column II
Total combined annual income		
More than—	but	Equal to or less than—
-----		\$1,000
\$1,000		1,500
1,500		2,000
2,000		2,500
2,500		3,000
3,000		-----
		No amount payable"

SEC. 2. Section 415(g) of title 38, United States Code, is amended—

(1) by striking out "chapter 11" in paragraph (1)(C) and inserting in lieu thereof "chapters 11 and 15";

(2) by striking out the period at the end of clause (E) and inserting in lieu thereof a semicolon; and

(3) by adding at the end of paragraph (1) thereof the following new clauses:

"(F) payments under policies of servicemen's group life insurance, United States Government life insurance or national service life insurance, and payments of servicemen's indemnity;

"(G) 10 per centum of the amount of payments to an individual under public or private retirement, annuity, endowment, or similar plans or programs;

"(H) amounts equal to amounts paid by a parent of a deceased veteran for—

"(i) a deceased spouse's just debts,

"(ii) the expenses of the spouse's last illness to the extent such expenses are not reimbursed under chapter 51 of this title, and

"(iii) the expenses of the spouse's burial to the extent that such expenses are not reimbursed under chapter 23 or chapter 51 of this title;

"(I) proceeds of fire insurance policies;

"(J) amounts equal to amounts paid by a parent of a deceased veteran for—

"(i) the expenses of the veteran's last illness, and

"(ii) the expenses of his burial to the extent that such expenses are not reimbursed under chapter 23 of this title;

"(K) profit realized from the disposition of real or personal property other than in the course of a business;

"(L) payments received for discharge of jury duty or obligatory civic duties."

SEC. 3. Section 3012(b)(4), title 38, United States Code, is amended by inserting before the semicolon at the end thereof the following: “, except that when a change in income is due to an increase in payments under a public or private retirement plan or program the effective date of a reduction or discontinuance resulting therefrom shall be the last day of the calendar year in which the change occurred”.

SEC. 4. Section 413, title 38, United States Code, is amended—

77 Stat. 17.

(1) by striking out “\$77” in paragraph (1) and inserting in lieu thereof “\$80”;

(2) by striking out “\$110” in paragraph (2) and inserting in lieu thereof “\$115”;

(3) by striking out “\$143” in paragraphs (3) and (4) and inserting in lieu thereof “\$149”; and

(4) by striking out “\$28” in paragraph (4) and inserting in lieu thereof “\$29”.

SEC. 5. Section 414, title 38, United States Code, is amended—

(1) by striking out “\$28” in subsection (a) and inserting in lieu thereof “\$29”.

(2) by striking out “\$77” in subsection (b) and inserting in lieu thereof “\$80”; and

(3) by striking out “\$39” in subsection (c) and inserting in lieu thereof “\$41”.

SEC. 6. (a) Subsection (a) of section 3 of the Act entitled “An Act to amend title 38, United States Code, in order to provide special indemnity insurance for members of the Armed Forces serving in combat zones, and for other purposes”, approved September 29, 1965 (79 Stat. 886), is amended by striking out the remaining portion of such subsection beginning with “but only if” and inserting in lieu thereof the following: “but only if application is made for such death gratuity within one year after the date of enactment of this Act.”

38 USC 776  
note.

(b) Paragraph (1) of section 3(c) of such Act is amended to read as follows:

“(1) The death gratuity authorized by this section shall be \$5,000 reduced by the aggregate amount of United States Government Life Insurance and National Service Life Insurance paid or payable on account of the death of such veteran.”

(c) Paragraph (2) of section 3(c) of such Act is repealed.

(d) Paragraph (3) of section 3(c) of such Act is redesignated as paragraph (2).

(e) Any waiver of future benefits executed by any person under section 3(a) of the Act of September 29, 1965 (79 Stat. 886), as in effect prior to the date of the enactment of this Act, shall be of no effect.

(f) In any case in which the death gratuity paid to any person under section 3 of the Act of September 29, 1965, was reduced pursuant to clause (B) of subsection (c)(1) of such section, as in effect prior to the date of enactment of this Act, the Administrator of Veterans' Affairs shall pay to such person an amount equal to the amount by which such death gratuity was reduced.

(g) Notwithstanding the time limitation prescribed in section 3(a) of the Act of September 29, 1965, any application for death gratuity filed under such section shall be valid if filed within one year after the date of enactment of this Act.

SEC. 7. (a) Except section 6 and as otherwise provided in subsection (b) of this section, this Act shall take effect on the first day of the second calendar month following the date of enactment of this Act.

(b) Section 2 of this Act shall take effect on January 1, 1967, but paragraph (G) of section 415(g)(1), title 38, United States Code, as added by such section 2, shall not apply to any parent receiving dependency and indemnity compensation on December 31, 1966, or subsequently determined entitled to that benefit for said day, until his contributions to the described plans or programs have been recouped.

Approved November 2, 1966.

Public Law 89-731

AN ACT

November 2, 1966  
[H. R. 14741]

To authorize an increase in the number of Marine Corps officers who may serve in the combined grades of brigadier general and major general.

Marine Corps  
officers, increase.  
70A Stat. 302.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 5443(a), title 10, United States Code, is amended by deleting in the table contained therein all tabulated numbers under the heading "Brigadier general and major general" and substituting in place thereof the following numbers:

"58  
62  
69  
72  
75  
79  
82  
84  
85  
87  
89."

10 USC 5443  
note.

SEC. 2. Section 2 of the Act of August 3, 1961, Public Law 87-123 (75 Stat. 263), is repealed so far as it applies to the readjustment of authorized numbers of brigadier generals and major generals in the Marine Corps.

72 Stat. 1504.

SEC. 3. Section 5902(c) of title 10, United States Code, is amended to read as follows:

"(c) An officer of the Marine Corps Reserve whose name is on a promotion list established under this chapter is eligible for promotion to the grade for which selected when the officer who is to be his running mate in the higher grade becomes eligible for promotion under chapter 545 of this title. When promoted, he shall be given the same date of rank as that given to his running mate in the grade to which promoted."

70A Stat. 345.  
10 USC 5751-  
5792.

Repeal.  
74 Stat. 274.

SEC. 4. Section 5902(d) is repealed.

SEC. 5. Section 5902(e) is redesignated "5902(d)".

Approved November 2, 1966.

## Public Law 89-732

## AN ACT

November 2, 1966  
[H. R. 15183]

To adjust the status of Cuban refugees to that of lawful permanent residents of the United States, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.* That, notwithstanding the provisions of section 245(c) of the Immigration and Nationality Act, the status of any alien who is a native or citizen of Cuba and who has been inspected and admitted or paroled into the United States subsequent to January 1, 1959 and has been physically present in the United States for at least two years, may be adjusted by the Attorney General, in his discretion and under such regulations as he may prescribe, to that of an alien lawfully admitted for permanent residence if the alien makes an application for such adjustment, and the alien is eligible to receive an immigrant visa and is admissible to the United States for permanent residence. Upon approval of such an application for adjustment of status, the Attorney General shall create a record of the alien's admission for permanent residence as of a date thirty months prior to the filing of such an application or the date of his last arrival into the United States, whichever date is later. The provisions of this Act shall be applicable to the spouse and child of any alien described in this subsection, regardless of their citizenship and place of birth, who are residing with such alien in the United States.

Cuban refugees.  
Adjustment of  
status.  
79 Stat. 919.  
8 USC 1255.

SEC. 2. In the case of any alien described in section 1 of this Act who, prior to the effective date thereof, has been lawfully admitted into the United States for permanent residence, the Attorney General shall, upon application, record his admission for permanent residence as of the date the alien originally arrived in the United States as a nonimmigrant or as a parolee, or a date thirty months prior to the date of enactment of this Act, whichever date is later.

SEC. 3. Section 13 of the Act entitled "An Act to amend the Immigration and Nationality Act, and for other purposes", approved October 3, 1965 (Public Law 89-236), is amended by adding at the end thereof the following new subsection:

8 USC 1255.

"(c) Nothing contained in subsection (b) of this section shall be construed to affect the validity of any application for adjustment under section 245 filed with the Attorney General prior to December 1, 1965, which would have been valid on that date; but as to all such applications the statutes or parts of statutes repealed or amended by this Act are, unless otherwise specifically provided therein, continued in force and effect."

SEC. 4. Except as otherwise specifically provided in this Act, the definitions contained in section 101 (a) and (b) of the Immigration and Nationality Act shall apply in the administration of this Act. Nothing contained in this Act shall be held to repeal, amend, alter, modify, affect, or restrict the powers, duties, functions, or authority of the Attorney General in the administration and enforcement of the Immigration and Nationality Act or any other law relating to immigration, nationality, or naturalization.

8 USC 1101.

Approved November 2, 1966.

## Public Law 89-733

## AN ACT

November 2, 1966  
[H. R. 15335]

To amend the Act entitled "An Act to establish an Advisory Commission on Intergovernmental Relations", approved September 24, 1959.

Advisory Commission on Intergovernmental Relations.  
Appointment of members.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That paragraphs (6) and (7) of section 3(a) of the Act entitled "An Act to establish an Advisory Commission on Intergovernmental Relations", approved September 24, 1959 (73 Stat. 703; 5 U.S.C. 2373(a)), are amended to read as follows:

"(6) Four appointed by the President from a panel of at least eight mayors submitted jointly by the National League of Cities and the United States Conference of Mayors; and

"(7) Three appointed by the President from a panel of at least six elected county officers submitted by the National Association of Counties."

Terms of office.

SEC. 2. Subsection (c) of section 3 of such Act (5 U.S.C. 2373(c)) is amended to read as follows:

"(c) The term of office of each member of the Commission shall be two years; members shall be eligible for reappointment; and, except as provided in section 4(d), members shall serve until their successors are appointed."

SEC. 3. Subsection (c) of section 6 of such Act (5 U.S.C. 2376(c)) is amended by striking out "staff director" and inserting in lieu thereof "executive director".

Compensation of employees.

SEC. 4. Subsection (f) of section 6 of such Act (5 U.S.C. 2376(f)) is amended to read as follows:

"(f) No individual employed in the service of the Commission shall be paid compensation for such employment at a rate in excess of the rate provided for grade 18 under the General Schedule of the Classification Act of 1949, as amended, except that the executive director of the Commission may be paid compensation at any rate not exceeding the rate prescribed for level V in the Federal Executive Salary Schedule of the Federal Executive Salary Act of 1964."

Ante, p. 288.

Ante, pp. 463, 662.  
Compensation. Acceptance unless prohibited.

SEC. 5. Subsection (b) of section 7 of such Act (5 U.S.C. 2377(b)) is amended to read as follows:

"(b) Unless prohibited by State or local law, members of the Commission, other than those to whom subsection (a) of this section is applicable, shall receive compensation at the rate of \$50 per day for each day they are engaged in the performance of their duties as members of the Commission and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Commission, as provided for in subsection (a) of this section."

Receipt of funds by grants, etc.

SEC. 6. Such Act is further amended by adding at the end thereof a new section as follows:

"RECEIPT OF FUNDS

"SEC. 9. The Commission is authorized to receive funds through grants, contracts, and contributions from State and local governments and organizations thereof, and from nonprofit organizations. Such funds may be received and expended by the Commission only for purposes of this Act. In making appropriations to the Commission the Congress shall consider the amount of any funds received by the Commission in addition to those funds appropriated to it by the Congress."

Approved November 2, 1966.

Public Law 89-734

AN ACT

November 2, 1966  
[H. R. 15727]

To establish rates of compensation for certain positions within the Smithsonian Institution.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That title 5, United States Code, is amended as follows:

Smithsonian Institution.  
Ante, p. 461.

(1) Section 5315 is amended by inserting the following new paragraphs after paragraph (77):

“(78) Assistant Secretary for Science, Smithsonian Institution.

“(79) Assistant Secretary for History and Art, Smithsonian Institution.”

(2) Section 5316 is amended by inserting the following new paragraphs after paragraph (116):

“(117) Director, United States National Museum, Smithsonian Institution.

“(118) Director, Smithsonian Astrophysical Observatory, Smithsonian Institution.”

Approved November 2, 1966.

Public Law 89-735

AN ACT

November 2, 1966  
[H. R. 15748]

To amend title 10, United States Code, to authorize a special thirty-day period of leave for a member of a uniformed service who voluntarily extends his tour of duty in a hostile fire area.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 703 of title 10, United States Code, is amended by inserting the designation “(a)” before “Leave” and by adding the following new subsection:

Uniformed services.  
Reenlistment leave.  
76 Stat. 493.

“(b) Under regulations prescribed by the Secretary of Defense, and notwithstanding subsection (a), a member who is on active duty in an area described in section 310(a) (2) of title 37 and who, by reenlistment, extension of enlistment, or other voluntary action, extends his required tour of duty in that area for at least six months may be—

77 Stat. 216.

“(1) authorized not more than thirty days of leave, exclusive of travel time, at an authorized place selected by the member; and

“(2) transported at the expense of the United States to and from that place.

Leave under this subsection may not be charged or credited to leave that accrued or that may accrue under section 701 of this title. The provisions of this subsection shall be effective only in the case of members who extend their required tours of duty on or before June 30, 1968.”

76 Stat. 492.

Approved November 2, 1966.

## Public Law 89-736

## AN ACT

November 2, 1966  
[H. R. 16074]

To cancel certain unpaid interest accrued after September 30, 1931, on loans made to World War I veterans upon the security of adjusted-service certificates.

World War I  
veterans.  
Loans, cancel-  
lation of interest.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in the case of any loan made before January 27, 1936, by the Administrator of Veterans' Affairs or by any bank or trust company, upon the security of an adjusted-service certificate, any unpaid interest accrued thereon subsequent to September 30, 1931, that has become or, in consequence of such loan, shall become a debt owed by the veteran to the United States shall, notwithstanding any provision of law to the contrary, be canceled insofar as the veteran is concerned.

Approved November 2, 1966.

## Public Law 89-737

## AN ACT

November 2, 1966  
[H. R. 16114]

To provide for the inclusion of premium pay under section 5545(c) (1) of title 5, United States Code, for the purpose of determining benefits under the civil service retirement, group life insurance, and injury compensation provisions of such title, and for other purposes.

Federal em-  
ployees.  
Premium pay in  
computing bene-  
fits.

Ante, p. 540.

Ante, p. 564.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That title 5, United States Code, is amended as follows:

(1) Section 8114(e) is amended by striking out "is included" and inserting in lieu thereof "and premium pay under section 5545(c) (1) of this title are included".

(2) Section 8331(3) is amended—

(A) by striking out the word "and" after the last semicolon in subparagraph (A);

(B) by striking out "title 2;" in subparagraph (B) (ii) and inserting in lieu thereof "title 2; and";

(C) by inserting the following new subparagraph after subparagraph (B):

"(C) premium pay under section 5545(c) (1) of this title;";

and  
(D) by striking out "except as provided by subparagraph (B)" and inserting in lieu thereof "except as provided by subparagraphs (B) and (C)".

(3) Section 8704(c) is amended by inserting the following new sentence at the end thereof: "For the purpose of this chapter, 'annual pay' includes premium pay under section 5545(c) (1) of this title."

SEC. 2. Section 9(d) of the Act of October 29, 1965 (Public Law 89-301), is amended by inserting at the end thereof the following new sentence: "For the purpose of this subsection, 'basic compensation' includes premium pay under section 5545(c) (1) of title 5, United States Code."

SEC. 3. Section 8348(g) of title 5, United States Code, does not apply with respect to annuity benefits resulting from the enactment of this Act.

SEC. 4. The amendments made by this Act apply with respect to premium pay payable from and after the first day of the first pay period which begins after the date of enactment of this Act.

Approved November 2, 1966.

Ante, p. 593.

Ante, p. 487.

Severance pay,  
79 Stat. 1119.

Ante, p. 584.

## Public Law 89-738

## AN ACT

November 2, 1966  
[H. R. 16394]

For the relief of certain enlisted members of the military services who lost interest on amounts deposited under section 1035 of title 10, United States Code, or prior laws authorizing enlisted members' deposits, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of a military department or his designee, shall adjust the deposit account of any enlisted member or former enlisted member of the Army, Navy, Air Force, or Marine Corps, as the case may be, who, after July 14, 1954, and before the effective date of this Act, upon discharge and immediate reenlistment or retirement and immediate recall to active duty, continued, without withdrawal and redeposit, his account for deposits made under section 1035 of title 10, United States Code, or prior laws authorizing enlisted members' deposits, to show that his deposits and interest accrued thereon were withdrawn and redeposited on the date of such reenlistment or recall to active duty.

Armed services.  
Enlisted men,  
interest on de-  
posits.

70 A Stat. 80.

SEC. 2. The Secretary of the military department concerned, or his designee, shall pay to a former enlisted member described in section 1 of this Act any amount found due as a result of the adjustment prescribed by that section if he submits an application within two years following the date of enactment of this Act. If the member is currently serving on active duty and has an active deposit account, the amount due him will automatically be credited to such account. In the case of a deceased member, application under this section shall be made within two years following the date of enactment of this Act by the person determined to be eligible under section 2771 of title 10, United States Code.

72 Stat. 1461;  
74 Stat. 473.

SEC. 3. All payments heretofore made which would, but for the fact of such payment, be payable under this Act are validated. However, if such a payment has been repaid to the United States, the fact of payment shall not affect entitlement under this Act.

Approved November 2, 1966.

## Public Law 89-739

## AN ACT

November 2, 1966  
[H. R. 17271]

To amend section 112 of the Internal Revenue Code of 1954 to increase from \$200 to \$500 the monthly combat pay exclusion for commissioned officers serving in combat zones.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subsection (b) of section 112 of the Internal Revenue Code of 1954 is amended by striking out "\$200" and inserting in lieu thereof "\$500".

Income taxes.  
Combat pay ex-  
clusion, increase.  
68A Stat. 34.  
26 USC 112.

SEC. 2. The amendment made by the first section of this Act shall apply with respect to compensation received in taxable years ending after December 31, 1965, for periods of active service after such date.

Approved November 2, 1966.

## Public Law 89-740

November 2, 1966  
[H. R. 17376]

## AN ACT

To authorize the disposal of nickel from the national stockpile.

Nickel.  
Disposal.

60 Stat. 596.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately twenty-four million five hundred thousand pounds of nickel now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98-98h). Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided,* That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

Approved November 2, 1966.

## Public Law 89-741

November 2, 1966  
[H. R. 17451]

## AN ACT

To preserve the pay and retirement privileges for certain former chiefs of Navy bureaus and to preserve the pay privileges of certain former deputy chiefs of Navy bureaus.

Navy Department.  
Retirement benefits of certain officers.

70A Stat. 285.  
10 USC 5133.  
76 Stat. 454.

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

(a) An officer who on the day before the effective date of this Act was serving as the Chief of the Bureau of Ships or the Bureau of Yards and Docks, and who on that effective date was detailed to serve as the commander of one of the six principal subordinate commands of the Naval Material Command, continues, from that date, to be eligible for the rank, pay, and retirement privileges he was entitled to receive as a bureau chief under chapter 513 of title 10, United States Code, and under section 202(h) of title 37, United States Code. If any such officer is retired while serving in the office to which so detailed, he may be retired in the grade of rear admiral, with retired pay based on the upper half of that grade; if retired after serving in that office, his eligibility for the retirement privileges authorized by chapter 513 of title 10, United States Code, is to be determined by adding his service as a bureau chief and all service performed in the office to which detailed on the effective date of this Act.

(b) An officer who on the day before the effective date of this Act was serving as the Deputy Chief of the Bureau of Ships, the Bureau of Supplies and Accounts, or the Bureau of Yards and Docks, and who on that effective date was detailed to serve as the vice commander of one of the six principal subordinate commands of the Naval Material Command, is entitled to the pay authorized by section 202(i) of title 37, United States Code, from the effective date of this Act and as long as he continues to serve in the office to which then detailed.

SEC. 2. This Act shall be effective on May 1, 1966.

Approved November 2, 1966.

## Public Law 89-742

## AN ACT

To amend section 8(g) of the Soil Conservation and Domestic Allotment Act with respect to assignments.

November 2, 1966  
[H. R. 17588]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 8(g) of the Soil Conservation and Domestic Allotment Act, as amended (16 U.S.C. 590h(g)), is amended to read as follows:

Agriculture  
loans.  
Assignment of  
payments.  
52 Stat. 35.  
16 USC 590h.

“(g) A payment which may be made to a farmer under this section, may be assigned, without discount, by him in writing as security for cash or advances to finance making a crop, handling or marketing an agricultural commodity, or performing a conservation practice. Such assignment shall be signed by the farmer and witnessed by a member of the county committee or by an employee of such committee, except that where the assignee is a bank whose deposits are insured by the Federal Deposit Insurance Corporation, the Farmers Home Administration, or a production credit association supervised by the Farm Credit Administration, such assignment may be witnessed by a bonded officer of the lending institution. Such assignment shall be filed with the county committee. Such assignment shall not be made to pay or secure any preexisting indebtedness. This provision shall not authorize any suit against or impose any liability upon the Secretary or any disbursing agent if payment to the farmer is made without regard to the existence of any such assignment. The Secretary shall prescribe such regulations as he determines necessary to carry out the provisions of this subsection.”

Approved November 2, 1966.

## Public Law 89-743

## AN ACT

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1967, and for other purposes.

November 2, 1966  
[H. R. 17636]

## FEDERAL PAYMENT TO DISTRICT OF COLUMBIA

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there are appropriated for the District of Columbia for the fiscal year ending June 30, 1967, out of (1) the general fund of the District of Columbia (unless otherwise herein specifically provided), hereinafter known as the general fund, such fund being composed of the revenues of the District of Columbia other than those applied by law to special funds, and \$50,000,000, which is hereby appropriated for the purpose out of

District of Co-  
lumbia Appropria-  
tion Act, 1967.

any money in the Treasury not otherwise appropriated (to be advanced July 1, 1966), (2) the highway fund (when designated as payable therefrom), established by law (D.C. Code, title 47, ch. 19), including the motor vehicle parking account (when designated as payable therefrom), established by law (Public Law 87-408), (3) the water fund (when designated as payable therefrom), established by law (D.C. Code, title 43, ch. 15), and \$2,146,000, which is hereby appropriated for the purpose out of any money in the Treasury not otherwise appropriated (to be advanced July 1, 1966), (4) the sanitary sewage works fund (when designated as payable therefrom), established by law (Public Law 364, 83d Congress), and \$1,248,000, which is hereby appropriated for the purpose out of any money in the Treasury not otherwise appropriated (to be advanced July 1, 1966), and (5) the metropolitan area sanitary sewage works fund (when designated as payable therefrom), established by law (Public Law 86-515); and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, \$37,527,500, which, together with balances of previous appropriations for this purpose, shall remain available until expended, for loans authorized by the Act of May 18, 1954 (68 Stat. 101), and the Act of June 6, 1958 (72 Stat. 183), as amended (77 Stat. 130, 79 Stat. 666), to be advanced upon request of the Commissioners to the following funds: general fund, \$25,027,500, highway fund, \$12,000,000 and water fund, \$500,000.

#### OPERATING EXPENSES

For expenses necessary for functions under this general head:

##### GENERAL OPERATING EXPENSES

General operating expenses, plus so much as may be necessary to compensate the Engineer Commissioner at a rate equal to each civilian member of the Board of Commissioners of the District of Columbia, hereafter in this Act referred to as the Commissioners; \$22,663,000, of which \$425,000 (to remain available until expended) shall be available solely for District of Columbia employees' disability compensation and \$254,300 shall be payable from the highway fund (including \$54,300 from the motor-vehicle parking account), \$28,300 from the water fund, and \$9,100 from the sanitary sewage works fund: *Provided*, That the certificate of the Commissioners shall be sufficient voucher for the expenditure of \$2,500 of this appropriation for such purposes, exclusive of ceremony expenses, as they may deem necessary: *Provided further*, That, for the purpose of assessing and reassessing real property in the District of Columbia, \$5,000 of the appropriation shall be available for services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), but at rates for individuals not in excess of \$100 per diem: *Provided further*, That not to exceed \$7,500 of this appropriation shall be available for test borings and soil investigations: *Provided further*, That the amount of \$257,300 appropriated herein

D.C. Code 47-1901 to 47-1919.

76 Stat. 18.  
D.C. Code 40-808 and note.  
D.C. Code 43-1501 to 43-1541.

68 Stat. 104.  
D.C. Code 43-1601 to 43-1618.

74 Stat. 210.  
D.C. Code 43-1620 to 43-1624.

D.C. Code 43-1601 note, 9-220.

60 Stat. 810.

for the Washington Metropolitan Area Transit Authority shall be available only upon the enactment into law of S. 3488, 89th Congress, or similar legislation.

#### PUBLIC SAFETY

Public safety, including employment of consulting physicians, diagnosticians, and therapists at rates to be fixed by the Commissioners; cash gratuities of not to exceed \$75 to each released prisoner; purchase of one hundred and eighteen passenger motor vehicles (including one hundred and eleven for police-type and five for fire-type use without regard to the general purchase price limitation for the current fiscal year but not in excess of \$100 per vehicle for police-type and \$600 per vehicle for fire-type use above such limitation) of which eighty-two are for replacement purposes; \$85,885,000, of which \$214,200 shall be transferred to the judiciary and disbursed by the Administrative Office of the United States Courts for expenses of the Legal Aid Agency for the District of Columbia and \$3,969,000 shall be payable from the highway fund (including \$112,000 from the motor vehicle parking account), \$3,500 from the water fund, and \$3,400 from the sanitary sewage works fund: *Provided*, That not to exceed \$50,000 of any funds from appropriations available to the District of Columbia may be used to match financial contributions from the Department of Defense to the District of Columbia Office of Civil Defense for the purchase of civil defense equipment and supplies approved by the Department of Defense, when authorized by the Commissioners: *Provided further*, That the Police Department and Fire Department are each authorized to replace not to exceed five passenger carrying vehicles annually whenever the cost of repair to any damaged vehicle exceeds three-fourths the cost of the replacement: *Provided further*, That not to exceed \$15,000 of this appropriation shall be available for settlement of claims not in excess of \$250 each.

#### EDUCATION

Education, including purchase of four passenger motor vehicles, including two for replacement only, the development of national defense education programs, and for matching Federal grants under the National Defense Education Act of September 2, 1958 (72 Stat. 1580), as amended, \$80,832,000, of which \$125,100 shall be payable from the highway fund.

20 USC 401 note.

Section 301, subsection (c) of the Dual Compensation Act (78 Stat. 488) shall not apply to compensation received by teachers of the public schools of the District of Columbia for employment in a civilian office during the period July 1, 1966, to August 27, 1966.

5 USC 3105.

#### PARKS AND RECREATION

Parks and recreation, including the purchase, acquisition, and transportation of specimens for the National Zoological Park, \$12,441,000, of which \$32,000 shall be payable from the highway fund.

## HEALTH AND WELFARE

Health and welfare, including reimbursement to the United States for services rendered to the District of Columbia by Freedmen's Hospital; and for care and treatment of indigent patients in institutions, including those under sectarian control, under contracts to be made by the Director of Public Health; \$89,042,000: *Provided*, That the inpatient rate and outpatient rate under such contracts, with the exception of Children's Hospital, and for services rendered by Freedmen's Hospital shall not exceed \$38 per diem and the outpatient rate shall not exceed \$6 per visit; the inpatient rate and outpatient rate for Children's Hospital shall not exceed \$40 per diem and \$6.75 per visit; and the inpatient rate (excluding the proportionate share for repairs and construction) for services rendered by Saint Elizabeths Hospital for patient care shall be \$12.18 per diem: *Provided further*, That this appropriation shall be available for the furnishing of medical assistance to individuals sixty-five years of age or older who are residing in the District of Columbia without regard to the requirement of one-year residence contained in the District of Columbia Appropriation Act, 1946, under the heading "Operating Expenses, Gallinger Municipal Hospital," and this appropriation shall also be available to render assistance to such individuals who are temporarily absent from the District of Columbia: *Provided further*, That the authorization included under the heading "Department of Public Health," in the District of Columbia Appropriation Act, 1961, for compensation of convalescent patients as an aid to their rehabilitation is hereby extended to the Department of Vocational Rehabilitation: *Provided further*, That this appropriation shall be available for the purchase of two passenger motor vehicles and for the treatment, in any institution under the jurisdiction of the Board of Commissioners and located either within or without the District of Columbia, of individuals found by a court to be chronic alcoholics.

59 Stat. 282.  
D.C. Code 32-  
321.

74 Stat. 21.

## HIGHWAYS AND TRAFFIC

Highways and traffic, including \$79,316 for traffic safety education without reference to any other law; \$400 for membership in the American Association of Motor Vehicle Administrators and \$800 for membership in the Vehicle Equipment Safety Commission; rental of three passenger-carrying vehicles for use by the Commissioners; and purchase of thirty-two passenger motor vehicles, including twenty-one for replacement only; \$15,122,000, of which \$10,118,000 shall be payable from the highway fund (including \$1,088,900 from the motor vehicle parking account): *Provided*, That this appropriation shall not be available for the purchase of driver-training vehicles.

## SANITARY ENGINEERING

Sanitary engineering, including the purchase of ten passenger motor vehicles for replacement only, \$23,982,500, of which \$7,824,900 shall be payable from the water fund, \$4,657,300 shall be payable from the sanitary sewage works fund, and \$72,700 shall be payable from the metropolitan area sanitary sewage works fund.

## METROPOLITAN POLICE

## ADDITIONAL MUNICIPAL SERVICES, AMERICAN LEGION CONVENTION

Metropolitan Police (additional municipal services, American Legion Convention), including payment at basic salary rates for services performed by officers and members of the police and fire

departments in excess of the regular tours of duty during the period of the American Legion Convention (but not to exceed a total of sixteen hours overtime pay to any individual officer or member performing services during such period) with such overtime chargeable to this appropriation or to the appropriations of the police and fire departments, \$233,000.

#### PERSONAL SERVICES, WAGE-BOARD EMPLOYEES

For pay increases and related retirement costs for wage-board employees, to be transferred by the Commissioners of the District of Columbia to the appropriations for the fiscal year 1967 from which said employees are properly payable, \$1,320,000, of which \$102,000 shall be payable from the highway fund (including \$2,000 from the motor vehicle parking account), \$130,000 from the water fund, \$87,000 from the sanitary sewage works fund, and \$1,000 from the metropolitan area sanitary sewage works fund.

#### SETTLEMENT OF CLAIMS AND SUITS

For the payment of claims in excess of \$250, approved by the Commissioners in accordance with the provisions of the Act of February 11, 1929, as amended (45 Stat. 1160; 46 Stat. 500; 65 Stat. 131), \$42,100.

D. C. Code 1-902  
to 1-906.

#### REPAYMENT OF LOANS AND INTEREST

For reimbursement to the United States of funds loaned in compliance with sections 108, 217, and 402 of the Act of May 18, 1954 (68 Stat. 103, 109, and 110), as amended; section 9 of the Act of September 7, 1957 (71 Stat. 619), as amended; section 1 of the Act of June 6, 1958 (72 Stat. 183); and section 4 of the Act of June 12, 1960 (74 Stat. 211), including interest as required thereby, \$6,077,600, of which \$2,301,363 shall be payable from the highway fund, \$1,302,640 shall be payable from the water fund, and \$455,031 shall be payable from the sanitary sewage works fund.

D. C. Code 43-  
1540, 43-1616,  
7-133.  
D. C. Code 2-  
1727.  
D. C. Code 9-  
220, 43-1623.

#### CAPITAL OUTLAY

For reimbursement to the United States of funds loaned in compliance with section 4 of the Act of May 29, 1930 (46 Stat. 482), as amended, the Act of August 7, 1946 (60 Stat. 896), as amended, the Act of May 14, 1948 (62 Stat. 235), and payments under the Act of July 2, 1954 (68 Stat. 443); construction projects as authorized by the Acts of April 22, 1904 (33 Stat. 244), February 16, 1942 (56 Stat. 91), May 18, 1954 (68 Stat. 105, 110), June 6, 1958 (72 Stat. 183), and August 20, 1958 (72 Stat. 686); including acquisition of sites; preparation of plans and specifications for the following buildings and facilities: Dunbar Senior High School addition, Ballou Senior High School addition, Taft Junior High School addition, new school for severely mentally retarded, Shaw Junior High School replacement, Ketcham Elementary School addition, Beers Elementary School addition, Takoma Elementary School replacement, Upshur Swimming Pool, Chevy Chase community center, police training facilities, farm cottage replacement at the District Training School, new elementary school in the vicinity of Lincoln Road and Douglass Street Northeast, Payne Elementary School addition, Shepherd Elementary School addition, Deal Junior High School addition, Browne Junior High

D. C. Code 11-  
103.

D. C. Code 43-  
1510, 40-804.  
43-1603, 7-132.

School addition, Wilson Senior High School addition, Spingarn-Phelps Stadium, Sharpe Health School addition, public school warehouse addition, Congress Heights Elementary School replacement, new elementary school in the vicinity of Nichols Avenue and Chesapeake Street Southwest, Randle Highlands Elementary School addition, Northwest Sanitation Garage, and new cottages for low-grade residents at the District Training School; for conducting the following preliminary surveys: police training facilities, renovation of Dalecarlia Filter Plant, and ground improvements at the District of Columbia Village and Junior Village; erection of the following structures, including building improvement and alteration and the treatment of grounds: new Woodson Senior High School, new Johnson Junior High School, Nalle Elementary School addition, new elementary school in the vicinity of 11th and Kenyon Streets Northwest, Blow-Pierce Elementary Schools replacement, Blair-Ludlow-Taylor Elementary Schools replacement, Thomas Elementary School addition, new elementary school in the vicinity of Texas Avenue and Burns Street Southeast, Seaton Elementary School replacement, Emery Elementary School replacement, Brent Elementary School replacement, new downtown library, Engine Company Number 15 replacement, shop building at the Cedar Knoll School, Shadd Elementary School addition, Garnet-Patterson Junior High School alterations, Randall Junior High School addition, Nichols Avenue Elementary School replacement, new elementary school in the vicinity of 7th and Webster Streets Northwest, Tyler Elementary School addition, and renovation of Dalecarlia filter plant; \$114,000 for the purchase of equipment for new school buildings and \$4,527,500 for the purposes of the National Capital Transportation Act of 1965; to remain available until expended, \$66,958,000, of which \$11,431,000 shall not become available for expenditure until July 1, 1967, \$14,859,000 shall be payable from the highway fund, \$2,635,000 shall be payable from the water fund, and \$3,692,000 shall be payable from the sanitary sewage works fund, and \$3,384,500 shall be available for construction services by the Director of Buildings and Grounds or by contract for architectural engineering services, as may be determined by the Commissioners, and the funds for the use of the Director of Buildings and Grounds shall be advanced to the appropriation account, "Construction services, Department of Buildings and Grounds".

### GENERAL PROVISIONS

Vouchers.

SEC. 2. Except as otherwise provided herein, all vouchers covering expenditures of appropriations contained in this Act shall be audited before payment by the designated certifying official and the vouchers as approved shall be paid by checks issued by the designated disbursing official without countersignature.

Maximum amount.

SEC. 3. Whenever in this Act an amount is specified within an appropriation for particular purposes or object of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount which may be expended for said purpose or object rather than an amount set apart exclusively therefor.

Automobile allowances.

SEC. 4. Appropriations in this Act shall be available, when authorized or approved by the Commissioners, for allowances for privately owned automobiles used for the performance of official duties at 8 cents per mile but not to exceed \$25 a month for each automobile, unless otherwise therein specifically provided, except that one hun-

dred and sixty-three (fifty for investigators in the Department of Public Welfare and eighteen for venereal disease investigators in the Department of Public Health) such allowances at not more than \$410 each per annum may be authorized or approved by the Commissioners.

SEC. 5. Appropriations in this Act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the Commissioners: *Provided*, That the total expenditures for this purpose shall not exceed \$65,000.

Travel expenses.

SEC. 6. Appropriations in this Act shall be available for services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a).

60 Stat. 810.

SEC. 7. The disbursing officials designated by the Commissioners are authorized to advance to such officials as may be approved by the Commissioners such amounts and for such purposes as the Commissioners may determine.

Advancement of funds.

SEC. 8. Appropriations in this Act shall not be used for or in connection with the preparation, issuance, publication, or enforcement of any regulation or order of the Public Service Commission requiring the installation of meters in taxicabs, or for or in connection with the licensing of any vehicle to be operated as a taxicab except for operation in accordance with such system of uniform zones and rates and regulations applicable thereto as shall have been prescribed by the Public Service Commission.

Restrictions.

SEC. 9. Appropriations in this Act shall not be available for the payment of rates for electric current for street lighting in excess of 2 cents per kilowatt-hour for current consumed.

SEC. 10. All motor-propelled passenger-carrying vehicles (including watercraft) owned by the District of Columbia shall be operated and utilized in conformity with section 16 of the Act of August 2, 1946 (5 U.S.C. 77, 78), and shall be under the direction and control of the Commissioners, who may from time to time alter or change the assignment for use thereof, or direct the alteration of interchangeable use of any of the same by officers and employees of the District, except as otherwise provided in this Act. "Official purposes" shall not apply to the Commissioners of the District of Columbia or in cases of officers and employees the character of whose duties makes such transportation necessary, but only as to such latter cases when the same is approved by the Commissioners.

Vehicle use.

60 Stat. 810.

SEC. 11. Appropriations contained in this Act for Highways and Traffic, and Sanitary Engineering shall be available for snow and ice control work when ordered by the Commissioners in writing.

Snow removal.

SEC. 12. Appropriations in this Act shall be available, when authorized by the Commissioners, for the rental of quarters without reference to section 6 of the District of Columbia Appropriation Act, 1945.

Rental of quarters.

58 Stat. 532.  
D. C. Code  
1-243.

SEC. 13. Appropriations in this Act shall be available for the furnishing of uniforms when authorized by the Commissioners.

SEC. 14. There are hereby appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of judgments which have been entered against the government of the District of Columbia, including refunds authorized by section 10 of the Act approved April 23, 1924 (43 Stat. 108): *Provided*, That nothing contained in this section shall be construed as modifying or affecting the provisions of paragraph 3, subsection (c) of section 11 of title XII of the District of Columbia Income and Franchise Tax Act of 1947, as amended.

Judgment payments.

D. C. Code 47-1910.

70 Stat. 78.  
D. C. Code 47-1586j.

SEC. 15. Except as otherwise provided herein, limitations and legislative provisions contained in the District of Columbia Appropriation

Act, 1961, shall be continued for the fiscal year 1967: *Provided*, That the limitation for "Construction Services, Department of Buildings and Grounds" contained in the District of Columbia Appropriation Act, 1961, shall be increased from 6 to 8 per centum of appropriations for construction projects in excess of \$500,000 and to 10 per centum of appropriations for construction projects under \$500,000.

74 Stat. 23.

Short title.

This Act may be cited as the "District of Columbia Appropriation Act, 1967."

Approved November 2, 1966.

## Public Law 89-744

November 2, 1966

### AN ACT

[H. R. 17637]

Making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes.

Military Construction Appropriation Act, 1967.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1967, for military construction functions administered by the Department of Defense, and for other purposes, namely:

#### MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, and facilities for the Army as currently authorized in military public works or military construction Acts, and in sections 2673 and 2675 of title 10, United States Code, \$114,014,000, to remain available until expended.

72 Stat. 1459, 1460.

#### MILITARY CONSTRUCTION, NAVY

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, and facilities for the Navy as currently authorized in military public works or military construction Acts, in Public Law 88-637, and in sections 2673 and 2675 of title 10, United States Code, including personnel in the Bureau of Yards and Docks and other personal services necessary for the purposes of this appropriation, \$126,918,000, to remain available until expended.

78 Stat. 1034.

#### MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, and facilities for the Air Force as currently authorized in military public works or military construction Acts, in sections 2673 and 2675 of title 10, United States Code, \$205,495,000, to remain available until expended.

#### MILITARY CONSTRUCTION, DEFENSE AGENCIES

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations and facilities for activities and agencies of the Department of Defense (other than the military departments and the Office of Civil Defense), as currently authorized in military public works or military construction Acts, and in sections 2673 and 2675 of title 10, United States Code, \$7,547,000,

to remain available until expended; and, in addition, not to exceed \$20,000,000 to be derived by transfer from the appropriation "Research, development, test, and evaluation, Defense Agencies" as determined by the Secretary of Defense: *Provided*, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction as he may designate.

#### MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 133 of title 10, United States Code, as amended, and the Reserve Forces Facilities Acts, \$9,400,000, to remain available until expended.

70A Stat. 120.  
10 USC 2231-  
2238.

#### MILITARY CONSTRUCTION, NAVAL RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps, as authorized by chapter 133 of title 10, United States Code, as amended, and the Reserve Forces Facilities Acts, \$5,400,000, to remain available until expended.

#### MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 133 of title 10, United States Code, as amended, and the Reserve Forces Facilities Acts, \$3,600,000, to remain available until expended.

#### FAMILY HOUSING, DEFENSE

For expenses of family housing for the Army, Navy, Marine Corps, Air Force, and Defense agencies, for operation, maintenance, and debt payment, including leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$507,196,000, to be obligated and expended in the Family Housing Management Account established pursuant to section 501(a) of Public Law 87-554, in not to exceed the following amounts:

76 Stat. 236.  
42 USC 1594a-1.

##### For the Army:

Operation, maintenance, \$127,287,000;

Debt payment, \$47,346,000.

##### For the Navy and Marine Corps:

Operation, maintenance, \$72,934,000;

Debt payments, \$30,864,000.

##### For the Air Force:

Operation, maintenance, \$135,382,000;

Debt payment, \$89,028,000.

##### For Defense agencies:

Operation, maintenance, \$4,355,000.

#### GENERAL PROVISIONS

SEC. 101. Funds appropriated to the Department of Defense for construction in prior years are hereby made available for construction authorized for each such department by the authorizations enacted into law during the second session of the Eighty-ninth Congress.

Prior appropriations.

SEC. 102. None of the funds appropriated in this Act shall be expended for payments under a cost-plus-a-fixed-fee contract for

Contracts.

work, where cost estimates exceed \$25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

Expediting costs.

SEC. 103. None of the funds appropriated in this Act shall be expended for additional costs involved in expediting construction unless the Secretary of Defense certifies such costs to be necessary to protect the national interest and establishes a reasonable completion date for each project, taking into consideration the urgency of the requirement, the type and location of the project, the climatic and seasonal conditions affecting the construction, and the application of economical construction practices.

Bakery facilities, etc.

SEC. 104. None of the funds appropriated in this Act shall be used for the construction, replacement, or reactivation of any bakery, laundry, or drycleaning facility in the United States, its territories, or possessions, as to which the Secretary of Defense does not certify, in writing, giving his reasons therefor, that the services to be furnished by such facilities are not obtainable from commercial sources at reasonable rates.

Motor vehicle hire.

SEC. 105. Funds appropriated to the Department of Defense for construction are hereby made available for hire of passenger motor vehicles.

Access roads.

SEC. 106. Funds appropriated to the Department of Defense for construction may be used for advances to the Bureau of Public Roads, Department of Commerce, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

72 Stat. 908.

New bases.

SEC. 107. None of the funds appropriated in this Act may be used to begin construction of new bases inside the Continental United States for which specific appropriations have not been made.

Obstetrical services.

SEC. 108. No part of the funds contained in this Act shall be used for the construction of hospitals or composite medical facilities which do not provide facilities for obstetrical services.

Land easements, etc.

SEC. 109. No part of the funds provided in this Act shall be used for purchase of land or land easements in excess of 100 per centum of the value as determined by the Corps of Engineers or the Bureau of Yards and Docks, except: (a) where there is a determination of value by a Federal court, (b) purchases negotiated by the Attorney General or his designee, and (c) where the estimated value is less than \$25,000.

Foreign projects.

SEC. 110. None of the funds appropriated in this Act may be used to make payments under contracts for any project in a foreign country unless the Secretary of Defense or his designee, after consultation with the Secretary of the Treasury or his designee, certifies to the Congress that the use, by purchase from the Treasury, of currencies of such country acquired pursuant to law is not feasible for the purpose, stating the reason therefor.

Family housing, limitation.

SEC. 111. None of the funds appropriated in this Act shall be used to (1) acquire land, (2) provide for site preparation, or (3) install utilities for any family housing, except housing for which funds have been made available in annual military construction appropriation acts.

Short title.

SEC. 112. This Act may be cited as the "Military Construction Appropriation Act, 1967".

Approved November 2, 1966.

## Public Law 89-745

## AN ACT

November 2, 1966  
[H. R. 17798]

To provide that a judgment or decree of the District of Columbia Court of General Sessions shall not constitute a lien until filed and recorded in the office of the Recorder of Deeds of the District of Columbia, and for other purposes.

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

SECTION 1. (a) Section 15-101(a)(2) of the District of Columbia Code is amended by striking out "when certified to and docketed in the clerk's office of the District Court" and inserting in lieu thereof "when filed and recorded in the office of the Recorder of Deeds of the District of Columbia".

D. C.  
Recording of  
Liens.  
77 Stat. 522.

SEC. 2. (a) Section 15-102(a) of the District of Columbia Code is amended to read as follows:

"(a) Each—

"(1) final judgment or decree for the payment of money rendered in the United States District Court for the District of Columbia from the date when it is rendered,

"(2) final judgment or decree rendered in the civil division of the District of Columbia Court of General Sessions, from the date such judgment or decree is filed and recorded in the office of the Recorder of Deeds of the District of Columbia,

"(3) recognizance taken by the United States District Court for the District of Columbia, or a judge thereof, from the date when such recognizance is declared forfeited, and

"(4) recognizance taken by the criminal division of the District of Columbia Court of General Sessions, or a judge thereof, from the date the entry or order of forfeiture of such recognizance is filed and recorded in the office of the Recorder of Deeds of the District of Columbia,

shall constitute a lien on all the freehold and leasehold estates, legal and equitable, of the defendants bound by such judgment, decree, or recognizance, in any land, tenements, or hereditaments in the District of Columbia, whether the estates are in possession or are reversions or remainders, vested or contingent. Such liens on equitable interests may be enforced only by an action to foreclose."

(b) Subsection (b) of section 15-102 of the District of Columbia Code is repealed and subsection (c) is redesignated subsection (b).

Repeal.

SEC. 3. (a) The section heading for section 15-132 of the District of Columbia Code and subsection (a) of such section are amended to read as follows:

**"§ 15-132. Enforceable period of unrecorded judgments—Enforcement of judgments, etc., of the District of Columbia Court of General Sessions**

"(a) A judgment entered by the District of Columbia Court of General Sessions shall remain in force only during the six-year period beginning on the date such judgment is entered unless it is filed and recorded in the office of the Recorder of Deeds of the District of Columbia within such six-year period. The provisions of this title relating to enforcement of judgments, executions thereon, and writs and proceedings in aid of execution thereof, shall be applicable to

judgments entered on or after November 1, 1966, in the District of Columbia Court of General Sessions.”

(b) The table of sections for chapter 1 of title 15, District of Columbia Code, is amended by striking out—

“15-132. Enforceable period of judgments—Effect of docketing in District Court—Domestic Relations Branch.”

and inserting in lieu thereof—

“15-132. Enforceable period of unrecorded judgments—Enforcement of judgments, etc., of the District of Columbia Court of General Sessions.”

*Ante*, p. 264.

SEC. 4. Section 15-310(b) of the District of Columbia Code is amended by striking out “may be levied on real estate” and inserting in lieu thereof the following: “may be levied on real estate, but only after such judgment has been filed and recorded in the office of the Recorder of Deeds of the District of Columbia”.

SEC. 5. Section 15-311(b) of the District of Columbia Code is amended by striking out “debtor in land” and inserting in lieu thereof the following: “debtor in land, but only after such judgment has been filed and recorded in the office of the Recorder of Deeds of the District of Columbia”.

49 Stat. 384.

SEC. 6. Section 552 of the Act of March 3, 1901 (D.C. Code, sec. 45-708), is amended by inserting after the ninth paragraph the following paragraphs:

“For filing and recording a certified copy of a judgment, decree, or entry or order of forfeiture of a recognizance, filed and recorded under section 15-102(a) of the District of Columbia Code, \$1.00.

*Ante*, p. 1177.

“For recording the release of a lien established by the recordation of a judgment, decree, or an entry or order of forfeiture of a recognizance under section 15-102(a) of the District of Columbia Code, 50 cents.”

Repeals.

*Ante*, p. 264.

SEC. 7. Sections 8, 9, and 10 of the Act of July 5, 1966 (Public Law 89-493), are repealed.

SEC. 8. (a) (1) Except as otherwise provided in paragraph (2), the amendments made by sections 1, 2, and 3 of this Act shall apply only with respect to a judgment or decree rendered, or a recognizance declared forfeited, by the United States District Court for the District of Columbia or the District of Columbia Court of General Sessions on and after November 1, 1966.

(2) A judgment or decree rendered, or an entry or order of forfeiture of a recognizance made, before November 1, 1966, by the District of Columbia Court of General Sessions which was not docketed in the office of the clerk of the United States District Court for the District of Columbia before such date may be filed and recorded in the office of the Recorder of Deeds of the District of Columbia on and after such date but not later than six years following the date such judgment or decree was rendered or entry or order made.

(b) The amendments made by sections 4 and 5 of this Act shall apply only with respect to executions and writs of fieri facias issued on and after November 1, 1966.

(c) The amendment made by section 6 of this Act shall take effect on and after November 1, 1966.

(d) The amendment made by section 7 of this Act shall take effect on the date of the enactment of this Act.

Approved November 2, 1966.

## Public Law 89-746

## AN ACT

November 2, 1966  
[H. R. 18019]

To authorize the Secretary of the Army to construct an addition at the Walter Reed Army Medical Center, Washington, District of Columbia.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding any other provision of law, the Secretary of the Army is authorized to construct an addition to the existing Armed Forces Institute of Pathology Building, located at Walter Reed Army Medical Center, Washington, District of Columbia, at a cost not to exceed \$7,570,000, for the purpose of providing a facility for housing those functions which on the date of enactment of this Act are housed in the annex to the Armed Forces Institute of Pathology, located at Seventh Street and Independence Avenue Southwest, Washington, District of Columbia.

Armed Forces  
Institute of  
Pathology, D. C.  
Additional fa-  
cility, authoriza-  
tion.

Approved November 2, 1966.

## Public Law 89-747

## AN ACT

November 2, 1966  
[H. R. 18217]

To provide home leave for Federal seafaring personnel, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That title 5, United States Code, is amended as follows:

Federal seafar-  
ing personnel.

(1) Section 6305 is amended by inserting the following new subsection at the end thereof:

Ante, p. 520.

“(c) An officer, crewmember, or other employee serving aboard an oceangoing vessel on an extended voyage may be granted leave of absence, under regulations of the Civil Service Commission, at a rate not to exceed two days for each thirty calendar days of that service without regard to other leave provided by this subchapter. Leave so granted—

“(1) accumulates for future use without regard to the limitation in section 6304 (b) of this title;

“(2) may not be made the basis for a lump-sum payment; and

“(3) may not be made the basis for terminal leave except under such special or emergency circumstances as may be prescribed under the regulations of the Commission.”

(2) Section 6305 is further amended by amending the catchline to read as follows:

“§ 6305. Home leave; leave for Chiefs of Missions; leave for crews of vessels”.

(3) The analysis of chapter 63 is amended by striking out the following item:

“6305. Home leave; leave for Chiefs of Missions.”

and by inserting the following item in place thereof:

“6305. Home leave; leave for Chiefs of Missions; leave for crews of vessels.”

Approved November 2, 1966.

Public Law 89-748

AN ACT

November 2, 1966  
[H. R. 18284]

To authorize the Attorney General to adjust the legislative jurisdiction exercised by the United States over lands within the Federal Reformatory at Chillicothe, Ohio.

Federal Reformatory, Chillicothe, Ohio.  
Relinquishment of jurisdiction.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding any other provision of law, the Attorney General may, at such times as he may deem desirable, relinquish to the State of Ohio all, or such portion as he may deem desirable for relinquishment, of the jurisdiction heretofore acquired by the United States over any land within the Federal Reformatory, Chillicothe, Ohio, reserving to the United States such concurrent or partial jurisdiction as he may deem necessary. Relinquishment of jurisdiction under the authority of this Act may be made by filing with the Governor of the State of Ohio a notice of such relinquishment, which shall take effect upon acceptance thereof by the State of Ohio in such manner as its laws may prescribe.

Approved November 2, 1966.

Public Law 89-749

AN ACT

November 3, 1966  
[S. 3008]

To amend the Public Health Service Act to promote and assist in the extension and improvement of comprehensive health planning and public health services, to provide for a more effective use of available Federal funds for such planning and services, and for other purposes.

Comprehensive Health Planning and Public Health Services Amendments of 1966.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Comprehensive Health Planning and Public Health Services Amendments of 1966".

FINDINGS AND DECLARATION OF PURPOSE

SEC. 2. (a) The Congress declares that fulfillment of our national purpose depends on promoting and assuring the highest level of health attainable for every person, in an environment which contributes positively to healthful individual and family living; that attainment of this goal depends on an effective partnership, involving close intergovernmental collaboration, official and voluntary efforts, and participation of individuals and organizations; that Federal financial assistance must be directed to support the marshaling of all health resources—national, State, and local—to assure comprehensive health services of high quality for every person, but without interference with existing patterns of private professional practice of medicine, dentistry, and related healing arts.

(b) To carry out such purpose, and recognizing the changing character of health problems, the Congress finds that comprehensive planning for health services, health manpower, and health facilities is

essential at every level of government; that desirable administration requires strengthening the leadership and capacities of State health agencies; and that support of health services provided people in their communities should be broadened and made more flexible.

GRANTS FOR COMPREHENSIVE HEALTH PLANNING AND PUBLIC HEALTH SERVICES

SEC. 3. Section 314 of the Public Health Service Act (42 U.S.C. 246) is amended to read as follows:

58 Stat. 693.

“GRANTS FOR COMPREHENSIVE HEALTH PLANNING AND PUBLIC HEALTH SERVICES

“Grants to States for Comprehensive State Health Planning

“SEC. 314. (a) (1) AUTHORIZATION.—In order to assist the States in comprehensive and continuing planning for their current and future health needs, the Surgeon General is authorized during the period beginning July 1, 1966, and ending June 30, 1968, to make grants to States which have submitted, and had approved by the Surgeon General, State plans for comprehensive State health planning. For the purposes of carrying out this subsection, there are hereby authorized to be appropriated \$2,500,000 for the fiscal year ending June 30, 1967, and \$5,000,000 for the fiscal year ending June 30, 1968.

“(2) STATE PLANS FOR COMPREHENSIVE STATE HEALTH PLANNING.—In order to be approved for purposes of this subsection, a State plan for comprehensive State health planning must—

“(A) designate, or provide for the establishment of, a single State agency, which may be an interdepartmental agency, as the sole agency for administering or supervising the administration of the State's health planning functions under the plan;

“(B) provide for the establishment of a State health planning council, which shall include representatives of State and local agencies and nongovernmental organizations and groups concerned with health, and of consumers of health services, to advise such State agency in carrying out its functions under the plan, and a majority of the membership of such council shall consist of representatives of consumers of health services;

“(C) set forth policies and procedures for the expenditure of funds under the plan, which, in the judgment of the Surgeon General, are designed to provide for comprehensive State planning for health services (both public and private), including the facilities and persons required for the provision of such services, to meet the health needs of the people of the State;

“(D) provide for encouraging cooperative efforts among governmental or nongovernmental agencies, organizations and groups concerned with health services, facilities, or manpower, and for cooperative efforts between such agencies, organizations, and

groups and similar agencies, organizations, and groups in the fields of education, welfare, and rehabilitation;

“(E) contain or be supported by assurances satisfactory to the Surgeon General that the funds paid under this subsection will be used to supplement and, to the extent practicable, to increase the level of funds that would otherwise be made available by the State for the purpose of comprehensive health planning and not to supplant such non-Federal funds;

“(F) provide such methods of administration (including methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Surgeon General shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods) as are found by the Surgeon General to be necessary for the proper and efficient operation of the plan;

“(G) provide that the State agency will make such reports, in such form and containing such information, as the Surgeon General may from time to time reasonably require, and will keep such records and afford such access thereto as the Surgeon General finds necessary to assure the correctness and verification of such reports;

“(H) provide that the State agency will from time to time, but not less often than annually, review its State plan approved under this subsection and submit to the Surgeon General appropriate modifications thereof;

“(I) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for funds paid to the State under this subsection; and

“(J) contain such additional information and assurances as the Surgeon General may find necessary to carry out the purposes of this subsection.

“(3) (A) STATE ALLOTMENTS.—From the sums appropriated for such purpose for each fiscal year, the several States shall be entitled to allotments determined, in accordance with regulations, on the basis of the population and the per capita income of the respective States; except that no such allotment to any State for any fiscal year shall be less than 1 per centum of the sum appropriated for such fiscal year pursuant to paragraph (1). Any such allotment to a State for a fiscal year shall remain available for obligation by the State, in accordance with the provisions of this subsection and the State's plan approved thereunder, until the close of the succeeding fiscal year.

“(B) The amount of any allotment to a State under subparagraph (A) for any fiscal year which the Surgeon General determines will not be required by the State, during the period for which it is available, for the purposes for which allotted shall be available for reallocation by the Surgeon General from time to time, on such date or dates as he may fix, to other States with respect to which such a determination has not been made, in proportion to the original allotments to such States

under subparagraph (A) for such fiscal year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Surgeon General estimates such State needs and will be able to use during such period; and the total of such reductions shall be similarly reallocated among the States whose proportionate amounts were not so reduced. Any amount so reallocated to a State from funds appropriated pursuant to this subsection for a fiscal year shall be deemed part of its allotment under subparagraph (A) for such fiscal year.

“(4) PAYMENTS TO STATES.—From each State’s allotment for a fiscal year under this subsection, the State shall from time to time be paid the Federal share of the expenditures incurred during that year or the succeeding year pursuant to its State plan approved under this subsection. Such payments shall be made on the basis of estimates by the Surgeon General of the sums the State will need in order to perform the planning under its approved State plan under this subsection, but with such adjustments as may be necessary to take account of previously made underpayments or overpayments. The ‘Federal share’ for any State for purposes of this subsection shall be all, or such part as the Surgeon General may determine, of the cost of such planning.

#### “Project Grants for Areawide Health Planning

“(b) The Surgeon General is authorized, during the period beginning July 1, 1966, and ending June 30, 1968, to make, with the approval of the State agency administering or supervising the administration of the State plan approved under subsection (a), project grants to any other public or nonprofit private agency or organization to cover not to exceed 75 per centum of the costs of projects for developing (and from time to time revising) comprehensive regional, metropolitan area, or other local area plans for coordination of existing and planned health services, including the facilities and persons required for provision of such services; except that in the case of project grants made in any State prior to July 1, 1968, approval of such State agency shall be required only if such State has such a State plan in effect at the time of such grants. For the purposes of carrying out this subsection, there are hereby authorized to be appropriated \$5,000,000 for the fiscal year ending June 30, 1967, and \$7,500,000 for the fiscal year ending June 30, 1968.

#### “Project Grants for Training, Studies, and Demonstrations

“(c) The Surgeon General is also authorized, during the period beginning July 1, 1966, and ending June 30, 1968, to make grants to any public or nonprofit private agency, institution, or other organization to cover all or any part of the cost of projects for training, studies, or demonstrations looking toward the development of improved or more effective comprehensive health planning throughout the Nation.

For the purposes of carrying out this subsection, there are hereby authorized to be appropriated \$1,500,000 for the fiscal year ending June 30, 1967, and \$2,500,000 for the fiscal year ending June 30, 1968.

“Grants for Comprehensive Public Health Services

“(d) (1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$62,500,000 for the fiscal year ending June 30, 1968, to enable the Surgeon General to make grants to State health or mental health authorities to assist the States in establishing and maintaining adequate public health services, including the training of personnel for State and local health work. The sums so appropriated shall be used for making payments to States which have submitted, and had approved by the Surgeon General, State plans for provision of public health services.

Standards.

“(2) STATE PLANS FOR PROVISION OF PUBLIC HEALTH SERVICES.—In order to be approved under this subsection, a State plan for provision of public health services must—

“(A) provide for administration or supervision of administration by the State health authority or, with respect to mental health services, the State mental health authority;

“(B) set forth the policies and procedures to be followed in the expenditure of the funds paid under this subsection;

“(C) contain or be supported by assurances satisfactory to the Surgeon General that (i) the funds paid to the State under this subsection will be used to make a significant contribution toward providing and strengthening public health services in the various political subdivisions in order to improve the health of the people; (ii) such funds will be made available to other public or nonprofit private agencies, institutions, and organizations, in accordance with criteria which the Surgeon General determines are designed to secure maximum participation of local, regional, or metropolitan agencies and groups in the provision of such services; and (iii) such funds will be used to supplement and, to the extent practical, to increase the level of funds that would otherwise be made available for the purposes for which the Federal funds are provided and not to supplant such non-Federal funds;

“(D) provide for the furnishing of public health services under the State plan in accordance with such plans as have been developed pursuant to subsection (a);

“(E) provide that public health services furnished under the plan will be in accordance with standards prescribed by regulations, including standards as to the scope and quality of such services;

“(F) provide such methods of administration (including methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Surgeon General shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods) as are found by the Surgeon General to be necessary for the proper and efficient operation of the plan;

“(G) provide that the State health authority or, with respect to mental health services, the State mental health authority, will from time to time, but not less often than annually, review and evaluate its State plan approved under this subsection and submit to the Surgeon General appropriate modifications thereof;

“(H) provide that the State health authority or, with respect to mental health services, the State mental health authority, will make such reports, in such form and containing such information, as the Surgeon General may from time to time reasonably require, and will keep such records and afford such access thereto as the Surgeon General finds necessary to assure the correctness and verification of such reports;

Recordkeeping  
requirements.

“(I) provide for such fiscal control and fund accounting procedures as may be necessary to assure the proper disbursement of and accounting for funds paid to the State under this subsection; and

“(J) contain such additional information and assurances as the Surgeon General may find necessary to carry out the purposes of this subsection.

“(3) STATE ALLOTMENTS.—From the sums appropriated to carry out the provisions of this subsection the several States shall be entitled for each fiscal year to allotments determined, in accordance with regulations, on the basis of the population and financial need of the respective States, except that no State's allotment shall be less for any year than the total amounts allotted to such State under formula grants for cancer control, plus other allotments under this section, for the fiscal year ending June 30, 1967.

“(4) (A) PAYMENTS TO STATES.—From each State's allotment under this subsection for a fiscal year, the State shall be paid the Federal share of the expenditures incurred during such year under its State plan approved under this subsection. Such payments shall be made from time to time in advance on the basis of estimates by the Surgeon General of the sums the State will expend under the State plan, except that such adjustments as may be necessary shall be made on account of previously made underpayments or overpayments under this subsection.

“(B) For the purpose of determining the Federal share for any State, expenditures by nonprofit private agencies, organizations, and groups shall, subject to such limitations and conditions as may be prescribed by regulations, be regarded as expenditures by such State or a political subdivision thereof.

“(5) FEDERAL SHARE.—The ‘Federal share’ for any State for purposes of this subsection shall be 100 per centum less that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of the United States; except that in no case shall such percentage be less than 33 $\frac{1}{3}$  per centum or more than 66 $\frac{2}{3}$  per centum, and except that the Federal share for the Commonwealth of Puerto Rico, Guam, American Samoa, and the Virgin Islands shall be 66 $\frac{2}{3}$  per centum.

“Federal share.”

“(6) DETERMINATION OF FEDERAL SHARES.—The Federal shares shall be determined by the Surgeon General between July 1 and September 1 of each year, on the basis of the average per capita incomes of each of the States and of the United States for the most recent year for which satisfactory data are available from the Department of Commerce, and such determination shall be conclusive for the fiscal year beginning on the next July 1. The populations of the several States shall be determined on the basis of the latest figures for the population of the several States available from the Department of Commerce.

“(7) ALLOCATION OF FUNDS WITHIN THE STATES.—At least 15 per centum of a State's allotment under this subsection shall be available only to the State mental health authority for the provision under the State plan of mental health services.

“Project Grants for Health Services Development

“(e) There are authorized to be appropriated \$62,500,000 for the fiscal year ending June 30, 1968, for grants to any public or nonprofit private agency, institution, or organization to cover part of the cost of (1) providing services to meet health needs of limited geographic scope or of specialized regional or national significance, (2) stimulating and supporting for an initial period new programs of health services, or (3) undertaking studies, demonstrations, or training designed to develop new methods or improve existing methods of providing health services. Such grants may be made pursuant to clause (1) or (2) of the preceding sentence with respect to projects involving the furnishing of public health services only if such services are provided in accordance with such plans as have been developed pursuant to subsection (a).

“Interchange of Personnel With States

“State.”

“(f) (1) For the purposes of this subsection, the term ‘State’ means a State or a political subdivision of a State, or any agency of either of the foregoing engaged in any activities related to health or designated or established pursuant to subparagraph (A) of paragraph (2) of subsection (a); the term ‘Secretary’ means (except when used in paragraph (3) (D)) the Secretary of Health, Education, and Welfare; and the term ‘Department’ means the Department of Health, Education, and Welfare.

“(2) The Secretary is authorized, through agreements or otherwise, to arrange for assignment of officers and employees of States to the Department and assignment to States of officers and employees in the Department engaged in work related to health, for work which the Secretary determines will aid the Department in more effective discharge of its responsibilities in the field of health as authorized by law, including cooperation with States and the provision of technical or other assistance. The period of assignment of any officer or employee under an arrangement shall not exceed two years.

“(3) (A) Officers and employees in the Department assigned to any State pursuant to this subsection shall be considered, during such assignment, to be (i) on detail to a regular work assignment in the Department, or (ii) on leave without pay from their positions in the Department.

“(B) Persons considered to be so detailed shall remain as officers or employees, as the case may be, in the Department for all purposes, except that the supervision of their duties during the period of detail may be governed by agreement between the Department and the State involved.

“(C) In the case of persons so assigned and on leave without pay—

“(i) if the rate of compensation (including allowances) for their employment by the State is less than the rate of compensation (including allowances) they would be receiving had they continued in their regular assignment in the Department, they may receive supplemental salary payments from the Department in the amount considered by the Secretary to be justified, but not at a rate in excess of the difference between the State rate and the Department rate; and

“(ii) they may be granted annual leave and sick leave to the extent authorized by law, but only in circumstances considered by the Secretary to justify approval of such leave.

Such officers and employees on leave without pay shall, notwithstanding any other provision of law, be entitled—

“(iii) to continuation of their insurance under the Federal Employees’ Group Life Insurance Act of 1954, and coverage

under the Federal Employees Health Benefits Act of 1959, so long as the Department continues to collect the employee's contribution from the officer or employee involved and to transmit for timely deposit into the funds created under such Acts the amount of the employee's contributions and the Government's contribution from appropriations of the Department; and

"(iv) (I) in the case of commissioned officers of the Service, to have their service during their assignment treated as provided in section 214(d) for such officers on leave without pay, or (II) in the case of other officers and employees in the Department, to credit the period of their assignment under the arrangement under this subsection toward periodic or longevity step increases and for retention and leave accrual purposes, and, upon payment into the civil service retirement and disability fund of the percentage of their State salary, and of their supplemental salary payments, if any, which would have been deducted from a like Federal salary for the period of such assignment and payment by the Secretary into such fund of the amount which would have been payable by him during the period of such assignment with respect to a like Federal salary, to treat (notwithstanding the provisions of the Independent Offices Appropriation Act, 1959, under the head 'Civil Service Retirement and Disability Fund') their service during such period as service within the meaning of the Civil Service Retirement Act;

except that no officer or employee or his beneficiary may receive any benefits under the Civil Service Retirement Act, the Federal Employees Health Benefits Act of 1959, or the Federal Employees' Group Life Insurance Act of 1954, based on service during an assignment hereunder for which the officer or employee or (if he dies without making such election) his beneficiary elects to receive benefits, under any State retirement or insurance law or program, which the Civil Service Commission determines to be similar. The Department shall deposit currently in the funds created under the Federal Employees' Group Life Insurance Act of 1954, the Federal Employees Health Benefits Act of 1959, and the civil service retirement and disability fund, respectively, the amount of the Government's contribution under these Acts on account of service with respect to which employee contributions are collected as provided in subparagraph (iii) and the amount of the Government's contribution under the Civil Service Retirement Act on account of service with respect to which payments (of the amount which would have been deducted under that Act) referred to in subparagraph (iv) are made to such civil service retirement and disability fund.

"(D) Any such officer or employee on leave without pay (other than a commissioned officer of the Service) who suffers disability or death as a result of personal injury sustained while in the performance of his duty during an assignment hereunder, shall be treated, for the purposes of the Federal Employees' Compensation Act, as though he were an employee, as defined in such Act, who had sustained such injury in the performance of duty. When such person (or his dependents, in case of death) entitled by reason of injury or death to benefits under that Act is also entitled to benefits from a State for the same injury or death, he (or his dependents in case of death) shall elect which benefits he will receive. Such election shall be made within one year after the injury or death, or such further time as the Secretary of Labor may for good cause allow, and when made shall be irrevocable unless otherwise provided by law.

"(4) Assignment of any officer or employee in the Department to a State under this subsection may be made with or without reimburse-

73 Stat. 708.  
5 USC 3001 note.

58 Stat. 690.  
42 USC 215.

72 Stat. 1064.  
5 USC 2267 note.

70 Stat. 736.  
5 USC 2251 note.

68 Stat. 736.  
5 USC 2091 note.

39 Stat. 742;  
63 Stat. 854.  
5 USC 751 note.

ment by the State for the compensation (or supplementary compensation), travel and transportation expenses (to or from the place of assignment), and allowances, or any part thereof, of such officer or employee during the period of assignment, and any such reimbursement shall be credited to the appropriation utilized for paying such compensation, travel or transportation expenses, or allowances.

“(5) Appropriations to the Department shall be available, in accordance with the standardized Government travel regulations or, with respect to commissioned officers of the Service, the joint travel regulations, the expenses of travel of officers and employees assigned to States under an arrangement under this subsection on either a detail or leave-without-pay basis and, in accordance with applicable law, orders, and regulations, for expenses of transportation of their immediate families and expenses of transportation of their household goods and personal effects, in connection with the travel of such officers and employees to the location of their posts of assignment and their return to their official stations.

“(6) Officers and employees of States who are assigned to the Department under an arrangement under this subsection may (A) be given appointments in the Department covering the periods of such assignments, or (B) be considered to be on detail to the Department. Appointments of persons so assigned may be made without regard to the civil service laws. Persons so appointed in the Department shall be paid at rates of compensation determined in accordance with the Classification Act of 1949, and shall not be considered to be officers or employees of the Service for the purposes of (A) the Civil Service Retirement Act, (B) the Federal Employees' Group Life Insurance Act of 1954, or (C) unless their appointments result in the loss of coverage in a group health benefits plan whose premium has been paid in whole or in part by a State contribution, the Federal Employees Health Benefits Act of 1959. State officers and employees who are assigned to the Department without appointment shall not be considered to be officers or employees of the Department, except as provided in subsection (7), nor shall they be paid a salary or wage by the Service during the period of their assignment. The supervision of the duties of such persons during the assignment may be governed by agreement between the Secretary and the State involved.

“(7) (A) Any State officer or employee who is assigned to the Department without appointment shall nevertheless be subject to the provisions of sections 203, 205, 207, 208, and 209 of title 18 of the United States Code.

“(B) Any State officer or employee who is given an appointment while assigned to the Department, or who is assigned to the Department without appointment, under an arrangement under this subsection, and who suffers disability or death as a result of personal injury sustained while in the performance of his duty during such assignment shall be treated, for the purpose of the Federal Employees' Compensation Act, as though he were an employee, as defined in such Act, who had sustained such injury in the performance of duty. When such person (or his dependents, in case of death) entitled by reason of injury or death to benefits under that Act is also entitled to benefits from a State for the same injury or death, he (or his dependents, in case of death) shall elect which benefits he will receive. Such election shall be made within one year after the injury or death, or such further time as the Secretary of Labor may for good cause allow, and when made shall be irrevocable unless otherwise provided by law.

“(8) The appropriations to the Department shall be available, in accordance with the standardized Government travel regulations,

Transportation  
of household  
goods.

*Ante*, p. 288.

70 Stat. 736.  
5 USC 2251 note.  
68 Stat. 736.  
5 USC 2091 note.

73 Stat. 708.  
5 USC 3001 note.

Conflict-of-  
interest provi-  
sions, applica-  
bility.

76 Stat. 1121.

39 Stat. 742;  
63 Stat. 854.  
5 USC 751 note.

Travel expenses  
to places of  
assignment.

during the period of assignment and in the case of travel to and from their places of assignment or appointment, for the payment of expenses of travel of persons assigned to, or given appointments by, the Service under an arrangement under this subsection.

“(9) All arrangements under this subsection for assignment of officers or employees in the Department to States or for assignment of officers or employees of States to the Department shall be made in accordance with regulations of the Secretary.

#### “General

“(g) (1) All regulations and amendments thereto with respect to grants to States under subsection (a) shall be made after consultation with a conference of the State health planning agencies designated or established pursuant to subparagraph (A) of paragraph (2) of subsection (a). All regulations and amendments thereto with respect to grants to States under subsection (d) shall be made after consultation with a conference of State health authorities and, in the case of regulations and amendments which relate to or in any way affect grants for services or other activities in the field of mental health, the State mental health authorities. Insofar as practicable, the Surgeon General shall obtain the agreement, prior to the issuance of such regulations or amendments, of the State authorities or agencies with whom such consultation is required.

“(2) The Surgeon General, at the request of any recipient of a grant under this section, may reduce the payments to such recipient by the fair market value of any equipment or supplies furnished to such recipient and by the amount of the pay, allowances, traveling expenses, and any other costs in connection with the detail of an officer or employee to the recipient when such furnishing or such detail, as the case may be, is for the convenience of and at the request of such recipient and for the purpose of carrying out the State plan or the project with respect to which the grant under this section is made. The amount by which such payments are so reduced shall be available for payment of such costs (including the costs of such equipment and supplies) by the Surgeon General, but shall, for purposes of determining the Federal share under subsection (a) or (d), be deemed to have been paid to the State.

Payment reductions.

“(3) Whenever the Surgeon General, after reasonable notice and opportunity for hearing to the health authority or, where appropriate, the mental health authority of a State or a State health planning agency designated or established pursuant to subparagraph (A) of paragraph (2) of subsection (a), finds that, with respect to money paid to the State out of appropriations under subsection (a) or (d), there is a failure to comply substantially with either—

Non-compliance, cessation of payments.

“(A) the applicable provisions of this section;

“(B) the State plan submitted under such subsection; or

“(C) applicable regulations under this section;

the Surgeon General shall notify such State health authority, mental health authority, or health planning agency, as the case may be, that further payments will not be made to the State from appropriations under such subsection (or in his discretion that further payments will not be made to the State from such appropriations for activities in which there is such failure), until he is satisfied that there will no longer be such failure. Until he is so satisfied, the Surgeon General shall make no payment to such State from appropriations under such subsection, or shall limit payment to activities in which there is no such failure.

“(4) For the purposes of this section—

“(A) The term ‘nonprofit’ as applied to any private agency, institution, or organization means one which is a corporation or

“Nonprofit.”

association, or is owned and operated by one or more corporations or associations, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual; and

“State.”

“(B) The term ‘State’ includes the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the District of Columbia and the term ‘United States’ means the fifty States and the District of Columbia.”

#### CONTINUATION OF GRANTS TO SCHOOLS OF PUBLIC HEALTH

74 Stat. 819.  
42 USC 242g.

SEC. 4. Effective July 1, 1967, section 309 of the Public Health Service Act is amended by adding after subsection (b) the following new subsection:

“(c) There are also authorized to be appropriated \$5,000,000 each for the fiscal year ending June 30, 1968, to enable the Surgeon General to make grants, under such terms and conditions as may be prescribed by regulations, for provision, in public or nonprofit private schools of public health accredited by a body or bodies recognized by the Surgeon General, of comprehensive professional training, specialized consultive services, and technical assistance in the fields of public health and in the administration of State or local public health programs, except that in allocating funds made available under this subsection among such schools of public health, the Surgeon General shall give primary consideration to the number of federally sponsored students attending each such school.”

#### CONTINUATION OF AUTHORIZATION FOR TRAINING OF PERSONNEL FOR STATE AND LOCAL HEALTH WORK; COOPERATION BETWEEN THE STATES

58 Stat. 693.  
42 USC 243.

SEC. 5. (a) Effective July 1, 1966, section 311 of the Public Health Service Act is amended by inserting “(a)” after “311.” and by adding at the end of such section the following new subsection:

“(b) The Surgeon General shall encourage cooperative activities between the States with respect to comprehensive and continuing planning as to their current and future health needs, the establishment and maintenance of adequate public health services, and otherwise carrying out the purposes of section 314.”

Ante, p. 1181.

(b) Effective July 1, 1967, section 311 of the Public Health Service Act is further amended by adding at the end of subsection (b) thereof the following new sentence: “The Surgeon General is also authorized to train personnel for State and local health work.”

#### EFFECTIVE DATE AND REPEALER

SEC. 6. The amendments made by section 3 shall become effective as of July 1, 1966, except that the provisions of section 314 of the Public Health Service Act as in effect prior to the enactment of this Act shall be effective until July 1, 1967, in lieu of the provisions of subsections (d) and (e), and the provisions of subsection (g) insofar as they relate to such subsections (d) and (e), of section 314 of the Public Health Service Act as amended by this Act. Effective July 1, 1967, sections 316 and 318 of the Public Health Service Act are repealed.

Repeal.  
75 Stat. 824;  
78 Stat. 447.  
42 USC 247a;  
247c.

#### REORGANIZATION PLAN

SEC. 7. The provisions enacted by this Act shall be subject to the provisions of Reorganization Plan Numbered 3 of 1966. Approved November 3, 1966.

Post, p. 1610.

Public Law 89-750

## AN ACT

November 3, 1966  
[H. R. 13161]

To strengthen and improve programs of assistance for elementary and secondary schools, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Elementary and Secondary Education Amendments of 1966".*

Elementary and  
Secondary Educa-  
tion Amendments  
of 1966.

TITLE I—AMENDMENTS TO THE ELEMENTARY AND  
SECONDARY EDUCATION ACT OF 1965

PART A—FINANCIAL ASSISTANCE TO EDUCATIONAL AGENCIES FOR THE  
EDUCATION OF CHILDREN OF LOW-INCOME FAMILIES

REVISION OF AUTHORIZATION

SEC. 101. Section 202 of the Act of September 30, 1950, Public Law 874, Eighty-first Congress, as amended, is amended to read as follows:

79 Stat. 27.  
20 USC 241b.

“DURATION OF ASSISTANCE

“SEC. 202. The Commissioner shall, in accordance with the provisions of this title, make payments to State educational agencies for the period beginning July 1, 1965, and ending June 30, 1968.”

GRANTS WITH RESPECT TO CERTAIN INDIAN CHILDREN

SEC. 102. Section 203(a) (1) of such Act of September 30, 1950, is amended to read as follows:

20 USC 241c.

“SEC. 203. (a) (1) (A) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for payments to States under section 207(a) (other than payments under such section to jurisdictions excluded from the term ‘State’ by this subsection). The Commissioner shall allot the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective need for such grants. In addition he shall allot from such amount to the Secretary of the Interior the amount necessary to make payments pursuant to subparagraph (B) of this paragraph, and for the fiscal year ending June 30, 1967, the amount necessary to meet the special educational needs of educationally deprived children on reservations serviced by elementary and secondary schools operated for Indian children by the Department of the Interior. The maximum grant which a local educational agency in Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall be eligible to receive and the terms upon which payment shall be made to the Department of the Interior shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title.

20 USC 241g.

“(B) The terms on which payment shall be made to the Department of the Interior shall include provision for payments by the Secretary of the Interior to local educational agencies with respect to out-of-State Indian children in the elementary or secondary schools of such agencies under special contracts with that Department. The amount of any such payment may not exceed, for each such child,

one-half the average per pupil expenditure in the State in which the agency is located.”

PAYMENTS TO STATE EDUCATIONAL AGENCIES FOR ASSISTANCE IN EDUCATING MIGRATORY CHILDREN OF MIGRATORY AGRICULTURAL WORKERS

79 Stat. 28, 1161.  
20 USC 241c.

SEC. 103. (a) Section 203(a) of such Act of September 30, 1950, is amended by inserting after paragraph (5) the following new paragraph:

“(6) A State educational agency which has submitted and had approved an application under section 205(c) for any fiscal year shall be entitled to receive a grant for that year under this title for establishing or improving programs for migratory children of migratory agricultural workers. The maximum total of grants which shall be available for use in any State for any fiscal year shall be an amount equal to the Federal percentage of the average per pupil expenditure in the United States multiplied by (A) the estimated number of such migratory children aged five to seventeen, inclusive, who reside in the State full time, and (B) the full-time equivalent of the estimated number of such migratory children aged five to seventeen, inclusive, who reside in the State part time, as determined by the Commissioner in accordance with regulations. For purposes of this paragraph, the ‘average per pupil expenditure’ in the United States shall be the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which the computation is made, of all local educational agencies (as defined in section 303(6)(A)) in the United States (including only the fifty States and the District of Columbia), plus any direct current expenditures by States for operation of local educational agencies (without regard to the sources of funds from which either of such expenditures are made), divided by the aggregate number of children in average daily attendance to whom such agencies provided free public education during such preceding year.”

Post, p. 1198.

20 USC 241e.

(b) Section 205 of such Act is amended by adding the following new subsection at the end thereof:

“(c)(1) A State educational agency or a combination of such agencies may apply for a grant for any fiscal year under this title to establish or improve, either directly or through local educational agencies, programs of education for migratory children of migratory agricultural workers. The Commissioner may approve such an application only upon his determination—

“(A) that payments will be used for programs and projects (including the acquisition of equipment and where necessary the construction of school facilities) which are designed to meet the special educational needs of migratory children of migratory agricultural workers, and to coordinate these programs and projects with similar programs and projects in other States, including the transmittal of pertinent information with respect to school records of such children;

“(B) that in planning and carrying out programs and projects there has been and will be appropriate coordination with programs administered under part B of title III of the Economic Opportunity Act of 1964; and

“(C) that such programs and projects will be administered and carried out in a manner consistent with the basic objectives of clauses (1)(B) and (2) through (8) of subsection (a), and of section 206(a).

79 Stat. 977.  
42 USC 2861.

Post, p. 1196.

20 USC 241f.

The Commissioner shall not finally disapprove an application of a State educational agency under this paragraph except after reasonable

notice and opportunity for a hearing to the State educational agency.

“(2) If the Commissioner determines that a State is unable or unwilling to conduct educational programs for migratory children of migratory agricultural workers, or that it would result in more efficient and economic administration, or that it would add substantially to the welfare or educational attainment of such children, he may make special arrangements with other public or nonprofit private agencies to carry out the purposes of this subsection in one or more States, and for this purpose he may set aside on an equitable basis and use all or part of the maximum total of grants available for such State or States.”

(c) (1) The portion of section 206(a) of such Act which precedes clause (1) is amended by striking out “participate in the program of this title” and inserting in lieu thereof “participate under this title (except with respect to the program described in section 205(c) relating to migratory children of migratory agricultural workers)”.

79 Stat. 31.  
20 USC 241f.

*Ante*, p. 1192.

20 USC 241g.

(2) The first sentence of section 207(a) (1) of such Act is amended by inserting “it and” after “the amount which”.

20 USC 241j.

(3) Section 210 of such Act is amended by striking out “section 206(b)” and inserting in lieu thereof “section 205(c) or 206(b)”.

20 USC 241k.

(4) Section 211(a) of such Act is amended by striking out “section 206(a)” and inserting in lieu thereof “section 205(c) or 206(a)”.

#### PAYMENTS ON ACCOUNT OF NEGLECTED OR DELINQUENT CHILDREN

SEC. 104. (a) The first sentence of section 203(a) (2) of such Act of September 30, 1950, is amended by striking out all that follows “multiplied by” and substituting: “the number of children in the school district of such agency who are aged five to seventeen, inclusive, and are (A) in families having an annual income of less than the low-income factor (established pursuant to subsection (c)), (B) in families receiving an annual income in excess of the low-income factor (established pursuant to subsection (c)) from payments under the program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act, or (C) living in institutions for neglected or delinquent children but not counted pursuant to paragraph (5) of this subsection for the purpose of a grant to a State agency, or being supported in foster homes with public funds.”

20 USC 241c.

*Post*, p. 1194.

49 Stat. 627.  
42 USC 601.

(b) The second sentence of such section 203(a) (2) is amended by striking out “the number of children of such ages and families in such county or counties” and inserting in lieu thereof “the number of children of such ages in such county or counties who are described in clause (A), (B), or (C) of the previous sentence.”

(c) Subsection (b) of section 203 of such Act is amended by—

(1) striking out, in the part which precedes paragraph (1), all that follows after “children aged five to seventeen, inclusive,” and inserting in lieu thereof “described in clauses (A), (B), and (C) of the first sentence of paragraph (2) of subsection (a):”.

(2) striking out in paragraph (1) “the number of such children of such families” each time that it appears and substituting “the number of such children”;

(3) striking out in paragraph (2) “the number of children of such ages of families with such income” and substituting “the number of such children”; and

(4) striking out in paragraph (3) “the number of children of such ages of families of such income” and substituting “the number of such children”.

(d) The third sentence of subsection (d) of such section 203 is amended by inserting “, and the number of children of such ages living in institutions for neglected or delinquent children, or being supported in foster homes with public funds,” before “on the basis of”.

*Ante*, p. 1192.

(e) Section 203(a) of such Act is further amended by inserting after paragraph (6) as added by this Act an additional paragraph as follows:

“(7) In the case of a State agency which is directly responsible for providing free public education for children in institutions for neglected or delinquent children, the maximum grant which that agency shall be eligible to receive under this title for any fiscal year shall be an amount equal to the Federal percentage of the average per pupil expenditure in that State multiplied by the number of such children in average daily attendance, as determined by the Commissioner, at schools for such children operated or supported by that State agency, in the most recent fiscal year for which satisfactory data are available. Such State agency shall use payments under this title only for programs and projects (including the acquisition of equipment and where necessary the construction of school facilities) which are designed to meet the special educational needs of such children.”

ELIGIBILITY FOR GRANTS; CLARIFYING DEFINITION OF “AVERAGE PER PUPIL EXPENDITURE” IN A STATE

79 Stat. 28,  
20 USC 241c.

SEC. 105. (a) (1) Section 203(b) (1) of such Act is amended by striking out all that follows “shall be” and inserting in lieu thereof “at least ten.”

(2) Section 203(b) (2) of such Act is amended by striking out “shall be one hundred or more” and inserting in lieu thereof “shall be at least ten”.

(b) (1) Paragraph (2) of section 203(a) of such Act is amended by inserting “or, if greater, in the United States (which for purposes of this and the last sentence of this paragraph means the fifty States and the District of Columbia),” after “average per pupil expenditure in that State”.

79 Stat. 1161.

(2) Paragraph (5) of section 203(a) of such Act is amended by inserting “or, if greater, in the United States (which for purposes of this sentence means the fifty States and the District of Columbia,” after “in that State”.

(3) The amendments made by this subsection shall be effective with respect to fiscal years beginning after June 30, 1967.

(c) The last sentence of section 203(a) (2) of such Act is amended to read as follows: “For purposes of this subsection, the ‘average per pupil expenditure’ in a State, or in the United States, shall be the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which the computation is made, of all local educational agencies as defined in section 303(6) (A) in the State, or in the United States, as the case may be, plus any direct current expenditures by the State for operation of such agencies (without regard to the sources of funds from which either of such expenditures are made), divided by the aggregate number of children in average daily attendance to whom such agencies provided free public education during such preceding year.”

*Post*, p. 1198.

RAISING THE LOW-INCOME FACTOR AFTER JUNE 30, 1967

SEC. 106. Section 203(c) of such Act of September 30, 1950, is amended to read as follows:

“(c) For the purposes of this section, the ‘Federal percentage’ shall be 50 per centum and the ‘low-income factor’ shall be \$2,000 for the fiscal year ending June 30, 1966, and the fiscal year ending June 30, 1967. For the fiscal year ending June 30, 1968, they shall be 50 per centum and \$3,000, respectively.”

USING MOST RECENT AID-FOR-DEPENDENT-CHILDREN DATA AVAILABLE  
AFTER JUNE 30, 1966

SEC. 107. Effective with respect to fiscal years beginning after June 30, 1966, the third sentence (as amended by section 104 of this Act) of section 203(d) of such Act of September 30, 1950, is further amended to read as follows: "The Secretary of Health, Education, and Welfare shall determine the number of children of such ages from families receiving an annual income in excess of the low-income factor from payments under the program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act, and the number of children of such ages living in institutions for neglected or delinquent children, or being supported in foster homes with public funds, on the basis of the latest calendar or fiscal year data, whichever is later."

79 Stat. 28.  
20 USC 241c.

49 Stat. 627.  
42 USC 601.

REPEALING PROVISION FOR SPECIAL INCENTIVE GRANTS

SEC. 108. (a) Title II of such Act of September 30, 1950, is amended by striking out section 204.

20 USC 241d.

(b) Such title II is further amended by—

(1) striking out "basic grant", "BASIC GRANTS" and "basic grants" each time they occur and inserting in lieu thereof "grant", "GRANTS" or "grants", as the case may be;

(2) striking out "or a special incentive grant" in the portion of section 205(a) which precedes clause (1); and

20 USC 241e.

(3) striking out in section 207(a)(2) the portion which follows the comma and inserting in lieu thereof "except that this amount shall not exceed the maximum amount determined for that agency pursuant to section 203."

20 USC 241g.

TREATMENT OF INCOME OF EMPLOYEES RECEIVING AID FOR DEPENDENT  
CHILDREN

SEC. 109. The following new section is added immediately after section 212 of such Act:

"TREATMENT OF EARNINGS FOR PURPOSES OF AID TO FAMILIES WITH  
DEPENDENT CHILDREN

"SEC. 213. (a) Notwithstanding the provisions of title IV of the Social Security Act, a State plan approved under section 402 of such Act shall provide that for a period of not less than twelve months, and may provide that for a period of not more than twenty-four months, the first \$85 earned by any person in any month for services rendered to any program assisted under this title of this Act shall not be regarded (A) in determining the need of such person under such approved State plan or (B) in determining the need of any other individual under such approved State plan.

"(b) Notwithstanding the provisions of subsection (a) of this section, no funds to which a State is otherwise entitled under title IV of the Social Security Act for any period before the fourth month after the adjournment of the State's first regular legislative session which adjourns more than sixty days after enactment of the Elementary and Secondary Education Amendments of 1966, shall be withheld by reason of any action taken pursuant to a State statute which prevents such State from complying with the requirements of subsection (a) of this section."

PROVIDING THAT A PROGRAM OR A PROJECT MUST BE AT LEAST A CERTAIN MINIMUM SIZE TO BE APPROVED

79 Stat. 30.  
20 USC 241e.

SEC. 110. Section 205(a)(1)(B) of such Act of September 30, 1950, is amended by striking out the comma after "needs" and inserting in lieu thereof the following: "and to this end involve an expenditure of not less than \$2,500, except that the State educational agency may with respect to any applicant reduce the \$2,500 requirement if it determines that it would be impossible, for reasons such as distance or difficulty of travel, for the applicant to join effectively with other local educational agencies for the purpose of meeting the requirement;".

USES OF GRANTED FUNDS AND COORDINATION WITH OTHER PROGRAMS

SEC. 111. (a) Section 205(a)(1) of such Act of September 30, 1950, is amended by striking out "(including the acquisition of equipment and where necessary the construction of school facilities)" and inserting in lieu thereof the following: "(including the acquisition of equipment, and, where necessary, the construction of school facilities and plans made or to be made for such programs, projects, and facilities)".

20 USC 241c.

(b) Section 205(a)(1) of such Act is further amended by inserting before the semicolon at the end thereof the following: " : *Provided*, That the amount used for plans for any fiscal year shall not exceed 1 per centum of the maximum amount determined for that agency for that year pursuant to section 203 or \$2,000, whichever is greater".

(c) Section 205(a) of such Act of September 30, 1950, is amended by renumbering paragraphs (5), (6), (7), and (8) as (6), (7), (8), and (9), respectively, and by inserting after paragraph (4) the following new paragraph:

"(5) in the case of an application for payments for planning, (A) that the planning was or will be directly related to programs or projects to be carried out under this title and has resulted, or is reasonably likely to result, in a program or project which will be carried out under this title, and (B) that planning funds are needed because of the innovative nature of the program or project or because the local educational agency lacks the resources necessary to plan adequately for programs and projects to be carried out under this title;".

(d) Such redesignated paragraph (8) of such section is amended to read as follows:

"(8) in the case of a project for the construction of school facilities, that, in developing plans for such facilities due consideration has been given to compliance with such standards as the Secretary may prescribe or approve in order to insure that facilities constructed with the use of Federal funds under this title shall be, to the extent appropriate in view of the uses to be made of the facilities, accessible to and usable by handicapped persons;".

(e) Section 205(a) of such Act is further amended by striking out the period at the end of the last paragraph, and adding at the end thereof the following new paragraph:

"(10) in the case of a project for the construction of school facilities, that, in developing plans for such facilities, due consideration has been given to excellence of architecture and design, and to the inclusion of works of art (not representing more than 1 per centum of the cost of the project)."

(f) Title VII of the Elementary and Secondary Education Act of 1965 (as redesignated by section 161 of this Act) is amended by inserting at the end of section 703 a new subsection as follows:

"(c) In administering the provisions of this Act and any Act amended by this Act, the Commissioner shall consult with other Fed-

79 Stat. 57.  
20 USC 883.

eral departments and agencies administering programs which may be effectively coordinated with programs carried out pursuant to such Acts, and to the extent practicable for the purposes of such Acts shall (1) coordinate such programs on the Federal level with the programs being administered by such other departments and agencies, and (2) require that effective procedures be adopted by State and local authorities to coordinate the development and operation of programs and projects carried out under such Acts with other public and private programs having the same or similar purposes, including community action programs under title II of the Economic Opportunity Act of 1964."

78 Stat. 516.  
42 USC 2781.

#### COMPUTING AMOUNT OF PAYMENTS FOR STATE ADMINISTRATIVE EXPENSES

SEC. 112. Clause (1) of section 207(b) of such Act of September 30, 1950, is amended to read as follows:

79 Stat. 1162.  
20 USC 241g.

"(1) 1 per centum of the total maximum grants for State and local educational agencies of the State as determined for that year pursuant to sections 203 and 208, or".

#### PROVISIONS TO ENCOURAGE LOCAL EFFORT

SEC. 113. (a) Section 207(c) (2) of such Act of September 30, 1950, is amended by striking out "for the fiscal year ending June 30, 1964" and inserting in lieu thereof "for the second preceding fiscal year".

79 Stat. 32.

(b) Section 203(a) (3) of such Act is amended by striking out "1966" and inserting in lieu thereof "1967" and by striking out "30 per centum" both times it appears and inserting in lieu thereof "50 per centum".

20 USC 241c.

#### CONTINUING AND REVISING PROVISION FOR ADJUSTMENTS WHERE NECESSITATED BY APPROPRIATIONS

SEC. 114. (a) Section 208 of such Act of September 30, 1950, is amended by striking out "for the fiscal year ending June 30, 1966," and inserting in lieu thereof "for any fiscal year".

20 USC 241h.

(b) Such section 208 is further amended by adding at the end thereof the following: "In order to permit reductions made pursuant to this section for any fiscal year to be offset at least in part, the Commissioner may set dates by which (1) State educational agencies must certify to him the amounts for which the applications of educational agencies have been or will be approved by the State, and (2) State educational agencies referred to in section 203(a) (6) must file applications. The excess of (1) the total of the amounts of the maximum grants computed for all educational agencies of any State under section 203, as ratably reduced under this section, over (2) the total of the amounts for which applications of agencies of that State referred to in clauses (1) and (2) of the preceding sentence are approved shall be available, in accordance with regulations, first to educational agencies in that State and then to educational agencies in other States to offset proportionately ratable reductions made under this section."

Ante, p. 1192.

#### REVISION IN NATIONAL ADVISORY COUNCIL REPORTING

SEC. 115. Section 212(c) of such Act of September 30, 1950, is amended to read as follows:

20 USC 241f.

"(c) The Council shall make an annual report of its findings and recommendations (including recommendations for changes in the provisions of this title) to the President and the Congress not later than January 31 of each calendar year beginning after the enactment of this

title. The President is requested to transmit to the Congress such comments and recommendations as he may have with respect to such report.”

SHORT TITLE FOR TITLE II OF PUBLIC LAW 874, EIGHTY-FIRST CONGRESS

20 USC 241a-241i; Ante, p. 1195.

SEC. 116. Title II of such Act of September 30, 1950 (as amended by this Act), is further amended by inserting at the end thereof an additional section as follows:

“SHORT TITLE

“SEC. 214. This title may be cited as ‘Title I of the Elementary and Secondary Education Act of 1965’.”

DEFINITIONS

Broadening definition of “local educational agency”

64 Stat. 1108; 79 Stat. 35. 20 USC 244. 20 USC 236-241-1.

SEC. 117. (a) (1) Section 303(6) of such Act of September 30, 1950, is amended to read as follows:

“(6) (A) For purposes of title I, the term ‘local educational agency’ means a board of education or other legally constituted local school authority having administrative control and direction of free public education in a county, township, independent, or other school district located within a State. Such term includes any State agency which directly operates and maintains facilities for providing free public education.

“(B) For purposes of title II, the term ‘local educational agency’ means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools. Such term includes any other public institution or agency having administrative control and direction of a public elementary or secondary school, and it also includes (except for purposes of sections 203(a) (2), 203(b), and 205 (a) (1)) any State agency which is directly responsible for providing free public education for handicapped children (including mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired children who by reason thereof require special education) or for children in institutions for neglected or delinquent children.”

79 Stat. 28. 20 USC 241c, 241e.

(2) The first sentence of section 203(a) (5) of such Act is amended by striking out “, on a non-school-district basis.”

(3) Section 203(a) (3) of such Act is amended by inserting “(A)” after “(3)” and by inserting at the end thereof a new subparagraph as follows:

“(B) In the case of local educational agencies which serve in whole or in part the same geographical area, and in the case of a local educational agency which provides free public education for a substantial number of children who reside in the school district of another local educational agency, the State educational agency may allocate the amount of the maximum grants for those agencies among them in such manner as it determines will best carry out the purposes of this title.”

79 Stat. 1161.

Providing for a more precise definition of "current expenditures"

(b) Section 303(5) of such Act is amended to read as follows:

"(5) The term 'current expenditures' means expenditures for free public education, including expenditures for administration, instruction, attendance and health services, pupil transportation services, operation and maintenance of plant, fixed charges, and net expenditures to cover deficits for food services and student body activities, but not including expenditures for community services, capital outlay, and debt service, or any expenditures made from funds granted under title II of this Act or title II or III of the Elementary and Secondary Education Act of 1965."

64 Stat. 1108;  
79 Stat. 35.  
20 USC 244.

79 Stat. 27.  
20 USC 241a-  
241f; Ante, pp.  
1195, 1198.  
79 Stat. 36.  
20 USC 821-848.

PART B—SCHOOL LIBRARY RESOURCES, TEXTBOOKS, AND OTHER  
INSTRUCTIONAL MATERIALS

APPROPRIATIONS AUTHORIZED

SEC. 121. Section 201(b) of the Elementary and Secondary Education Act of 1965 (Public Law 89-10) is amended to read as follows:

20 USC 821.

"(b) For the purpose of making grants under this title, there are hereby authorized to be appropriated the sum of \$100,000,000 for the fiscal year ending June 30, 1966, \$125,000,000 for the fiscal year ending June 30, 1967, and \$150,000,000 for the fiscal year ending June 30, 1968; but for the fiscal year ending June 30, 1969, and the succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law."

REVISION IN AUTHORIZATION FOR TITLE II, AND PROVISION FOR INDIAN  
CHILDREN IN SCHOOLS OPERATED BY THE DEPARTMENT OF THE  
INTERIOR

SEC. 122. Section 202(a) of the Elementary and Secondary Education Act of 1965 is amended to read as follows:

20 USC 822.

"SEC. 202. (a) (1) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for payments to States under section 201(b). The Commissioner shall allot the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this title. In addition, for the fiscal year ending June 30, 1967, he shall allot from such amount to (A) the Secretary of the Interior the amount necessary for such assistance for children and teachers in elementary and secondary schools operated for Indian children by the Department of the Interior, and (B) the Secretary of Defense the amount necessary for such assistance for children and teachers in the overseas dependents schools of the Department of Defense. The terms upon which payments for such purpose shall be made to the Secretary of the Interior and the Secretary of Defense shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title.

"(2) From the sums appropriated for carrying out this title for any fiscal year pursuant to section 201(b), the Commissioner shall allot to each State an amount which bears the same ratio to the total of such sums as the number of children enrolled in the public and private elementary and secondary schools of that State bears to the total number of children enrolled in such schools in all of the States. The number of children so enrolled shall be determined by the Commissioner on the basis of the most recent satisfactory data available to

him. For purposes of this subsection, the term 'State' shall not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands."

ADMINISTRATIVE EXPENSES AND IMPROVED COORDINATION

79 Stat. 37.  
20 USC 823.

SEC. 123. Section 203(a) of the Elementary and Secondary Education Act of 1965 is amended to read as follows through the end of clause (3) of such section:

"SEC. 203. (a) Any State which desires to receive grants under this title shall submit to the Commissioner a State plan, in such detail as the Commissioner deems necessary, which—

"(1) designates a State agency which shall, either directly or through arrangements with other State or local public agencies, act as the sole agency for administration of the State plan;

20 USC 822.

"(2) sets forth a program under which funds paid to the State from its allotment under section 202 will be expended solely for (A) acquisition of library resources (which for the purposes of this title means books, periodicals, documents, audiovisual materials, and other related library materials), textbooks, and other printed and published instructional materials for the use of children and teachers in public and private elementary and secondary schools in the State, and (B) administration of the State plan, including (i) the development and revision of standards relating to library resources, textbooks, and other printed and published instructional materials furnished for the use of children and teachers in the public elementary and secondary schools of the State, and (ii) the distribution and control by a local educational agency of such library resources, textbooks, and other instructional materials in carrying out such State plan for the use of children and teachers in schools referred to in clause (A), except that the amount used for administration of the State plan for any fiscal year shall not exceed an amount equal to 5 per centum of the amount paid to the State under this title for that year or \$50,000, whichever is greater;

"(3) sets forth the criteria to be used in allocating library resources, textbooks, and other printed and published instructional materials provided under this title among the children and teachers of the State, which criteria shall—

"(A) take into consideration the relative need, as determined from time to time, of the children and teachers of the State for such library resources, textbooks, or other instructional materials,

"(B) provide assurance that to the extent consistent with law such library resources, textbooks, and other instructional materials will be provided on an equitable basis for the use of children and teachers in private elementary and secondary schools in the State which comply with the compulsory attendance laws of the State or are otherwise recognized by it through some procedure customarily used in the State, and

"(C) provide assurance that, in order to secure the effective and efficient use of Federal funds, there will be appropriate coordination at both State and local levels between the program carried out under this title with respect to library resources and the program (if any) carried out under the Library Services and Construction Act (20 U.S.C. ch. 16);".

## PART C—SUPPLEMENTARY EDUCATIONAL CENTERS AND SERVICES

## APPROPRIATIONS AUTHORIZED

SEC. 131. Section 301(b) of the Elementary and Secondary Education Act of 1965 is amended to read as follows:

“(b) For the purpose of making grants under this title, there is hereby authorized to be appropriated the sum of \$100,000,000 for the fiscal year ending June 30, 1966, \$175,000,000 for the fiscal year ending June 30, 1967, and \$500,000,000 for the fiscal year ending June 30, 1968; but for the fiscal year ending June 30, 1969, and the succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law.”

79 Stat. 39.  
20 USC 841.

REVISION IN AUTHORIZATION FOR TITLE III, AND PROVISION FOR INDIAN CHILDREN IN SCHOOLS OPERATED BY THE DEPARTMENT OF THE INTERIOR

SEC. 132. Section 302(a) of the Elementary and Secondary Education Act of 1965 is amended to read as follows:

“SEC. 302. (a) (1) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for grants under this title. The Commissioner shall apportion the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this title. In addition, for the fiscal year ending June 30, 1967, he shall apportion from such amount to (A) the Secretary of the Interior the amount necessary for such assistance for children and teachers in elementary and secondary schools operated for Indian children by the Department of the Interior, and (B) the Secretary of Defense the amount necessary for such assistance for children and teachers in the overseas dependents schools of the Department of Defense. The terms upon which payments for such purpose shall be made to the Secretary of the Interior and the Secretary of Defense shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title.

20 USC 842.

“(2) From the sums appropriated for carrying out this title for any fiscal year pursuant to section 301(b), the Commissioner shall apportion \$200,000 to each State and shall apportion the remainder of such sums among the States as follows:

“(A) He shall apportion to each State an amount which bears the same ratio to 50 per centum of such remainder as the number of children aged five to seventeen, inclusive, in the State bears to the number of such children in all the States, and

“(B) He shall apportion to each State an amount which bears the same ratio to 50 per centum of such remainder as the population of the State bears to the population of all the States.

For the purposes of this subsection, the term ‘State’ does not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.”

PROVISIONS WITH RESPECT TO FACILITIES CONSTRUCTED UNDER TITLE III

SEC. 133. Section 304(a)(4) of the Elementary and Secondary Education Act of 1965 is amended by striking out “and (C)” and inserting in lieu thereof the following: “(C) that, in developing plans

20 USC 844.

for such facilities, due consideration will be given to excellence of architecture and design, and to the inclusion of works of art (not representing more than one per centum of the cost of the project), and there will be compliance with such standards as the Secretary may prescribe or approve in order to insure that facilities constructed with the use of Federal funds under this title shall be, to the extent appropriate in view of the uses to be made of the facilities, accessible to and usable by handicapped persons, and (D)".

SPECIAL CONSIDERATION FOR LOCAL EDUCATIONAL AGENCIES WHICH  
ARE FINANCIALLY OVERBURDENED

79 Stat. 41.  
20 USC 844.

SEC. 134. Section 304 of such Act is amended by redesignating subsection (c) as subsection (d) and by inserting after subsection (b) the following new subsection:

"(c) In approving applications under this title for grants for any fiscal year beginning after June 30, 1967, the Commissioner must give special consideration to the application of any local educational agency which is making a reasonable tax effort but which is nevertheless unable to meet critical educational needs, including preschool education for four and five year olds, because some or all of its schools are seriously overcrowded (as a result of growth or shifts in enrollment or otherwise), obsolete, or unsafe."

PART D—COOPERATIVE RESEARCH ACT AMENDMENTS

PERMITTING THE RESEARCH TRAINING PROGRAM TO BE CARRIED OUT  
THROUGH CONTRACTS AS WELL AS GRANTS

79 Stat. 44.

SEC. 141. Section 2(b) of the Cooperative Research Act (20 U.S.C. 331a) is amended to read as follows:

20 USC 863.

"(b) (1) The Commissioner is authorized to make grants to universities and colleges and other public or private agencies, institutions, and organizations to assist them in providing training in research in the field of education (including such research described in section 503(a) (4) of the Elementary and Secondary Education Act of 1965), including the development and strengthening of training staff and curricular capability for such training, and, without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5), to provide by contracts or jointly financed cooperative arrangements with them for the conduct of such activities; except that no such grant may be made to a private agency, organization, or institution other than a nonprofit one.

"(2) Funds available to the Commissioner for grants or contracts or jointly financed cooperative arrangements under this subsection may, when so authorized by the Commissioner, also be used by the recipient (A) in establishing and maintaining research traineeships, internships, personnel exchanges, and pre- and post-doctoral fellowships, and for stipends and allowances (including traveling and subsistence expenses) for fellows and others undergoing training and their dependents not in excess of such maximum amounts as may be prescribed by the Commissioner, or (B) where the recipient is a State educational agency, in providing for such traineeships, internships, personnel exchanges, and fellowships either directly or through arrangements with public or other nonprofit institutions or organizations.

"(3) No grant shall be made or contract or jointly financed cooperative arrangement entered into under this subsection for training in

sectarian instruction, or for work to be done in an institution, or a department or branch of an institution, whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation or to prepare them to teach theological subjects.

“(4) Prior to January 31, 1968, the Commissioner shall make a complete report to the Congress with respect to contracts and other arrangements made pursuant to this subsection with private organizations, including benefits received from such contracts and arrangements, and the Commissioner’s recommendations with respect to the continuation of the authority to make such contracts and arrangements with private organizations.”

Report to Congress.

#### CONSOLIDATING RESEARCH AUTHORITY UNDER SECTION 2

SEC. 142. Section 4(b) of the Cooperative Research Act is amended by striking out the second sentence thereof.

79 Stat. 46.  
20 USC 332a.

#### AMENDING THE DEFINITION OF “CONSTRUCTION” TO INCLUDE THE ACQUISITION OF EXISTING BUILDINGS

SEC. 143. Section 5(4) of the Cooperative Research Act is amended to read as follows:

20 USC 332b.

“(4) The terms ‘construction’ and ‘cost of construction’ include (A) the construction of new buildings, and the acquisition, expansion, remodeling, replacement, and alteration of existing buildings, including architects’ fees, but not including the cost of acquisition of land (except in the case of acquisition of an existing building) or off-site improvements, and (B) equipping new buildings and existing buildings, whether or not acquired, expanded, remodeled, or altered.”

#### PART E—GRANTS TO STRENGTHEN STATE DEPARTMENTS OF EDUCATION

##### APPROPRIATIONS AUTHORIZED

SEC. 151. Section 501(b) of the Elementary and Secondary Education Act of 1965 is amended to read as follows: “For the purpose of making grants under this title, there is hereby authorized to be appropriated the sum of \$25,000,000 for the fiscal year ending June 30, 1966, \$30,000,000 for the fiscal year ending June 30, 1967, and \$50,000,000 for the fiscal year ending June 30, 1968.”

79 Stat. 47.  
20 USC 861.

##### ELIMINATION OF MATCHING REQUIREMENT

SEC. 152. (a) Section 503 of the Elementary and Secondary Education Act of 1965 is amended by striking out “(a)” where it appears after “Sec. 503.”, by striking out “Federal share of”, and by striking out subsection (b) of such section.

20 USC 863.

(b) Section 303(b)(3) of such Act is amended by striking out “503(a)(4)” and inserting in lieu thereof “503(4)”.

20 USC 843.

(c) Section 502(b) of such Act is amended by striking out “Federal share (as defined in section 503(b)) of the” and by striking out the last sentence of paragraph (2) thereof.

20 USC 862.

(d) Section 504 of such Act is amended by striking out “section 503(a)” both times it appears and inserting in lieu thereof “section 503”.

20 USC 864.

TECHNICAL AMENDMENT REGARDING INTERCHANGE OF PERSONNEL WITH STATES

79 Stat. 51.  
20 USC 867.

SEC. 153. Effective as of April 11, 1965, section 507(c)(3)(D) of the Elementary and Secondary Education Act of 1965 is amended by inserting “, and for retention and leave accrual purposes,” after “toward periodic or longevity step increases”.

DEMONSTRATION PROJECTS TO INSURE CONTINUITY OF HEADSTART PROGRAMS

20 USC 863.

SEC. 154. Section 503 of the Elementary and Secondary Education Act of 1965 is amended by striking out “and” at the end of paragraph (9), by striking out the period at the end of paragraph (10) and inserting in lieu thereof “; and”, and by adding at the end thereof the following:

“(11) evaluation and demonstration projects to insure that benefits obtained by children in Headstart and other preschool programs are not lost during their early elementary school years, but are instead enhanced so as to provide continuity in and accelerated development of the child’s learning, academic and other social achievements.”

PART F—HANDICAPPED CHILDREN

PROGRAMS AUTHORIZED

20 USC 881-885.

SEC. 161. The Elementary and Secondary Education Act of 1965 is amended by redesignating title VI as title VII, by redesignating sections 601 through 605 and references thereto as sections 701 through 705, respectively, and by adding after title V the following new title:

“TITLE VI—EDUCATION OF HANDICAPPED CHILDREN

“APPROPRIATIONS AUTHORIZED

“SEC. 601. (a) The Commissioner is authorized to make grants pursuant to the provisions of this title during the fiscal year ending June 30, 1967, and the succeeding fiscal year, for the purpose of assisting the States in the initiation, expansion, and improvement of programs and projects (including the acquisition of equipment and where necessary the construction of school facilities) for the education of handicapped children (as defined in section 602) at the preschool, elementary and secondary school levels.

“(b) For the purpose of making grants under this title there is authorized to be appropriated \$50,000,000 for the fiscal year ending June 30, 1967, and \$150,000,000 for the fiscal year ending June 30, 1968.

“DEFINITION OF ‘HANDICAPPED CHILDREN’

“SEC. 602. As used in this title, the term ‘handicapped children’ includes mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired children who by reason thereof require special education and related services.

## "ALLOTMENT OF FUNDS

"SEC. 603. (a) (1) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for payments to States under section 601(b). The Commissioner shall allot the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this title.

"(2) From the total amount appropriated pursuant to section 601(b) for any fiscal year the Commissioner shall allot to each State an amount which bears the same ratio to such amount as the number of children aged three to twenty-one, inclusive, in the State bears to the number of such children in all the States. For purposes of this subsection, the term 'State' shall not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, or the Trust Territory of the Pacific Islands.

"(b) The number of children aged three to twenty-one, inclusive, in any State and in all the States shall be determined, for purposes of this section, by the Commissioner on the basis of the most recent satisfactory data available to him.

"(c) The amount of any State's allotment under subsection (a) for any fiscal year which the Commissioner determines will not be required for that year shall be available for reallocation, from time to time and on such dates during such year as the Commissioner may fix, to other States in proportion to the original allotments to such States under subsection (a) for that year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Commissioner estimates such State needs and will be able to use for such year; and the total of such reductions shall be similarly reallocated among the States whose proportionate amounts were not so reduced. Any amount reallocated to a State under this subsection during a year shall be deemed part of its allotment under subsection (a) for that year.

## "STATE PLANS

"SEC. 604. Any State which desires to receive grants under this title shall submit to the Commissioner through its State educational agency a State plan in such detail as the Commissioner deems necessary. The Commissioner shall not approve a State plan or a modification of a State plan under this title unless the plan meets the following requirements:

"(a) The plan must provide satisfactory assurance that funds paid to the State under this title will be expended, either directly or through local educational agencies, solely to initiate, expand, or improve programs and projects, including preschool programs and projects, (A) which are designed to meet the special educational and related needs of handicapped children throughout the State, (B) which are of sufficient size, scope, and quality (taking into consideration the special educational needs of such children) as to give reasonable promise of substantial progress toward meeting those needs, and (C) which may include the acquisition of equipment and where necessary the construction of school facilities. Nothing in this title shall be deemed to preclude two or more local educational agencies from entering into agreements, at their option, for carrying out jointly operated programs and projects under this title. The plan may provide up to 5 per centum of the amount allotted to the State for any fiscal year or

\$75,000 (\$25,000 in the case of the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands), whichever is greater, may be expended for the proper and efficient administration of the State plan (including State leadership activities and consultative services), and for planning on the State and local level.

“(b) The plan must provide satisfactory assurance that, to the extent consistent with the number and location of handicapped children in the State who are enrolled in private elementary and secondary schools, provision will be made for participation of such children in programs assisted or carried out under this title.

“(c) The plan must provide satisfactory assurance that the control of funds provided under this title, and title to property derived therefrom, shall be in a public agency for the uses and purposes provided in this title, and that a public agency will administer such funds and property.

“(d) The plan must set forth policies and procedures which provide satisfactory assurance that Federal funds made available under this title will be so used as to supplement and, to the extent practical, increase the level of State, local, and private funds expended for the education of handicapped children, and in no case supplant such State, local, and private funds.

“(e) The plan must provide that effective procedures, including provision for appropriate objective measurements of educational achievement, will be adopted for evaluating at least annually the effectiveness of the programs in meeting the special educational needs of, and providing related services for, handicapped children.

“(f) The plan must provide that the State educational agency will be the sole agency for administering or supervising the administration of the plan.

“(g) The plan must provide for making such reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this title, including reports of the objective measurements required by paragraph (e) of this subsection; and the plan must also provide for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

“(h) The plan must provide satisfactory assurance that such fiscal control and fund accounting procedures will be adopted as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid under this title to the State, including any such funds paid by the State to local educational agencies.

“(i) The plan must provide satisfactory assurance that funds paid to the State under this title shall not be made available to any school for handicapped children eligible for assistance under section 203 (a) (5) of title II of Public Law 874, Eighty-first Congress.

“(j) The plan must provide satisfactory assurance, in the case of any project for construction of school facilities, that the project is not inconsistent with overall State plans for the construction of school facilities and that the requirements of section 610 will be complied with on all such construction projects.

“(k) The plan must provide satisfactory assurance that effective procedures will be adopted for acquiring and disseminating to teachers and administrators of handicapped children significant information derived from educational research, demonstration, and similar projects, and for adopting, where appropriate, promising educational practices developed through such projects.

## "PAYMENTS

"SEC. 605. From the amounts allotted to each State under section 603, the Commissioner shall pay to that State an amount equal to the amount expended by the State in carrying out its State plan. These payments may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

## "ADMINISTRATION OF STATE PLANS

"SEC. 606. (a) The Commissioner shall not finally disapprove any State plan submitted under this title, or any modification thereof, without first affording the State agency administering the plan reasonable notice and opportunity for a hearing.

"(b) Whenever the Commission, after reasonable notice and opportunity for hearing to such State agency, finds—

"(1) that the State plan has been so changed that it no longer complies with the provisions of section 604, or

"(2) that in the administration of the plan there is a failure to comply substantially with any such provisions, the Commissioner shall notify such State agency that the State will not be regarded as eligible to participate in the program under this title until he is satisfied that there is no longer any such failure to comply.

## "JUDICIAL REVIEW

"SEC. 607. (a) If any State is dissatisfied with the Commissioner's final action with respect to the approval of its State plan submitted under section 604 or with his final action under section 606(b), such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

72 Stat. 941.

"(b) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

"(c) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

62 Stat. 928

## "NATIONAL ADVISORY COMMITTEE ON HANDICAPPED CHILDREN

"SEC. 608. (a) The Commissioner shall establish in the Office of Education a National Advisory Committee on Handicapped Children, consisting of the Commissioner, who shall be Chairman, and not more than twelve additional members, not less than 50 per centum of whom shall be persons affiliated with educational, training, or research pro-

grams for the handicapped, appointed by the Commissioner without regard to the civil service laws.

“(b) The Advisory Committee shall review the administration and operation of this Act, title II of Public Law 874, Eighty-first Congress, and other provisions of law administered by the Commissioner, with respect to handicapped children, including their effect in improving the educational attainment of such children, and make recommendations for the improvement of such administration and operation with respect to such children. These recommendations shall take into consideration experience gained under this and other Federal programs for handicapped children and, to the extent appropriate, experience gained under other public and private programs for handicapped children. The Advisory Committee shall from time to time make such recommendations as it may deem appropriate to the Commissioner and shall make an annual report of its findings and recommendations to the Commissioner not later than January 31 of 1968 and each fiscal year thereafter. The Commissioner shall transmit each such report to the Secretary together with his comments and recommendations, and the Secretary shall transmit such report, comments, and recommendations to the Congress together with any comments or recommendations he may have with respect thereto.

“(c) Members of the Advisory Committee who are not regular full-time employees of the United States shall, while serving on business of the Committee, be entitled to receive compensation at rates fixed by the Commissioner, but not exceeding \$100 per day, including travel time; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in Government service employed intermittently.

“(d) The Commissioner may, at the request of the Advisory Committee, appoint such special advisory professional or technical personnel as may be necessary to enable the Advisory Committee to carry out its duties.

#### “BUREAU FOR EDUCATION AND TRAINING OF THE HANDICAPPED

“SEC. 609. The Commissioner shall establish at the earliest practicable date not later than July 1, 1967, and maintain within the Office of Education a bureau for the education and training of the handicapped which shall be the principal agency in the Office of Education for administering and carrying out programs and projects relating to the education and training of the handicapped, including programs and projects for the training of teachers of the handicapped and for research in such education and training.

#### “LABOR STANDARDS

“SEC. 610. All laborers and mechanics employed by contractors or subcontractors on all construction projects assisted under this title shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5). The Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).”

79 Stat. 27.  
20 USC 241a-  
241f.  
Ante, pp. 1195,  
1198.

Report to  
Congress.

Compensation.

Ante, p. 499.

49 Stat. 1011;  
78 Stat. 238.

64 Stat. 1267.  
63 Stat. 108.

## PART G—DISSEMINATION OF INFORMATION

SEC. 171. Title VII of the Elementary and Secondary Education Act of 1965 (as redesignated by this Act) is amended by inserting at the end thereof a new section as follows:

*Ante*, p. 1204.

## “DISSEMINATION OF INFORMATION

“SEC. 706. (a) For the purpose of carrying out more effectively the provisions of this Act and title II of Public Law 874, Eighty-first Congress, the Commissioner—

“(1) shall prepare and disseminate to State and local educational agencies and other appropriate agencies and institutions catalogs, reviews, bibliographies, abstracts, analyses of research and experimentation, and such other materials as are generally useful for such purpose;

“(2) may upon request provide advice, counsel, technical assistance, and demonstrations to State or local educational agencies or institutions of higher education undertaking to initiate or expand programs under this Act or such title in order to increase the quality or depth or broaden the scope of such programs, and shall inform such agencies and institutions of the availability of assistance pursuant to this clause;

“(3) shall prepare and disseminate to State and local educational agencies and other appropriate agencies and institutions an annual report setting forth developments in the utilization and adaptation of projects carried out pursuant to this Act and such title; and

“(4) may enter into contracts with public or private agencies, organizations, groups, or individuals to carry out the provisions of this section.

“(b) There are authorized to be appropriated not to exceed \$1,500,000 for the fiscal year ending June 30, 1967, and not to exceed \$2,000,000 for the fiscal year ending June 30, 1968, to carry out the provisions of this section.”

79 Stat. 27.  
20 USC 241a-  
241f.  
*Ante*, pp. 1195,  
1198.

## PART H—RACIAL IMBALANCE AND COMPLIANCE WITH CIVIL RIGHTS ACT OF 1964

SEC. 181. Section 704 of the Elementary and Secondary Education Act of 1965 (as redesignated by this act, and containing a prohibition against Federal control of education) is amended by inserting the following at the end thereof and before the period: “, or to require the assignment or transportation of students or teachers in order to overcome racial imbalance”.

## COMPLIANCE WITH CIVIL RIGHTS ACT OF 1964

SEC. 182. The Commissioner of Education shall not defer action or order action deferred on any application by a local educational agency for funds authorized to be appropriated by this Act, by the Elementary and Secondary Education Act of 1965, by the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), by the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), or by the Cooperative Research Act, on the basis of alleged noncompliance with the provisions of title VI of the Civil Rights Act of 1964 for more than sixty days after notice is given to such local agency of such deferral unless such local agency is given the opportunity for a hearing as provided in section 602 of title VI of the Civil Rights Act of

20 USC 821 note.  
20 USC 236.  
20 USC 631.  
20 USC 331 note.  
78 Stat. 252.  
42 USC 2000d-  
2000d-4.

1964, such hearing to be held within sixty days of such notice, unless the time for such hearing is extended by mutual consent of such local agency and the Commissioner, and such deferral shall not continue for more than thirty days after the close of any such hearing unless there has been an express finding on the record of such hearing that such local educational agency has failed to comply with the provisions of title VI of the Civil Rights Act of 1964.

78 Stat. 252.  
42 USC 2000d-  
2000d-4.

#### PART I—EFFECTIVE DATE

SEC. 191. The provisions of this title shall be effective with respect to fiscal years beginning after June 30, 1966, except as specifically provided otherwise.

### TITLE II—FEDERALLY AFFECTED AREAS

#### PART A—AMENDMENTS TO PUBLIC LAW 874

##### AMENDMENTS TO SECTION 3

20 USC 238. SEC. 201. Section 3 of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), as amended, is amended in the following respects:

Providing an alternative means of meeting the eligibility requirement

70 Stat. 970.

(a) (1) Section 3(c) (2) (B) is amended by inserting after "amount to" the following: " , whichever is the lesser, four hundred such children, or a number of such children equal to".

(2) Section 3(c) (5) is amended by striking out "percentage requirements for eligibility under paragraphs (2) and (4) of this subsection" and by inserting in lieu thereof "requirements for eligibility under paragraphs (2) (B) and 4(C) of this subsection".

##### Method of determining local contribution rate

64 Stat. 1102;  
67 Stat. 530, 532.

(b) Subsection (d) of section 3, relating to the computation of the local contribution rate, is amended as follows:

(1) The first sentence of subsection (d) is amended by striking out "and the local educational agency".

(2) Clauses (1) and (2) of the first sentence of subsection (d) are amended to read:

"(1) he shall place each school district within the State into a group of generally comparable school districts; and

"(2) he shall then divide (A) the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which he is making the computation, which all of the local educational agencies within any such group of comparable school districts made from revenues derived from local sources, by (B) the aggregate number of children in average daily attendance to whom such agencies provided free public education during such second preceding fiscal year."

(3) The third sentence of subsection (d) is amended by striking out "If, in the judgment of the Commissioner, the current expenditures in those school districts which he has selected under clause (1)" and substituting in lieu thereof "If, in the judgment of the Commissioner, the current expenditures in the school districts within the generally comparable group as determined under clause (1)".

(4) The next to the last sentence of subsection (d) is amended by inserting after "as the case may be," the following: "plus any direct current expenditures by the States for the operation of such agencies", and by inserting "either of" after "funds from which".

72 Stat. 560.

Providing that children of servicemen shall be deemed to reside with a parent employed on Federal property

(c) (1) The first sentence of subsection (b) of section 3 is amended by—

67 Stat. 530.  
20 USC 238.

(A) inserting "(1)" before "resided on Federal property",

(B) inserting "(2)" before "resided with a parent", and

(C) inserting before the period at the end thereof ", or (3) had a parent who was on active duty in the uniformed services (as defined in section 102 of the Career Compensation Act of 1949)".

63 Stat. 804;  
76 Stat. 499.  
70 Stat. 970.

(2) The second sentence of subsection (b) is repealed.

Children moving into an area as a result of an international boundary relocation

(d) Such subsection (b) of section 3 is further amended by adding at the end thereof the following new sentence: "For the purpose of computing the amount to which a local educational agency is entitled under this section for the fiscal year ending June 30, 1967, the Commissioner shall also determine the number of children (other than children to whom subsection (a) or any other provision of this subsection applies) who were in average daily attendance at such schools and for whom such agency provided free public education, during such fiscal year, as a result of a change in residence from land transferred to Mexico as part of a relocation of an international boundary of the United States."

Providing that all Federal payments will be deducted from gross entitlements on the same basis

(e) Subsection (e) of section 3 is amended to read as follows:

64 Stat. 1102;  
67 Stat. 530.

"(e) In determining the total amount which a local educational agency is entitled to receive under this section (other than subsection (c) (4) thereof) for a fiscal year, the Commissioner shall deduct (1) such amount as he determines that agency derived from other Federal payments (as defined in section 2(b) (1)) but only to the extent such payments are not deducted under the last sentence of section 2(a), and only to the extent the payments are made with respect to property on which children, counted for purposes of this section, live or on which their parents work, and (2) such amount as he determines to be the value of transportation and of custodial and other maintenance services furnished such Agency by the Federal Government during such year. The Commissioner shall make no deduction under this subsection for any fiscal year in which the sum of the amounts determined under clauses (1) and (2) of the preceding sentence is less than \$1,000."

20 USC 237.

**MAKING THE APPROPRIATION FOR ONE FISCAL YEAR AVAILABLE THROUGH THE FOLLOWING YEAR TO MEET OBLIGATIONS OF THE CURRENT YEAR**

SEC. 202. Section 5(b) of the Act of September 30, 1950, is amended by adding at the end thereof the following new sentence: "Sums appropriated pursuant to this title for any fiscal year shall remain

67 Stat. 534.  
20 USC 240.

available, for obligation and payments with respect to amounts due local educational agencies under this title for such year, until the close of the following fiscal year.”

#### STATE AID REDUCTIONS

64 Stat. 1106.  
20 USC 240.

SEC. 203. Section 5 is amended by adding at the end thereof the following new subsection:

#### “Adjustments for Reductions in State Aid

20 USC 237-239.

“(d) The amount which a local educational agency in any State is otherwise entitled to receive under section 2, 3, or 4 for any fiscal year shall be reduced in the same proportion (if any) that the State has reduced for that year its aggregate expenditures (from non-Federal sources) per pupil for current expenditure purposes for free public education (as determined pursuant to regulations of the Commissioner) below the level of such expenditures per pupil in the second preceding fiscal year. The Commissioner may waive or reduce this reduction whenever in his judgment exceptional circumstances exist which would make its application inequitable and would defeat the purpose of this title.”

#### WHERE A LOCAL EDUCATIONAL AGENCY CANNOT OR WILL NOT EDUCATE CHILDREN LIVING ON FEDERAL PROPERTY

67 Stat. 535.  
20 USC 241.

SEC. 204. Section 6 of the Act of September 30, 1950, is amended by redesignating subsection (f) as subsection (g), and by inserting immediately after subsection (e) the following new subsection:

“(f) If no tax revenues of a State or of any political subdivision of the State may be expended for the free public education of children who reside on any Federal property within the State, or if no tax revenues of a State are allocated for the free public education of such children, then the property on which such children reside shall not be considered Federal property for the purposes of sections 3 and 4 of this Act. If a local educational agency refuses for any other reason to provide in any fiscal year free public education for children who reside on Federal property which is within the school district of that agency or which, in the determination of the Commissioner, would be within that school district if it were not Federal property, there shall be deducted from any amount to which the local educational agency is otherwise entitled for that year under section 3 or 4 an amount equal to (1) the amount (if any) by which the cost to the Commissioner of providing free public education for that year for each such child exceeds the local contribution rate of that agency for that year, multiplied by (2) the number of such children.”

#### PROHIBITION AGAINST CERTAIN ASSIGNMENT OR TRANSPORTATION

64 Stat. 1107;  
79 Stat. 35.  
20 USC 242.

SEC. 205. Section 301(a) of the Act of September 30, 1950 (Public Law 874; Eighty-first Congress) is amended by inserting the following at the end thereof before the period: “, or require the assignment or transportation of students or teachers in order to overcome racial imbalance”.

## AMENDMENTS TO SECTION 303

SEC. 206. Section 303 of the Act of September 30, 1950, is amended in the following respects: 64 Stat. 1108;  
79 Stat. 35.  
20 USC 244.

Extending to all property the provision which permits Federal property used for housing to be counted as Federal property for one year after transfer by the United States

(a) Clause (B) of the next to last sentence of section 303(1) is amended by striking out "housing". 70 Stat. 972.

Repeal of exclusion of property used for provision of local benefits

- (b) The last sentence of section 303(1) is amended by—
- (1) striking out "(A) any real property used by the United States primarily for the provision of services or benefits to the local area in which such property is situated,"; and
  - (2) redesignating clauses (B), (C), and (D) as clauses (A), (B), and (C), respectively.

Authorizing the Commissioner to establish a method of counting children for the purpose of determining average daily attendance

(c) Subsection (10) of section 303 is amended to read as follows:  
 "(10) Average daily attendance shall be determined in accordance with State law, except that (A) the average daily attendance of children with respect to whom payment is to be made under section 3 or 4 of this Act shall be determined in accordance with regulations of the Commissioner, and (B) notwithstanding any other provision of this Act, where the local educational agency of the school district in which any child resides makes or contracts to make a tuition payment for the free public education of such child in a school situated in another school district, for purposes of this Act the attendance of such child at such school shall be held and considered (i) to be attendance at a school of the local educational agency so making or contracting to make such tuition payment, and (ii) not to be attendance at a school of the local educational agency receiving such tuition payment or entitled to receive such payment under the contract." 20 USC 238,  
239.

## PART B—AMENDMENTS TO PUBLIC LAW 815

## EXTENDING TEMPORARY PROVISIONS FOR ONE YEAR

SEC. 221. Section 3 of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), is amended by striking out "1966" and inserting in lieu thereof "1967". 78 Stat. 1109.  
20 USC 633.

REDUCING PERCENTAGE INCREASE REQUIRED FOR ELIGIBILITY AND  
LENGTHENING INCREASE PERIOD TO FOUR YEARS

SEC. 222. (a) Section 5(c) of the Act of September 23, 1950, is amended by striking out "at least 5 per centum" and inserting in lieu thereof "at least 6 per centum". 72 Stat. 549.  
20 USC 635.

(b) Section 15(6) of such Act is amended by striking out "base year" and inserting in lieu thereof "second year of the four year increase period". 20 USC 645.

(c) Section 15(15) of such Act is amended (1) by inserting "third or fourth" immediately before the phrase "regular school year" the first time that phrase occurs in the subsection, (2) by striking out

“1963–1964” and inserting in lieu thereof “1962–1963”, and (3) by striking out “or the regular school year preceding such school year”.

72 Stat. 556.  
20 USC 645.

(d) Section 15(16) of such Act is amended by striking out “two” and inserting “four” in lieu thereof.

20 USC 635.

(e) Section 5(f) of such Act is amended to read as follows:

“(f) In determining under this section the total of the payments which may be made to a local educational agency on the basis of any application, the total number of children counted for purposes of paragraph (1), (2), or (3), as the case may be, of subsection (a) may not exceed—

“(1) the number of children whose membership at the close of the increase period for the application is compared with membership in the base period for purposes of that paragraph, minus

“(2) the number of such children whose membership at the close of the increase period was compared with membership in the base year for purposes of such paragraph under the last previous application, if any, of the agency on the basis of which any payment has been or may be made to that agency.”

#### REDUCTION IN THE NON-FEDERAL GROWTH REQUIREMENT

SEC. 223. Section 5(d) of such Act is amended by striking out “107 per centum” and by inserting in lieu thereof “106 per centum”.

#### EXTENDING THE TIME FOR DETERMINING THE NUMBER OF UNHOUSED CHILDREN BY AUTHORIZING THE COMMISSIONER TO MAKE THE ESTIMATE FOR A PERIOD EXTENDING TWO YEARS BEYOND THE INCREASE PERIOD

20 USC 634.

SEC. 224. Section 4 of such Act is amended by inserting “the second year following” immediately before the phrase “the increase period”.

#### MAKING THE PROVISIONS RELATING TO INDIANS LIVING ON RESERVATIONS PERMANENT

78 Stat. 1109.  
20 USC 644.

SEC. 225. (a) The first sentence of section 14(b) of such Act is amended by striking out “ending prior to July 1, 1966,” and “, not to exceed \$60,000,000 in the aggregate,”.

(b) The third sentence of section 14(b) is amended by striking out “, except that after June 30, 1966, no agreement may be made to extend assistance under this section”.

#### PROVIDING THAT CHILDREN WHO HAVE A PARENT IN THE UNIFORMED SERVICES WILL BE CONSIDERED AS FEDERALLY CONNECTED

20 USC 635.

SEC. 226. (a) Section 5(a)(1) of such Act is amended by inserting “, (A) who so resided” immediately before the phrase “with a parent employed on Federal property” and by inserting immediately before the comma preceding the phrase “multiplied by 95 per centum” the following: “, or (B) who had a parent who was on active duty in the uniformed services (as defined in section 102 of the Career Compensation Act of 1949)”.

63 Stat. 804;  
76 Stat. 499.

(b) (1) The first sentence of section 5(a)(2) of such Act is amended by inserting “(A)” after “children”, by inserting “(B)” immediately before “residing with a parent”, and by inserting after “school dis-

trict),” the following: “or (C) who had a parent who was on active duty in the uniformed services (as defined in section 102 of the Career Compensation Act of 1949),”.

(2) The second sentence of section 5(a)(2) of such Act is repealed.

63 Stat. 804;  
76 Stat. 499.  
72 Stat. 549.  
20 USC 635.

CHILDREN MOVING INTO AN AREA AS A RESULT OF AN INTERNATIONAL  
BOUNDARY RELOCATION

SEC. 227. Section 5(a) of such Act is further amended by striking out the period at the end of clause (3), by inserting “; and” in lieu thereof, and by inserting immediately after clause (3) the following new clause:

“(4) for the fiscal year ending June 30, 1967, the estimated number of children, without regard to the limitation in subsection (d), whose membership in the schools of such local educational agency resulted from a change in residence from land transferred to Mexico as part of a relocation of an international boundary of the United States, multiplied by 50 per centum of the average per pupil cost of constructing minimum school facilities in the State in which the school district of such agency is situated.”

PROVIDING FOR TRANSFER OF TITLE TO FACILITIES TO THE LOCAL EDUCATIONAL AGENCY WHERE IT IS IN THE FEDERAL INTEREST TO DO SO

SEC. 228. Section 10 of such Act is amended by inserting “(a)” immediately before the first word thereof, and by adding the following new subsection:

20 USC 640.

“(b) When the Commissioner determines it is in the interest of the Federal Government to do so, he may transfer to the appropriate local educational agency all the right, title, and interest of the United States in and to any facilities provided under this section (or sections 204 or 310 of this Act as in effect January 1, 1958). Any such transfer shall be without charge, but may be made on such other terms and conditions, and at such time as the Commissioner deems appropriate to carry out the purposes of this Act.”

64 Stat. 972;  
67 Stat. 526.  
20 USC 274  
note, 300 note.

WHERE A LOCAL EDUCATIONAL AGENCY CANNOT OR WILL NOT EDUCATE  
CHILDREN LIVING ON FEDERAL PROPERTY

SEC. 229. Section 10 of such Act is further amended by adding an additional new subsection as follows:

“(c) If no tax revenues of a State or of any political subdivision of the State may be expended for the free public education of children who reside on any Federal property within the State, or if no tax revenues of a State are allocated for the free public education of such children, then the property on which such children reside shall not be considered Federal property for the purposes of section 5 of this Act.”

REPEAL OF EXCLUSION OF PROPERTY USED FOR PROVISION OF LOCAL BENEFITS

SEC. 230. The last sentence of section 15(1) of such Act is amended by—

20 USC 645.

(1) striking out “(A) any real property used by the United States primarily for the provision of services or benefits to the local area in which such property is situated,”; and

(2) redesignating clauses (B), (C), and (D) as clauses (A), (B), and (C), respectively.

PROVIDING THAT MINIMUM SCHOOL FACILITIES BE USABLE BY HANDICAPPED PERSONS AND HAVE CERTAIN OTHER FEATURES

72 Stat. 556.  
20 USC 645.

SEC. 231. Section 15(10) of such Act, relating to the definition of "minimum school facilities", is amended by adding at the end thereof the following: "Such regulations shall (A) require the local educational agency concerned to give due consideration to excellence of architecture and design, (B) provide that no facility shall be disqualified as a minimum school facility because of the inclusion of works of art in the plans therefor if the cost of such works of art does not exceed 1 per centum of the cost of the project, and (C) require compliance with such standards as the Secretary may prescribe or approve in order to insure that facilities constructed with the use of Federal funds under this Act shall be, to the extent appropriate in view of the uses to be made of the facilities, accessible to and usable by handicapped persons."

INCLUDING AMERICAN SAMOA IN DEFINITION OF "STATE"

SEC. 232. Section 15(13) of such Act, relating to the definition of "State," is amended by inserting "American Samoa," immediately before "the Virgin Islands".

PART C—EFFECTIVE DATE

SEC. 241. The amendments made by this title shall be effective for fiscal years beginning after June 30, 1966, except that (1) the amendment made by section 201(b) shall be effective for fiscal years beginning after June 30, 1967, and (2) if the amendment made by section 204 or 229 would have reduced payments to a local educational agency for the fiscal year ending June 30, 1966 (if it had been in effect for that year), the amendment shall not apply to that local educational agency for fiscal years ending prior to July 1, 1968.

TITLE III—ADULT EDUCATION

SHORT TITLE

SEC. 301. This title may be cited as the "Adult Education Act of 1966".

STATEMENT OF PURPOSE

SEC. 302. It is the purpose of this title to encourage and expand basic educational programs for adults to enable them to overcome English language limitations, to improve their basic education in preparation for occupational training and more profitable employment, and to become more productive and responsible citizens.

DEFINITIONS

SEC. 303. As used in this title—

(a) The term "adult" means any individual who has attained the age of eighteen.

(b) The term "adult education" means services or instruction below the college level (as determined by the Commissioner), for adults who—

(1) do not have a certificate of graduation from a school providing secondary education and who have not achieved an equivalent level of education, and

(2) are not currently enrolled in schools.

(c) The term "adult basic education" means education for adults whose inability to speak, read, or write the English language constitutes a substantial impairment of their ability to get or retain employment commensurate with their real ability, which is designed to help eliminate such inability and raise the level of education of such individuals with a view to making them less likely to become dependent on others, to improving their ability to benefit from occupational training and otherwise increasing their opportunities for more productive and profitable employment, and to making them better able to meet their adult responsibilities.

(d) The term "Commissioner" means the Commissioner of Education.

(e) The term "local educational agency" means a public board of education or other public authority legally constituted within a State for either administrative control or direction of public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools; except that if there is a separate board or other legally constituted local authority having administrative control and direction of adult education in public schools therein, such term means such other board or authority.

(f) The term "State" includes the District of Columbia, and (except for the purposes of section 305(a)) the Commonwealth of Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands.

(g) The term "State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or if there is a separate State agency or officer primarily responsible for supervision of adult education in public schools then such agency or officer may be designated for the purposes of this title by the Governor or by State law. If no agency or officer qualifies under the preceding sentence, such term shall mean an appropriate agency or officer designated for the purposes of this title by the Governor.

#### GRANTS TO STATES FOR ADULT BASIC EDUCATION

SEC. 304. (a) From the sums appropriated pursuant to section 314, not less than 10 per centum nor more than 20 per centum shall be reserved for the purposes of section 309.

(b) From the remainder of such sums, the Commissioner is authorized to make grants to States, which have State plans approved by him under section 306 for the purposes of this section, to pay the Federal share of the cost of the establishment or expansion of adult basic education programs to be carried out by local educational agencies.

#### ALLOTMENT FOR ADULT BASIC EDUCATION

SEC. 305. (a) From the sums available for purposes of section 304(b) for any fiscal year, the Commissioner shall allot not more than 2 per centum thereof among Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands according to their respective needs for assistance under such section. From the remainder of such sums he shall allot to each State an amount which bears the same ratio to such remainder as the number

of adults who have completed not more than five grades of school (or have not achieved an equivalent level of education) in such State bears to the number of such adults in all States.

(b) The portion of any State's allotment under subsection (a) for a fiscal year which the Commissioner determines will not be required, for the period such allotment is available, for carrying out the portion of the State plan relating to adult basic education approved under this title shall be available for reallocation from time to time, on such dates during such period as the Commissioner may fix, to other States in proportion to the original allotments to such States under subsection (a) for such year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum which the Commissioner estimates such State needs and will be able to use for such period for carrying out such portion of its State plan approved under this title, and the total of such reductions shall be similarly reallocated among the States whose proportionate amounts are not so reduced. Any amount reallocated to a State under this subsection during a year shall be deemed part of its allotment under subsection (a) for such year.

#### STATE PLANS

SEC. 306. (a) Any State desiring to receive its allotment of Federal funds for any grant under this title shall submit through its State educational agency a State plan. Such State plan shall be in such detail as the Commissioner deems necessary, and shall—

(1) set forth a program for the use of grants, in accordance with section 304(b), which affords assurance of substantial progress, with respect to all segments of the adult population and all areas of the State, toward carrying out the purposes of such section;

(2) provide for the administration of such plan by the State educational agency;

(3) provide for cooperative arrangements between the State educational agency and the State health authority authorizing the use of such health information and services for adults as may be available from such agencies and as may reasonably be necessary to enable them to benefit from the instruction provided pursuant to this title;

(4) provide for grants to public and private nonprofit agencies for special projects, teacher-training and research;

(5) provide for cooperation with Community Action programs, Work Experience programs, VISTA, Work Study, and other programs relating to the anti-poverty effort;

(6) provide that such agency will make such reports to the Commissioner, in such form and containing such information, as may reasonably be necessary to enable the Commissioner to perform his duties under this title and will keep such records and afford such access thereto as the Commissioner finds necessary to assure the correctness and verification of such reports;

(7) provide such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid the State under this title (including such funds paid by the State to local educational agencies); and

(8) provide such further information and assurances as the Commissioner may by regulation require.

(b) The Commissioner shall not finally disapprove any State plan submitted under this title, or any modification thereof, without first affording the State educational agency reasonable notice and opportunity for a hearing.

## PAYMENTS

SEC. 307. (a) Except as provided in subsection (b), the Federal share of expenditures to carry out a State plan shall be paid from a State's allotment available for grants to such State. For the fiscal year ending June 30, 1967, and the succeeding fiscal year, the Federal share for each State shall be 90 per centum.

(b) No payment shall be made to any State from its allotment for any fiscal year unless the Commissioner finds that the amount available for expenditure by such State for adult education from non-Federal sources for such year will be not less than the amount expended for such purposes from such sources during the preceding fiscal year.

(c) Payments to a State under this title may be in installments and in advance or by way of reimbursement with necessary adjustments on account of overpayments or underpayments.

## OPERATION OF STATE PLANS; HEARINGS AND JUDICIAL REVIEW

SEC. 308. (a) Whenever the Commissioner after reasonable notice and opportunity for hearing to the State educational agency administering a State plan approved under this title, finds that—

(1) the State plan has been so changed that it no longer complies with the provisions of section 306, or

(2) in the administration of the plan there is a failure to comply substantially with any such provision.

the Commissioner shall notify such State agency that no further payments will be made to the State under this title (or in his discretion, that further payments to the State will be limited to programs under or portions of the State plan not affected by such failure), until he is satisfied that there will no longer be any failure to comply. Until he is so satisfied, no further payments may be made to such State under this title (or payments shall be limited to programs under or portions of the State plan not affected by such failure).

(b) A State educational agency dissatisfied with a final action of the Commissioner under section 306 or subsection (a) of this section may appeal to the United States court of appeals for the circuit in which the State is located, by filing a petition with such court within sixty days after such final action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner or any officer designated by him for that purpose. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part, temporarily or permanently, but until the filing of the record, the Commissioner may modify or set aside his order. The findings of the Commissioner as to the facts, if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The judgment of the court affirming or setting aside, in whole or in part, any action of the Commissioner shall be final, subject to the review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States

62 Stat. 928.

Code. The commencement of proceedings under this subsection shall not unless so specifically ordered by the court operate as a stay of the Commissioner's action.

#### SPECIAL EXPERIMENTAL DEMONSTRATION PROJECTS AND TEACHER TRAINING

SEC. 309. (a) The sums reserved in section 304(a) for the purposes of this section shall be used for making special project grants or providing teacher-training grants in accordance with this section.

(b) The Commissioner is authorized to make grants to local educational agencies or other public or private nonprofit agencies, including educational television stations, for special projects which will be carried out in furtherance of the purposes of this title, and which—

(1) involve the use of innovative methods, systems, materials, or programs which the Commissioner determines may have national significance or be of special value in promoting effective programs under this title, or

(2) involve programs of adult education, carried out in cooperation with other Federal, federally assisted, State, or local programs which the Commissioner determines have unusual promise in promoting a comprehensive or coordinated approach to the problems of persons with basic educational deficiencies.

The Commissioner shall establish procedures for making grants under this subsection which shall require a non-Federal contribution of at least 10 per centum of the costs of such projects wherever feasible and not inconsistent with the purposes of this subsection.

(c) The Commissioner is authorized to provide (directly or by contract), or to make grants to colleges or universities, State or local educational agencies, or other appropriate public or private nonprofit agencies or organizations, to provide training to persons engaged, or preparing to engage, as personnel in adult education programs designed to carry out the purposes of this title, with such stipends and allowances, if any (including traveling and subsistence expenses), for persons undergoing such training and their dependents as the Commissioner may by regulation determine.

#### ADVISORY COMMITTEE ON ADULT BASIC EDUCATION

SEC. 310. (a) The President shall, within ninety days of enactment of this title appoint a National Advisory Committee on Adult Basic Education.

(b) The National Advisory Committee shall have eight members, consisting of the Commissioner of Education, who shall be chairman, and seven other members who shall, to the extent possible, include persons knowledgeable in the field of adult education, State and local public school officials, and other persons having special knowledge and experience, or qualifications with respect to adult basic education, and persons representative of the general public. Such Advisory Committee shall meet at the call of the chairman but not less often than twice a year.

(c) The Advisory Committee shall advise the Commissioner in the preparation of general regulations and with respect to policy matters arising in the administration of this title, including policies and procedures governing the approval of State plans under section 306 and policies to eliminate duplication, and to effectuate the coordination of

programs under this title and other programs offering adult education activities and services.

(d) The Advisory Committee shall review the administration and effectiveness of the adult basic education program and other federally supported adult education programs as they relate to adult basic education, make recommendations with respect thereto, and make annual reports to the President of its findings and recommendations (including recommendations for changes in this title and other Federal laws relating to adult education activities and services). The President shall transmit each such report to the Congress together with his comments and recommendations. The Secretary of Health, Education, and Welfare shall coordinate the work of this committee with that of other related advisory committees.

Report to President and Congress.

(e) Members of the Advisory Committee who are not regular full-time employees of the United States, shall, while serving on the business of the Committee, be entitled to receive compensation at rates fixed by the Commissioner, but not exceeding \$100 per day, including travel time; and, while so serving away from their homes or regular places of business, members may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently.

Compensation.

(f) The Commissioner shall engage such technical assistance as may be required to carry out the functions of the Advisory Committee, and the Commissioner shall, in addition, make available to the Advisory Committee such secretarial, clerical, and other assistance and such pertinent data prepared by the Department of Health, Education, and Welfare as it may require to carry out its functions.

Ante, p. 499.

(g) In carrying out its functions pursuant to this section, the Advisory Committee may utilize the services and facilities of any agency of the Federal Government, in accordance with agreements between the Secretary of Health, Education, and Welfare and the head of such agency.

#### ADMINISTRATION

SEC. 311. (a) The Commissioner is authorized to delegate any of his functions under this title, except the making of regulations, to any officer or employee of the Office of Education.

(b) In administering the provisions of this title, the Commissioner is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit agency or institution, in accordance with agreements between the Secretary and the head thereof.

#### FEDERAL CONTROL PROHIBITED

SEC. 312. (a) Nothing contained in this title shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system, or over the selection of library resources, textbooks, or other printed or published instructional materials by any educational institution or school system.

(b) The National Advisory Committee on Adult Basic Education is authorized to encourage the establishment of State and local adult education advisory committees in order to improve reporting of State and local administration of programs under this title. Such local and State advisory committees may be existing groups or especially estab-

lished by State and local administrators of the programs to assure that the local program is meeting the needs of the community.

LIMITATION

SEC. 313. No grant may be made under this title for any educational program, activity, or service related to sectarian instruction or religious worship, or provided by a school or department of divinity. For purposes of this section, the term "school or department of divinity" means an institution or a department or branch of an institution whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation, or to prepare them to teach theological subjects.

APPROPRIATIONS AUTHORIZED

SEC. 314. There is authorized to be appropriated \$40,000,000 for the fiscal year ending June 30, 1967, and \$60,000,000 for the fiscal year ending June 30, 1968, for the purposes of this title.

REPEALER

SEC. 315. Part B of title II of the Economic Opportunity Act of 1964 is repealed.

Approved November 3, 1966.

78 Stat. 520.  
42 USC 2801-2807.

Public Law 89-751

AN ACT

November 3, 1966  
[H. R. 13196]

To amend the Public Health Service Act to increase the opportunities for training of medical technologists and personnel in other allied health professions, to improve the educational quality of the schools training such allied health professions personnel, and to strengthen and improve the existing student loan programs for medical, osteopathic, dental, podiatry, pharmacy, optometric, and nursing students, and for other purposes.

Allied Health Professions Personnel Training Act of 1966.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Allied Health Professions Personnel Training Act of 1966".*

ADDITION OF PART G TO TITLE VII OF THE PUBLIC HEALTH SERVICE ACT

70 Stat. 717.  
42 USC 292-295g.

SEC. 2. Title VII of the Public Health Service Act is amended by adding at the end thereof the following new part:

"PART G—TRAINING IN THE ALLIED HEALTH PROFESSIONS

"GRANTS FOR CONSTRUCTION OF TEACHING FACILITIES FOR ALLIED HEALTH PROFESSIONS PERSONNEL

"Authorization of Appropriations

"SEC. 791. (a) (1) There are authorized to be appropriated for grants to assist in the construction of new facilities for training centers for

allied health professions, or replacement or rehabilitation of existing facilities for such centers, \$3,000,000 for the fiscal year ending June 30, 1967; \$9,000,000 for the fiscal year ending June 30, 1968; and \$13,500,000 for the fiscal year ending June 30, 1969.

“(2) Sums appropriated pursuant to paragraph (1) for a fiscal year shall remain available for grants under this section until the close of the next fiscal year.

#### “Approval of Applications for Construction Grants

“(b) (1) No application for a grant under this section may be approved unless it is submitted to the Surgeon General prior to July 1, 1968. The Surgeon General may from time to time set dates (not earlier than the fiscal year preceding the year for which a grant is sought) by which applications for grants under this section for any fiscal year must be filed.

“(2) A grant under this section may be made only if the application therefor is approved by the Surgeon General upon his determination that—

“(A) the applicant is a public or nonprofit private training center for allied health professions;

“(B) the application contains or is supported by reasonable assurances that (i) for not less than ten years after completion of construction, the facility will be used for the purposes of the training for which it is to be constructed, and will not be used for sectarian instruction or as a place for religious worship, (ii) sufficient funds will be available to meet the non-Federal share of the cost of constructing the facility, (iii) sufficient funds will be available, when construction is completed, for effective use of the facility for the training for which it is being constructed, and (iv) in the case of an application for a grant for construction to expand the training capacity of a training center for allied health professions, for the first full school year after the completion of the construction and for each of the nine years thereafter, the enrollment of full-time students at such center will exceed the highest enrollment of such students at such school for any of the five full school years preceding the year in which the application is made by at least 5 per centum of such highest enrollment, and the requirements of this clause (iv) shall be in addition to the requirements of section 792(b) (2), where applicable;

“(C) (i) in the case of an application for a grant for construction of a new facility, such application is for aid in the construction of a new training center for allied health professions, or construction which will expand the training capacity of an existing center, or (ii) in the case of an application for a grant for replacement or rehabilitation of existing facilities, such application is for aid in construction which will replace or rehabilitate facilities of an existing training center for allied health professions which are so obsolete as to require the center to curtail substantially either its enrollment or the quality of the training provided;

“(D) the plans and specifications are in accordance with regulations relating to minimum standards of construction and equipment; and

“(E) the application contains or is supported by adequate assurance that any laborer or mechanic employed by any contractor or subcontractor in the performance of work on the construction of the facility will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a5). The Secretary of Labor shall have, with respect to the labor standards specified in this subparagraph (E), the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267), and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

49 Stat. 1011;  
78 Stat. 238.

63 Stat. 108.

“(3) Notwithstanding paragraph (2), in the case of an affiliated hospital, an application which is approved by the training center for allied health professions with which the hospital is affiliated and which otherwise complies with the requirements of this section, may be filed by any public or other nonprofit agency qualified to file an application under section 605.

78 Stat. 453.  
42 USC 291e.

“(4) In the case of any application, whether filed by a training center or, in the case of an affiliated hospital, by any other public or other nonprofit agency, for a grant under this section to assist in the construction of a facility which is a hospital or part of a hospital, as defined in section 625, only that portion of the project which the Surgeon General determines to be reasonably attributable to the need of such training center for the project for teaching purposes or in order to expand its training capacities or in order to prevent curtailment of enrollment or quality of training, as the case may be, shall be regarded as the project with respect to which payments may be made under this section.

42 USC 291o.

“(5) In considering applications for grants, the Surgeon General shall take into account—

“(A) the extent to which the project for which the grant is sought will aid in increasing the number of training centers for allied health professions providing training in three or more of the curriculums which are specified in or pursuant to paragraph (1) (A) of section 795 and are related to each other to the extent prescribed in regulations;

“(B) (i) in the case of a project for a new training center for allied health professions or for expansion of the facilities of an existing center, the relative effectiveness of the proposed facilities in expanding the capacity for the training of students in the allied health professions involved and in promoting an equitable geographical distribution of opportunities for such training (giving due consideration to population, relative unavailability of allied health professions personnel of the kinds to be trained by such center, and available resources in various areas of the Nation for training such personnel); or

“(ii) in the case of a project for replacement or rehabilitation of existing facilities of a training center for allied health professions, the relative need for such replacement or rehabilitation to prevent curtailment of the center’s enrollment or deterioration of the quality of the training provided by the center, and the relative size of any such curtailment and its effect on the geographical distribution of opportunities for training in the allied health professions involved (giving consideration to the factors mentioned above in subparagraph (i)); and

“(C) in the case of an applicant in a State which has in existence a State or local area agency involved in planning for facilities for the training of allied health professions personnel, or which participates in a regional or other interstate agency involved in planning for such facilities, the relationship of the application to the construction or training program which is being developed by such agency or agencies and, if such agency or agencies have reviewed such application, any comment thereon submitted by them.

#### “Amount of Construction Grant; Payments

“(c)(1) The amount of any grant for a construction project under this section shall be such amount as the Surgeon General determines to be appropriate; except that (A) in the case of a grant for a project for a new training center for allied health professions, and in the case of a grant for a project for new facilities for an existing center where such facilities are of particular importance in providing a major expansion of the training capacity of such center, as determined in accordance with regulations, such amount may not exceed 66 $\frac{2}{3}$  per centum of the necessary cost of construction, as determined by the Surgeon General, of such project; and (B) in the case of any other grant, such amount may not exceed 50 per centum of the necessary cost of construction, as so determined, of the project with respect to which the grant is made.

“(2) Upon approval of any application for a grant under this section, the Surgeon General shall reserve, from any appropriation available therefor, the amount of such grant as determined under paragraph (1); the amount so reserved may be paid in advance or by way of reimbursement, and in such installments consistent with construction progress, as the Surgeon General may determine. The Surgeon General’s reservation of any amount under this subsection may be amended by him, either upon approval of an amendment of the application or upon revision of the estimated cost of construction of the facility.

“(3) In determining the amount of any grant under this section, there shall be excluded from the cost of construction an amount equal to the sum of (A) the amount of any other Federal grant which the applicant has obtained, or is assured of obtaining, with respect to the construction which is to be financed in part by the grant under this

section, and (B) the amount of any non-Federal funds required to be expended as a condition of such other Federal grant.

#### “Recapture of Payments

“(d) If, within ten years after completion of any construction for which funds have been paid under this section—

“(1) the applicant or other owner of the facility shall cease to be a public or nonprofit private training center for allied health professions, or

“(2) the facility shall cease to be used for the training purposes for which it was constructed (unless the Surgeon General determines, in accordance with regulations, that there is good cause for releasing the applicant or other owner from the obligation to do so), or

“(3) the facility is used for sectarian instruction or as a place for religious worship,

the United States shall be entitled to recover from the applicant or other owner of the facility the amount bearing the same ratio to the then value (as determined by agreement of the parties or by action brought in the United States district court for the district in which such facility is situated) of the facility, as the amount of the Federal participation bore to the cost of construction of such facility.

#### “GRANTS TO IMPROVE THE QUALITY OF TRAINING CENTERS FOR ALLIED HEALTH PROFESSIONS

#### “Authorization of Appropriations

“SEC. 792. (a) There are authorized to be appropriated \$9,000,000 for the fiscal year ending June 30, 1967; \$13,000,000 for the fiscal year ending June 30, 1968; and \$17,000,000 for the fiscal year ending June 30, 1969; for grants under this section to assist training centers for allied health professions to develop new or improved curriculums for training allied health professions personnel and otherwise improve the quality of their educational programs.

#### “Basic Improvement Grants

“(b) (1) Subject to the provisions of paragraph (2), the Surgeon General may, for each fiscal year in the period beginning July 1, 1966, and ending June 30, 1969, make to each training center for allied health professions whose application for a basic improvement grant has been approved by him a grant equal to the product obtained by multiplying \$5,000 by the number of curriculums specified in or pursuant to paragraph (1) (A) of section 795 in which such center provides training during such year, plus the product obtained by multiplying \$500 by the number of full-time students in such center receiving training in such curriculums.

“(2) The Surgeon General shall not make a grant under this subsection to any center unless the application for such grant contains or is supported by reasonable assurances that for the first school year beginning after the fiscal year for which such grant is made and each school year thereafter during which such a grant is made the enrollment of full-time students at such center will exceed the highest enrollment of such students in such center for any of the five school years during the period July 1, 1961, through July 1, 1966, by at least 2½ per centum of such highest enrollment, or by three students whichever is greater. The requirements of this paragraph shall be in addition

to the requirements of section 791(b)(2)(B)(iv) of this Act, where applicable. The Surgeon General is authorized to waive (in whole or in part) the provisions of this paragraph if he determines that the required increase in enrollment of full-time students in a center cannot, because of limitations of physical facilities available to the center for training, be accomplished without lowering the quality of training for such students.

#### “Special Improvement Grants

“(c)(1) From the sums appropriated under subsection (a) for any fiscal year and not required for making grants under subsection (b), the Surgeon General may make an additional grant for such year to any training center for allied health professions which has an approved application therefor and for which an application has been approved under subsection (b), if he determines that the requirements of paragraph (2) are satisfied in the case of such applicant.

“(2) No special improvement grant shall be made under this section unless (A) the Surgeon General determines that such grant will be utilized by the recipient training center to contribute toward provision, maintenance, or improvement of specialized function which the center serves, and (B) such center provides or will, with the aid of grants under this part, within a reasonable time provide training in not less than three of the curriculums which are specified in or pursuant to paragraph (1)(A) of section 795 and are related to each other to the extent prescribed in regulations.

“(3) No grant to any center under this subsection may exceed \$100,000 for any fiscal year.

#### “Application for Grants

“(d)(1) The Surgeon General may from time to time set dates (not earlier than in the fiscal year preceding the year for which a grant is sought) by which applications for basic or special improvement grants under this section for any fiscal year must be filed.

“(2) A grant under this section may be made only if the application therefor is approved by the Surgeon General upon his determination that—

“(A) it contains or is supported by assurances satisfactory to the Surgeon General that the applicant is a public or nonprofit private training center for allied health professions and will expend in carrying out its functions as such a center, during the fiscal year for which such grant is sought, an amount of funds (other than funds for construction as determined by the Surgeon General) from non-Federal sources which are at least as great as the average amount of funds expended by such applicant for such purpose in the three fiscal years immediately preceding the fiscal year for which such grant is sought;

“(B) it contains such additional information as the Surgeon General may require to make the determinations required of him under this section and such assurances as he may find necessary to carry out the purposes of this section; and

“(C) it provides for such fiscal control and accounting procedures and reports, and access to the records of the applicant, as the Surgeon General may require to assure proper disbursement of and accounting for Federal funds paid to the applicant under this section.

“(3) In considering applications for grants under subsection (c), the Surgeon General shall take into consideration the relative financial need of the applicant for such a grant and the relative effectiveness

of the applicant's plan in carrying out the purposes of such grants, and in contributing to an equitable geographical distribution of training centers offering high-quality training of allied health professions personnel.

“TRAINEESHIPS FOR ADVANCED TRAINING OF ALLIED HEALTH PROFESSIONS  
PERSONNEL

“SEC. 793. (a) There are authorized to be appropriated \$1,500,000 for the fiscal year ending June 30, 1967; \$2,500,000 for the fiscal year ending June 30, 1968; and \$3,500,000 for the fiscal year ending June 30, 1969; to cover the cost of traineeships for the training of allied health professions personnel to teach health services technicians or in any of the allied health professions, to serve in any of such professions in administrative or supervisory capacities, or to serve in allied health professions specialties determined by the Surgeon General to require advanced training.

“(b) Traineeships under this section shall be awarded by the Surgeon General through grants to public or nonprofit private training centers for allied health professions.

“(c) Payments to centers under this section may be made in advance or by way of reimbursement, and at such intervals and on such conditions, as the Surgeon General finds necessary. Such payments may be used only for traineeships and shall be limited to such amounts as the Surgeon General finds necessary to cover the costs of tuition and fees, and a stipend and allowances (including travel and subsistence expenses) for the trainees.

“DEVELOPMENT OF NEW METHODS

“SEC. 794. There are authorized to be appropriated \$750,000 for the fiscal year ending June 30, 1967; \$2,250,000 for the fiscal year ending June 30, 1968; and \$3,000,000 for the fiscal year ending June 30, 1969; for grants to public or nonprofit private training centers for allied health professions for projects to develop, demonstrate, or evaluate curriculums for the training of new types of health technologists.

“DEFINITIONS

“SEC. 795. For purposes of this part—

“(1) The term ‘training center for allied health professions’ means a junior college, college, or university—

“(A) which provides, or can provide, programs of education leading to a baccalaureate or associate degree or to the equivalent of either or to a higher degree in the medical technology, optometric technology, dental hygiene, or any of such other of the allied health professions curriculums as are specified by regulations, or which, if in a junior college provides a program (i) leading to an associate or an equivalent degree, (ii) of education in medical technology, optometric technology, dental hygiene, or any of such other of the allied health technical or professional curriculums as are specified by regulation, and (iii) acceptable for full credit toward a baccalaureate or equivalent degree in the allied health professions or designed to prepare the student to work as a technician in a health occupation specified by regulations of the Surgeon General,

“(B) which provides training for not less than a total of twenty persons in such curriculums,

“(C) which, if in a college or university which does not include a teaching hospital or in a junior college, is affiliated (to the extent and in the manner determined in accordance with regulations) with such a hospital,

“(D) which is (or is in a college or university, which is) accredited by a recognized body or bodies approved for such purpose by the Commissioner of education, or which is in a junior college which is accredited by the regional accrediting agency for the region in which it is located or there is satisfactory assurance afforded by such accrediting agency to the Surgeon General that reasonable progress is being made toward accreditation by such junior college, and

“(E) in the case of an applicant for a grant under section 793, which, if the college or university does not include a school of medicine, a school of osteopathy, school of optometry, or school of dentistry, as defined in paragraph (4) of section 724, as may be appropriate in the light of the training for which the grant is to be made, is affiliated (to the extent and in the manner determined in accordance with regulations) with such a school,

77 Stat. 169.  
42 USC 293d.

except that an applicant for a grant for a construction project under section 791 which does not at the time of application meet the requirement of clause (B) shall be deemed to meet such requirement if the Surgeon General finds there is reasonable assurance that the unit will meet the requirement of clause (B) prior to the beginning of the academic year following the normal graduation date of the first entering class in such unit, or, if later, upon completion of the project for which assistance is requested and other projects (if any) under construction or planned and to be commenced within a reasonable time.

“(2) The term ‘full-time student’ means a student pursuing a full-time course of study, in one of the curriculums specified in or pursuant to paragraph (1)(A) of this section, leading to a baccalaureate or associate degree or to the equivalent of either, or to a higher degree, in a training center for allied health professions; regulations of the Surgeon General shall include provisions relating to determination of the number of students enrolled at a training center on the basis of estimates, or on the basis of the number of students enrolled in a training center in an earlier year, or on such basis as he deems appropriate for making such determination, and shall include methods of making such determinations when a training center was not in existence in an earlier year.

“(3) The term ‘nonprofit’ as applied to any training center for allied health professions means one which is a corporation or association, or is owned and operated by one or more corporations or associations, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

“(4) The terms ‘construction’ and ‘cost of construction’ include (A) the construction of new buildings, and the acquisition, expansion, remodeling, replacement, and alteration of existing buildings, including architects’ fees, but not including the cost of acquisition of land (except in the case of acquisition of an existing building), off-site improvements, living quarters, or patient-care facilities, and (B) equipping new buildings and existing buildings, whether or not expanded, remodeled, or altered.

“(5) The term ‘affiliated hospital’ means a hospital, as defined in section 625, which is not owned by, but is affiliated (to the extent and in the manner determined in accordance with regulations) with, one or more training centers for allied health professions.

78 Stat. 460.  
42 USC 291c.

## "RECORDS AND AUDIT"

"SEC. 796. (a) Each recipient of a grant under this part shall keep such records as the Surgeon General may prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such grant, the total cost of the project or undertaking in connection with which such grant is made or used, and the amount of that portion of the cost of the project or undertaking supplied by other sources, and such records as will facilitate an effective audit.

"(b) The Secretary of Health, Education, and Welfare and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient of any grant under this part which are pertinent to any such grant."

## PER DIEM FOR ADVISORY COUNCILS

77 Stat. 169.  
42 USC 293e.

SEC. 3. (a) Section 725(d) of the Public Health Service Act is amended by striking out "\$50" and inserting in lieu thereof "\$100".

78 Stat. 917.  
42 USC 298.

(b) Section 841(c) of such Act is amended by striking out "\$75" and inserting in lieu thereof "\$100".

## ADDITIONAL LOAN CANCELLATION FOR HEALTH PERSONNEL PRACTICING IN LOW-INCOME RURAL AREAS

79 Stat. 1057.  
42 USC 294a.

SEC. 4. (a) Section 741(f) of the Public Health Service Act is amended by adding at the end thereof the following new sentence: "In the case of a physician, dentist, or optometrist, the rate shall be 15 per centum (rather than 10 per centum) for each year of such practice in an area in a State which for purposes of this subsection and for that year has been determined by the Secretary, pursuant to regulations and after consultation with the appropriate State health authority, to be a rural area characterized by low family income; and, for the purpose of any cancellation pursuant to this sentence, an amount equal to an additional 50 per centum of the total amount of such loans plus interest may be canceled."

## ESTABLISHING A REVOLVING FUND FROM WHICH SCHOOLS MAY OBTAIN LOANS TO CAPITALIZE HEALTH PROFESSIONS STUDENT LOAN FUNDS UNDER TITLE VII-C OF THE PUBLIC HEALTH SERVICE ACT

77 Stat. 173.  
42 USC 294d.

SEC. 5. (a) Section 744 of the Public Health Service Act (relating to loans to schools) is amended to read as follows:

## "LOANS TO SCHOOLS; REVOLVING FUND

## "Loans to Schools

42 USC 294.  
42 USC 293a.

"SEC. 744. (a) (1) During the fiscal years ending June 30, 1967, and June 30, 1968, the Secretary may make loans, from the revolving fund established by subsection (d), to any public or other nonprofit school referred to in section 740(a) which is located in a State and is accredited as provided in section 721(b)(1)(B), to provide all or part of the capital needed by any such school for making loans to students under this section (other than capital needed to finance the institutional contributions required by section 740(b)(2)(B)). Loans to students from such borrowed sums shall be subject to the terms, conditions, and limitations set forth in section 741. The requirement in section 740(b)(2)(B) with respect to institutional contributions

to student loan funds shall not apply to loans made to schools under this section.

“(2) A loan to a school under this section may be upon such terms and conditions, consistent with applicable provisions of section 740, as the Secretary deems appropriate. If the Secretary deems it to be necessary to assure that the purposes of this section will be achieved, these terms and conditions may include provisions making the school's obligation to the Secretary on such a loan payable solely from such revenues or other assets or security (including collections on loans to students) as the Secretary may approve. Such a loan shall bear interest at a rate which the Secretary determines to be adequate to cover (A) the cost of the funds to the Treasury as determined by the Secretary of the Treasury, taking into consideration the current average yields of outstanding marketable obligations of the United States having maturities comparable to the maturities of loans made by the Secretary under this section, and (B) probable losses.

77 Stat. 170.  
42 USC 294.

#### “Payments to Schools To Cover Certain Costs Incurred in Making Student Loans From Borrowed Funds

“(b) If a school borrows any sums under this section, the Secretary shall agree to pay to the school (1) an amount equal to 90 per centum of the loss to the school from defaults on student loans made from such sums, (2) the amount by which the interest payable by the school on such sums exceeds the interest received by it on student loans made from such sums, (3) an amount equal to the collection expenses authorized by section 740(b) (3) to be paid out of a student loan fund with respect to such sums, and (4) the amount of principal which is canceled pursuant to section 741 (d) or (f) with respect to student loans made from such funds. There are authorized to be appropriated without fiscal year limitation such sums as may be necessary to carry out the purposes of this subsection.

79 Stat. 1057.  
42 USC 294a.

#### “Limitation on Loans From Revolving Fund

“(c) The total of the loans made in any fiscal year under this section may not exceed the lesser of (1) such limitations as may be specified in appropriation Acts, and (2) the difference between \$35,000,000 and the amount of Federal funds (other than loans under this section) deposited in student loan funds under this part for that year.

#### “Revolving Fund

“(d) (1) There is hereby created within the Treasury a health professions education fund (hereinafter in this section called ‘the fund’) which shall be available to the Secretary without fiscal-year limitation as a revolving fund for the purposes of this section. A business-type budget for the fund shall be prepared, transmitted to the Congress, considered, and enacted in the manner prescribed by law (sections 102, 103, and 104 of the Government Corporation Control Act, 31 U.S.C. 847-849) for wholly owned Government Corporations.

59 Stat. 598;  
61 Stat. 584.

“(2) The fund shall consist of appropriations paid into the fund pursuant to section 742(a), appropriations made pursuant to this subsection, all amounts received by the Secretary as interest payments or repayments of principal on loans under this section, and any other moneys, property, or assets derived by him from his operations in connection with this section (other than subsection (b)), including any moneys derived directly or indirectly from the sale of assets, or beneficial interests or participations in assets, of the fund.

77 Stat. 172.  
42 USC 294b.

“(3) All loans, expenses (other than normal administrative expenses), and payments pursuant to operations of the Secretary under this section (other than subsection (b)) shall be paid from the fund, including (but not limited to) expenses and payments of the Secretary in connection with the sale, under section 302(c) of the Federal National Mortgage Association Charter Act, of participations in obligations acquired under this section. From time to time, and at least at the close of each fiscal year, the Secretary shall pay from the fund into the Treasury as miscellaneous receipts interest on the cumulative amount of appropriations paid out for loans under this section, less the average undisbursed cash balance in the fund during the year. The rate of such interest shall be determined by the Secretary of the Treasury, taking into consideration the average market yield during the month preceding each fiscal year on outstanding Treasury obligations of maturity comparable to the average maturity of loans made from the fund. Interest payments may be deferred with approval of the Secretary of the Treasury, but any interest payments so deferred shall themselves bear interest. If at any time the Secretary determines that moneys in the fund exceed the present and any reasonably prospective future requirements of the fund, such excess may be transferred to the general fund of the Treasury.

“(4) In addition to the sums authorized to be appropriated by section 742(a), there are authorized to be appropriated to the fund established by this subsection \$10,000,000 for the fiscal year ending June 30, 1967.”

#### Allotment Among Schools of Funds for Federal Capital Deposits and Loans to Schools

(b) (1) Subsection (a) of section 742 of the Public Health Service Act is amended by striking out everything after “appropriated” in the last sentence and substituting therefor the following: “under this section for the fiscal year ending June 30, 1967, or any subsequent fiscal year shall be available to the Secretary (1) for payments into the fund established by section 744(d), and (2) for making Federal capital contributions into loan funds at schools which have established loan funds under this part.

(2) Subsection (b)(1) of such section 742 is amended to read as follows: “The Secretary shall from time to time set dates by which schools must file applications for Federal capital contributions, and for loans pursuant to section 744.”

(3) That part of the first sentence of subsection (b)(2) of such section 742 which precedes clause (A) is amended by substituting “section” for “part”.

(4) Such subsection (b) of such section 742 is further amended by redesignating paragraph (3) as paragraph (4) and by inserting after paragraph (2) the following:

“(3) Funds available in any fiscal year for payment to schools under this part (whether as Federal capital contributions or as loans to schools under section 744) which are in excess of the amount appropriated pursuant to this section for that year shall be allotted among schools in such manner as the Secretary determines will best carry out the purposes of this part.”

#### Conforming Changes

(c) (1) Clauses (A) and (B) of subsection (b)(2) of section 740 of such Act are amended to read: “(A) the Federal capital contributions to the fund, (B) an amount equal to not less than one-ninth of such Federal capital contributions, contributed by such institution.”

78 Stat. 800.  
12 USC 1717.  
Ante, p. 164.

77 Stat. 172.  
42 USC 294b.

Ante, p. 1230.

42 USC 294.

(2) (A) So much of section 743(a) of such Act as precedes paragraph (1) is amended by striking out "this part" and inserting in lieu thereof "an agreement pursuant to section 740(b)".

77 Stat. 172.  
42 USC 294c.

(B) Paragraph (1) of such section 743(a) is amended by striking out "total amount of the allotments to such fund by the Secretary under this part bears to the total amounts in such fund derived from such allotments" and inserting in lieu thereof "total amount of the Federal capital contributions to such fund by the Secretary pursuant to section 740(b) (2) (A) bears to the total amount in such fund derived from such Federal capital contributions" and by striking out "the balance" and inserting in lieu thereof "such balance".

*Ante*, p. 1232.

(3) Subsection (b) of such section 743 is amended by inserting "(other than so much of such fund as relates to payments from the revolving fund established by section 744(d))" after "loan fund established pursuant to such agreement".

*Ante*, p. 1231.

### Effective Date

(d) (1) The amendments made by this section shall be effective in the case of payments to student loan funds made after the enactment of this Act, except in the case of payments pursuant to commitments (made prior to enactment of this Act) to make loans under section 744 of the Public Health Service Act as in effect prior to the enactment of this Act.

(2) The Secretary of Health, Education, and Welfare is authorized, at the request of any institution, to take such steps as are necessary to convert a Federal capital contribution (which shall include the amount allocated to it under section 740(b) (2) (A) of the Public Health Service Act) to a student loan fund of such institution, made under title VII of the Public Health Service Act from funds appropriated pursuant thereto for the fiscal year ending June 30, 1967, to a loan under section 744 of such Act as amended by this Act.

### ESTABLISHING A REVOLVING FUND FROM WHICH SCHOOLS OF NURSING MAY OBTAIN LOANS TO CAPITALIZE STUDENT LOAN FUNDS UNDER TITLE VIII—B OF THE PUBLIC HEALTH SERVICE ACT

SEC. 6. (a) Section 827 of the Public Health Service Act (relating to loans to schools of nursing) is amended to read as follows:

78 Stat. 917.  
42 USC 297f.

#### "LOANS TO SCHOOLS; REVOLVING FUND

#### "Loans to Schools

"SEC. 827. (a) (1) During the fiscal years ending June 30, 1967, and June 30, 1968, the Secretary may make loans, from the revolving fund established by subsection (d), to any public or nonprofit private school of nursing which is located in a State, to provide all or part of the capital needed by any such school for making loans to students under this section (other than capital needed to make the institutional contributions required of schools by section 822(b) (2) (B)). Loans to students from such borrowed sums shall be subject to the terms, conditions, and limitations set forth in section 823. The requirement in section 822(b) (2) (B) with respect to institutional contributions by schools to student loan funds shall not apply to loans made to schools under this section.

42 USC 297a.

42 USC 297b.

"(2) A loan to a school under this section may be upon such terms and conditions, consistent with applicable provisions of section 822, as the Secretary deems appropriate. If the Secretary deems it to be

necessary to assure that the purposes of this section will be achieved, these terms and conditions may include provisions making the school's obligation to the Secretary on such a loan payable solely from such revenues or other assets or security (including collections on loans to students) as the Secretary may approve. Such a loan shall bear interest at a rate which the Secretary determines to be adequate to cover (A) the cost of the funds to the Treasury as determined by the Secretary of the Treasury, taking into consideration the current average yields of outstanding marketable obligations of the United States having maturities comparable to the maturities of loans made by the Secretary under this section, and (B) probable losses.

“Payments to Schools To Cover Certain Costs Incurred in Making  
Student Loans From Borrowed Funds

“(b) If a school of nursing borrows any sums under this section, the Secretary shall agree to pay to the school (1) an amount equal to 90 per centum of the loss to the school from defaults on student loans made from such sums, (2) the amount by which the interest payable by the school on such sums exceeds the interest received by it on student loans made from such sums, (3) an amount equal to the amount of collection expenses authorized by section 822(b) (3) to be paid out of a student loan fund with respect to such sums and (4) the amount of principal which is canceled pursuant to section 823(b) (3) or (4) with respect to student loans made from such sums. There are authorized to be appropriated without fiscal-year limitation such sums as may be necessary to carry out the purposes of this subsection.

78 Stat. 913.  
42 USC 297a.

42 USC 297b.

“Limitation on Loans

“(c) The total of the loans made in any fiscal year under this section shall not exceed the lesser of (1) such limitations as may be specified in appropriation Acts, and (2) the difference between \$35,000,000 and the amount of Federal capital contributions paid under this title for that year.

“Revolving Fund

“(d) (1) There is hereby created within the Treasury a nurse training fund (hereinafter in this section called ‘the fund’) which shall be available to the Secretary without fiscal-year limitation as a revolving fund for the purposes of this section. A business-type budget for the fund shall be prepared, transmitted to the Congress, considered, and enacted in the manner prescribed by law (sections 102, 103, and 104 of the Government Corporation Control Act, 31 U.S.C. 847–849) for wholly owned Government corporations.

59 Stat. 598;  
61 Stat. 584.

42 USC 297c.

“(2) The fund shall consist of appropriations paid into the fund pursuant to section 824, appropriations made pursuant to this subsection, all amounts received by the Secretary as interest payments or repayments of principal on loans under this section, and any other moneys, property, or assets derived by him from his operations in connection with this section (other than subsection (b)), including any moneys derived directly or indirectly from the sale of assets, or beneficial interests or participations in assets, of the fund.

“(3) All loans, expenses (other than normal administrative expenses), and payments pursuant to operations of the Secretary under this section (other than subsection (b)) shall be paid from the fund, including (but not limited to) expenses and payments of the Secretary in connection with the sale, under section 302(c) of the Federal National Mortgage Association Charter Act, of participations in obligations acquired under this section. From time to time, and at least

*Ante*, p. 164.

at the close of each fiscal year, the Secretary shall pay from the fund into the Treasury as miscellaneous receipts interest on the cumulative amount of appropriations paid out for loans under this section, less the average undisbursed cash balance in the fund during the year. The rate of such interest shall be determined by the Secretary of the Treasury, taking into consideration the average market yield during the month preceding each fiscal year on outstanding Treasury obligations of maturity comparable to the average maturity of loans made from the fund. Interest payments may be deferred with approval of the Secretary of the Treasury, but any interest payments so deferred shall themselves bear interest. If at any time the Secretary determines that moneys in the fund exceed the present and any reasonably prospective future requirements of the fund, such excess may be transferred to the general fund of the Treasury.

“(4) In addition to the sums authorized to be appropriated by section 824, there are authorized to be appropriated to the fund established by this subsection \$2,000,000 for the fiscal year ending June 30, 1967.”

(b) Section 824 of the Public Health Service Act is amended by striking out the last sentence and substituting therefor the following: “Sums appropriated pursuant to this section for the fiscal year ending June 30, 1967, or any subsequent fiscal year shall be available to the Secretary (1) for payments into the fund established by section 827(d), and (2) in accordance with agreements under this part, for Federal capital contributions to schools with which such agreements have been made, to be used, together with deposits in such funds pursuant to section 822(b)(2)(B), for establishment and maintenance of student loan funds.”

78 Stat. 915.  
42 USC 297c.

Ante, p. 1234.

42 USC 297a.

#### Allotment of Funds for Federal Capital Contributions and Loans to Schools

(c) (1) Section 825(a) of the Public Health Service Act (relating to allotments of appropriations among States) is amended by inserting “for payment as Federal capital contributions or as loans to schools under section 827” after “shall be allotted” in the first sentence, and by adding at the end of subsection (a) the following new sentence “Funds available in any fiscal year for payment to schools under this part (whether as Federal capital contributions or as loans to schools under section 827) which are in excess of the amount appropriated pursuant to section 824 for that year shall be allotted among States and among schools within States in such manner as the Secretary determines will best carry out the purposes of this part.”

42 USC 297d.

(2) Section 825(b)(1) of such Act (relating to the allocation of Federal capital contributions to schools) is amended to read as follows:

“(b) (1) The Secretary shall from time to time set dates by which schools of nursing in a State must file applications for Federal capital contributions, and for loans pursuant to section 827, from the allotment of such State under the first two sentences of subsection (a) of this section.”

#### Conforming Amendment

(d) (1) So much of section 826(a) of such Act as precedes paragraph (1) is amended by striking out “this part” and inserting in lieu thereof “an agreement pursuant to section 822(b)”.

42 USC 297e.

(2) Paragraph (1) of such section 826(a) is amended by striking out “the balance” and inserting in lieu thereof “such balance”.

(3) Subsection (b) of such section 826 is amended by inserting “(other than so much of such fund as relates to payments from the

*Ante*, p. 1234.

revolving fund established by section 827(d))" after "loan fund established pursuant to such agreement".

#### Effective Date

(e) (1) The amendments made by this section shall be effective in the case of payments to student loan funds made after the enactment of this Act, except in the case of payments pursuant to commitments (made prior to enactment of this Act) to make loans under section 827 of the Public Health Service Act as in effect prior to the enactment of this Act.

(2) The Secretary of Health, Education, and Welfare is authorized, at the request of any institution, to take such steps as are necessary to convert a Federal capital contribution (which shall include the amount allocated to it under section 822(b)(2)(A) of the Public Health Service Act) to a student loan fund of such institution, made under title VIII of the Public Health Service Act from funds appropriated pursuant thereto for the fiscal year ending June 30, 1967, to a loan under section 827 of such Act as amended by this Act.

78 Stat. 913.  
42 USC 297 a.

#### CONFORMING AMENDMENT TO THE FEDERAL NATIONAL MORTGAGE ASSOCIATION CHARTER ACT

SEC. 7. Section 302(c)(2)(B) of the Federal National Mortgage Association Act is amended to read as follows:

*Ante*, p. 164.  
12 USC 1717.

"(B) The Department of Health, Education, and Welfare, but only with respect to loans made by the Commissioner of Education for construction of academic facilities, and loans to help finance student loan programs."

#### TRANSFERABILITY OF CONSTRUCTION GRANTS: OPPORTUNITY GRANTS FOR NURSING EDUCATION

SEC. 8. (a) Section 801 of the Public Health Service Act is amended by adding at the end thereof the following new sentence: "Notwithstanding any other provision of this title, whenever the Surgeon General determines that any part of any amount appropriated, for any fiscal year, to carry out the purposes of either paragraph (1) or paragraph (2) of subsection (a) will not likely be utilized for such purposes during such year, he shall transfer such part to the amounts which are appropriated to carry out the purposes of the other such paragraph, if he has reason to believe that such part can be used for such purposes."

78 Stat. 908.  
42 USC 296.

(b) Title VIII of the Public Health Service Act is further amended by adding at the end thereof the following:

42 USC 296-298b.

#### "PART D—OPPORTUNITY GRANTS FOR NURSING EDUCATION

##### "STATEMENT OF PURPOSE AND APPROPRIATIONS AUTHORIZED

"SEC. 861. (a) It is the purpose of this part to provide, through schools of nursing (as defined in section 843(b)), nursing educational opportunity grants to assist in making available the benefits of nursing education to qualified high school graduates of exceptional financial need, who for lack of financial means of their own or of their families would be unable to obtain such benefits without such aid.

"(b) There are hereby authorized to be appropriated \$3,000,000 for the fiscal year ending June 30, 1967, \$5,000,000 for the fiscal year ending June 30, 1968, and \$7,000,000 for the fiscal year ending June 30, 1969, to enable the Secretary to make payments to schools of nursing

that have agreements with him entered into under section 867, for use by such schools for payments to undergraduate students for the nursing educational opportunity grants awarded to them under this part. Sums appropriated pursuant to this subsection for any fiscal year shall be available for payment to institutions until the close of the fiscal year succeeding the fiscal year for which they were appropriated.

“AMOUNT OF NURSING EDUCATIONAL OPPORTUNITY GRANT—ANNUAL DETERMINATION

“SEC. 862. From the funds received by it for such purpose under this part, a school of nursing which awards a nursing educational opportunity grant to a student under this part shall, for the duration of the grant, pay to that student for each academic year during which he is in need of grant aid to pursue a course of study at such school, an amount determined by the institution for such student with respect to that year, which amount shall not exceed—

“(1) the lesser of \$800 or one-half of the sum of the amount of student financial aid (including assistance under title IV of the Higher Education Act of 1965, but excluding assistance under work-study programs) provided such student by such school and any assistance provided such student under any scholarship program established by a State or a private institution or organization, as determined in accordance with regulations of the Secretary, or

“(2) in the case of a student who during the preceding academic year at a school of nursing received grades placing him in the upper half of his class, the amount determined under paragraph (1) plus \$200.

If the amount of the payment, determined pursuant to this section, for an academic year is less than \$200 for any student, no payment shall be made under this part to such student for such year. The Secretary shall, subject to the foregoing limitation, prescribe for the guidance of participating institutions basic criteria or schedules (or both) for the determination of the amount of any such nursing educational opportunity grant, taking into account the objective of limiting grant aid under this part to students of exceptional financial need and such other factors, including the number of dependents in the family, as the Secretary may deem relevant.

“DURATION OF NURSING EDUCATIONAL OPPORTUNITY GRANT

“SEC. 863. The duration of a nursing educational opportunity grant awarded under this part shall be the period required for completion by the recipient of his undergraduate course of study in the nursing school from which he received such grant, except that such period shall not exceed four academic years less any such period with respect to which the recipient has previously received payments under this part pursuant to a prior nursing educational opportunity grant (whether made by the same or another school of nursing). An educational opportunity grant awarded under this part shall entitle the recipient to payments only if he (1) is maintaining satisfactory progress in the course of nurse training which he is pursuing, according to the regularly prescribed standards and practices of the school of nursing from which he received the grant, and (2) is devoting essentially full time to such course of study, during the academic year, in attendance at such school. Failure to be in attendance at the school of nursing during vacation periods or periods of military service, or during other periods during which the Secretary determines in accordance with regulations that there is good cause for his nonattendance

79 Stat. 1232.  
20 USC 1061-  
1085.

(during which periods he shall receive no payments) shall not be deemed contrary to clause (2) of the preceding sentence.

“SELECTION OF RECIPIENTS OF NURSING EDUCATIONAL OPPORTUNITY GRANTS

“SEC. 864. (a) An individual shall be eligible for the award of a nursing educational opportunity grant under this part at any school of nursing which has made an agreement with the Secretary pursuant to section 867 (which school is hereinafter in this part referred to as an ‘eligible school’), if the individual makes application at the time and in the manner prescribed by such school.

“(b) From among those eligible for nursing educational opportunity grants from a school of nursing for each fiscal year, such school shall, in accordance with the provisions of its agreement with the Secretary under section 867 and within the amounts allocated to the school for that purpose for such year under section 866, select individuals who are to be awarded such grants and determine, pursuant to section 862, the amounts to be paid to them. A school of nursing shall not award a nursing educational opportunity grant to an individual unless it determines that—

“(1) he has been accepted for enrollment as a full-time student at such school or, in the case of a student already attending such school, is in good standing and in full-time attendance there as an undergraduate student;

“(2) he shows evidence of academic or creative promise and capability of maintaining good standing in his course of study;

“(3) he is of exceptional financial need; and

“(4) he would not, but for a nursing educational opportunity grant, be financially able to pursue a course of study at such school.

“ALLOTMENT OF NURSING EDUCATIONAL OPPORTUNITY GRANT FUNDS AMONG STATES

“SEC. 865. (a) From the sums appropriated pursuant to the first sentence of section 861(b) for any fiscal year, the Secretary shall allot to each State an amount which bears the same ratio to the amount so appropriated as the number of persons enrolled on a full-time basis in schools of nursing in such State bears to the total number of persons enrolled on a full-time basis in schools of nursing in all the States. The number of persons enrolled on a full-time basis in schools of nursing for purposes of this section shall be determined by the Secretary for the most recent year for which satisfactory data are available to him.

“(b) If the total of the sums determined by the Secretary to be required under section 866 for any fiscal year for eligible schools of nursing in a State is less than the amount of the allotment to that State under paragraph (1) for that year, the Secretary may reallocate the remaining amount from time to time, on such date or dates as he may fix, to other States in such manner as he determines will best assist in achieving the purposes of this part.

“ALLOCATION OF ALLOTTED FUNDS TO SCHOOLS OF NURSING

“SEC. 866. (a) The Secretary shall from time to time set dates by which eligible schools of nursing in any State must file applications for allocation to such schools of nursing educational opportunity grant funds from the allotment to that State (including any reallocation thereto) for any fiscal year pursuant to section 865(a), to be used for

the purposes specified in the first sentence of section 861(b). Such allocations shall be made in accordance with equitable criteria which the Secretary shall establish and which shall be designed to achieve such distribution of such funds among eligible schools of nursing within a State as will most effectively carry out the purposes of this part.

“(b) Payment shall be made from allocations under this section to schools of nursing as needed.

“AGREEMENTS WITH SCHOOLS OF NURSING—CONDITIONS

“SEC. 867. A school of nursing, which desires to obtain funds for nursing education opportunity grants under this part, shall enter into an agreement with the Secretary. Such agreement shall—

“(1) provide that funds received by the school under this part will be used by it only for the purposes specified in, and in accordance with, the provisions of this part;

“(2) provide that in determining whether an individual meets the requirements of section 864(b)(3) the school will (A) consider the source of such individual's income and that of any individual or individuals upon whom the student relies primarily for support, and (B) make an appropriate review of the assets of the student and of such individuals;

“(3) provide that the school, in cooperation with other schools of nursing where appropriate, will make vigorous efforts to identify qualified youth of exceptional financial need and to encourage them to continue their education in the field of nursing beyond the secondary school through programs and activities such as—

“(A) establishing or strengthening close working relationships with secondary-school principals and guidance counseling personnel with a view toward motivating studies to complete secondary school and pursue post-secondary-school nursing educational opportunities, and

“(B) making, to the extent feasible, conditional commitments for nursing educational opportunity grants to qualified secondary school students with special emphasis on students enrolled in grade 11 or lower grades who show evidences of academic or creative promise;

“(4) provide assurance that the school will continue to spend in its own scholarship and student-aid program, from sources other than funds received under this part, not less than the average expenditure per year made for that purpose during the most recent period of three fiscal years preceding the effective date of the agreement;

“(5) include provisions designed to make nursing educational opportunity grants under this part reasonably available (to the extent of available funds) to all eligible students in the school in need thereof; and

“(6) include such other provisions as may be necessary to protect the financial interest of the United States and promote the purposes of this part.

“CONTRACTS TO ENCOURAGE FULL UTILIZATION OF NURSING EDUCATIONAL TALENT

“SEC. 868. (a) To assist in achieving the purposes of this part the Secretary is authorized (without regard to section 3709 of the Revised Statutes (41 U.S.C. 5)) to enter into contracts, not to exceed \$100,000

per year, with State and local educational agencies and other public or nonprofit organizations and institutions for the purpose of—

“(1) identifying qualified youths of exceptional financial need and encouraging them to complete secondary school and undertake post-secondary educational training in the field of nursing, or

“(2) publicizing existing forms of financial aid for nursing students, including aid furnished under this part.

“(b) There are hereby authorized to be appropriated such sums as may be necessary to carry out this section.

“DEFINITION OF ACADEMIC YEAR

“SEC. 869. As used in this part, the term ‘academic year’ means an academic year or its equivalent as defined in regulations of the Secretary.”

REORGANIZATION PLAN NUMBERED 3 OF 1966

Post, p. 1610.

SEC. 9. The amendments made by this Act shall be subject to the provisions of Reorganization Plan Numbered 3 of 1966.

Approved November 3, 1966, 12:19 p.m.

Public Law 89-752

AN ACT

November 3, 1966  
[H. R. 14644]

To amend the Higher Education Facilities Act of 1963, the Higher Education Act of 1965, and the National Defense Education Act of 1958.

Higher Education  
Amendments  
of 1966.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the “Higher Education Amendments of 1966”.

EXTENSION OF GRANTS FOR CONSTRUCTION OF UNDERGRADUATE  
ACADEMIC FACILITIES

77 Stat. 364.  
20 USC 711.

SEC. 2. (a) Section 101(a) of the Higher Education Facilities Act of 1963 is amended by striking out “four succeeding fiscal years” and inserting in lieu thereof “seven succeeding fiscal years”.

(b) Section 101(b) of such Act is amended to read as follows:

“(b) For the purpose of making grants under this title, there is hereby authorized to be appropriated the sum of \$230,000,000 for the fiscal year ending June 30, 1964, and for the succeeding fiscal year, \$460,000,000 for the fiscal year ending June 30, 1966, \$475,000,000 for the fiscal year ending June 30, 1967, \$728,000,000 for the fiscal year ending June 30, 1968, and \$936,000,000 for the fiscal year ending June 30, 1969; but for the fiscal year ending June 30, 1970, and the succeeding fiscal year, only such sums may be appropriated as Congress may hereafter authorize by law. In addition to the sums authorized to be appropriated for each fiscal year for which an appropriation is authorized by the preceding sentence, there is hereby authorized to be appropriated for that fiscal year for making such grants the difference (if any) between any specific sums authorized to be appro-

priated under the preceding sentence for the preceding fiscal year and the sums which were appropriated for such preceding year under such sentence.”

(c) Section 102 of such Act is amended to read as follows:

20 USC 712.

“ALLOTMENTS

“SEC. 102. The following percentage of the funds appropriated pursuant to section 101 for a fiscal year shall be allotted among the States in the manner prescribed by section 103 for use in providing academic facilities for public community colleges and public technical institutes:

“(1) In the case of fiscal years ending before July 1, 1967, 22 per centum.

“(2) In the case of the fiscal year ending June 30, 1968, 23 per centum.

“(3) In the case of fiscal years ending after June 30, 1968, 24 per centum.

The remainder of the funds so appropriated for any fiscal year shall be allotted among the States in the manner as prescribed in section 104 for use in providing academic facilities for institutions of higher education other than public community colleges and public technical institutes.”

(d) Sections 103(c) and 104(c) of such Act (relating to the reallocation of appropriations) are each amended by striking out “for the fiscal year ending June 30, 1965, and the succeeding fiscal year,” and inserting in lieu thereof “for any fiscal year”.

20 USC 713, 714.

PAYMENTS FOR ADMINISTRATIVE EXPENSES AND FOR PLANNING

SEC. 3. (a) Subsection (b) of section 105 of the Higher Education Facilities Act of 1963 is amended to read as follows:

“(b) The Commissioner is authorized to expend not exceeding \$3,000,000 during the fiscal years ending June 30, 1965, and June 30, 1966, and not exceeding \$7,000,000 for the fiscal year ending June 30, 1967, and each of the two succeeding fiscal years, in such amounts as he may consider necessary (1) for the proper and efficient administration of the State plans approved under this title, and under part A of title VI of the Higher Education Act of 1965, including expenses which he determines were necessary for the preparation of such plans, and (2) for grants, upon such terms and conditions as the Commissioner determines will best further the purposes of this Act, to State commissions for conducting, either directly or through other appropriate agencies and institutions, comprehensive planning to determine the construction needs of institutions (and particularly combinations and regional groupings of institutions) of higher education. Not more than \$3,000,000 may be expended in any fiscal year for the purposes set forth in clause (1). For the fiscal year ending June 30, 1970, and the succeeding fiscal year, the Commissioner may expend for purposes of this subsection only such sums as Congress may hereafter authorize by law.”

77 Stat. 367.  
20 USC 715.

79 Stat. 1261.  
20 USC 1121-  
1129.

(b) Section 601 of the Higher Education Act of 1965 is amended (1) by striking out subsection (d) thereof and by redesignating subsection (e) as subsection (d), and (2) by striking out “subsections (b), (c), and (d)” in the subsection redesignated as subsection (d) and inserting in lieu thereof “subsections (b) and (c)”.

EXTENSION OF GRANTS FOR CONSTRUCTION OF GRADUATE ACADEMIC FACILITIES; EXTENDING AVAILABILITY OF APPROPRIATIONS

20 USC 731.

SEC. 4. Section 201 of the Higher Education Facilities Act of 1963 is amended to read as follows:

“APPROPRIATIONS AUTHORIZED

“SEC. 201. In order to increase the supply of highly qualified personnel critically needed by the community, industry, government, research, and teaching, the Commissioner shall, during the fiscal year ending June 30, 1964, and each of the seven succeeding fiscal years, make construction grants to assist institutions of higher education to improve existing graduate schools and cooperative graduate centers, and to assist in the establishment of graduate schools and cooperative graduate centers of excellence. For the purpose of making grants under this title, there is hereby authorized to be appropriated the sum of \$25,000,000 for the fiscal year ending June 30, 1964, the sum of \$60,000,000 for the fiscal year ending June 30, 1965, the sum of \$120,000,000 for the fiscal year ending June 30, 1966, the sum of \$60,000,000 for the fiscal year ending June 30, 1967, and the sum of \$120,000,000 for the fiscal year ending June 30, 1968, and for the succeeding fiscal year; but for the fiscal year ending June 30, 1970, and the succeeding fiscal year, only such sums may be appropriated as Congress may hereafter authorize by law. In addition to the sums authorized to be appropriated for each fiscal year for which an appropriation is authorized by the preceding sentence, there is hereby authorized to be appropriated for that fiscal year for making such grants the difference (if any) between any specific sums authorized to be appropriated under the preceding sentence for the preceding fiscal year and the sums which were appropriated for such preceding year under such sentence. Sums appropriated pursuant to this title for any fiscal year shall remain available for grants under this title until expended.”

EXTENSION OF LOANS FOR CONSTRUCTION OF ACADEMIC FACILITIES

SEC. 5. Section 303(c) of the Higher Education Facilities Act of 1963 is amended—

(1) by striking out “four” in the first sentence and inserting “seven”;

(2) by striking out in the second sentence “; but for the fiscal year ending June 30, 1967,” and inserting in lieu thereof “, the sum of \$200,000,000 for the fiscal year ending June 30, 1967, and the sum of \$400,000,000 for the fiscal year ending June 30, 1968, and for the succeeding fiscal year; but for the fiscal year ending June 30, 1970,”; and

(3) by amending the third and fourth sentences to read as follows: “In addition to the sums authorized to be appropriated for each fiscal year for which an appropriation is authorized by the preceding sentence, there is hereby authorized to be appropriated for that fiscal year, for making such loans, the difference (if any) between any specific sums authorized to be appropriated under the preceding sentence for the preceding fiscal year and the sums which were appropriated for such preceding year under such sentence. Sums appropriated pursuant to this subsection for any fiscal year shall be available without fiscal-year limitations for loans under this title.”

77 Stat. 372;  
79 Stat. 1268.  
20 USC 743.

## AMENDMENT TO DEFINITION OF DEVELOPMENT COST

SEC. 6. Subsection (c) of section 401 of the Higher Education Facilities Act of 1963 is amended (1) by inserting "(1)" immediately after "(c)", (2) by redesignating clauses (1) and (2) as clauses (A) and (B), respectively, (3) by redesignating subclauses (A) and (B) as subclauses (i) and (ii), respectively, and (4) by adding at the end thereof the following new paragraph:

20 USC 751.

"(2) In determining the development cost with respect to an academic facility, the Commissioner may include expenditures for works of art for the facility of not to exceed 1 per centum of the total cost (including such expenditures) to the applicant of construction of, and land acquisition and site improvements for, such facility."

## REPEAL OF AUTHORITY TO PRESCRIBE A SCHEDULE OF FEES FOR CERTAIN INSPECTIONS AND RELATED ACTIVITIES

SEC. 7. The Higher Education Facilities Act of 1963 is amended by striking out subsection (b) of section 304 and by redesignating subsection (c) and references thereto as subsection (b).

20 USC 744.

## PROVIDING THAT ACADEMIC FACILITIES WILL BE USABLE BY HANDICAPPED PERSONS

SEC. 8. Section 401(a)(1) of the Higher Education Facilities Act of 1963 is amended by inserting after the period at the end thereof the following: "Plans for such facilities shall be in compliance with such standards as the Secretary of Health, Education, and Welfare may prescribe or approve in order to insure that facilities constructed with the use of Federal funds under this Act shall be, to the extent appropriate in view of the uses to be made of the facilities, accessible to and usable by handicapped persons."

## REVISION OF MAINTENANCE OF EFFORT REQUIREMENT FOR COLLEGE LIBRARY ASSISTANCE

SEC. 9. Effective for fiscal years beginning after June 30, 1966, clauses (a) and (b) of section 202 of the Higher Education Act of 1965 are each amended by inserting after "June 30, 1965" the following: ", or during the two fiscal years preceding the fiscal year for which the grant is requested, whichever is the lesser".

79 Stat. 1224.  
20 USC 1022.

## TWO-YEAR EXTENSION OF ASSISTANCE TO DEVELOPING INSTITUTIONS

SEC. 10. Paragraph (1) of section 301(b) of the Higher Education Act of 1965 is amended by inserting after "June 30, 1966," the following: "the sum of \$30,000,000 for the fiscal year ending June 30, 1967, and the sum of \$55,000,000 for the fiscal year ending June 30, 1968,".

20 USC 1051.

## INCREASE IN MINIMUM ADVANCES FOR RESERVE FUNDS FOR INSURED LOAN PROGRAM

SEC. 11. The second sentence of section 422(b) of the Higher Education Act of 1965 is amended to read as follows: "The amount available, however, for advances to any State for each fiscal year ending prior to July 1, 1968, shall not be less than \$25,000, and any additional funds

20 USC 1072.

needed to meet this requirement shall be derived by proportionately reducing (but not below \$25,000 per year) the amount available for advances to each of the remaining States."

AMENDMENT TO HIGHER EDUCATION ACT OF 1965 TO AUTHORIZE THE DISTRICT OF COLUMBIA TO ESTABLISH A LOAN INSURANCE PROGRAM FOR THE PURPOSES OF SUCH ACT AND THE NATIONAL VOCATIONAL STUDENT LOAN INSURANCE ACT OF 1965

20 USC 1085.

SEC. 12. The Higher Education Act of 1965 is further amended by inserting after section 435 a new section as follows:

"DISTRICT OF COLUMBIA STUDENT LOAN INSURANCE PROGRAM

79 Stat. 1037.  
20 USC 981 note.

"SEC. 436. (a) The Board of Commissioners of the District of Columbia is authorized (1) to establish a student loan insurance program which meets the requirements of this title and the National Vocational Student Loan Insurance Act of 1965 for a State loan insurance program in order to enter into agreements with the Commissioner for the purposes of this title and such Act, (2) to enter into such agreements with the Commissioner, (3) to use amounts appropriated to such Board for the purposes of this section to establish a fund for such purposes and for expenses in connection therewith, and (4) to accept and use donations for the purposes of this section.

"(b) Notwithstanding the provisions of any applicable law, if the borrower, on any loan insured under the program established pursuant to this section, is a minor, any otherwise valid note or other written agreement executed by him for the purposes of such loan shall create a binding obligation.

"(c) There are authorized to be appropriated to such Board such amounts as may be necessary for the purposes of this section."

STUDY TO DETERMINE MEANS OF IMPROVING LOAN INSURANCE PROGRAM

79 Stat. 1236.  
20 USC 1071-1085.  
Report to President and Congress.

SEC. 13. The Commissioner of Education shall make an investigation and study to determine means of improving the loan insurance program pursuant to part B of title IV of the Higher Education Act of 1965, particularly for the purpose of making loans insured under such program more readily available to students. The Commissioner shall report the results of such investigation and study, together with his recommendations for any legislation necessary to carry out such improvements, to the President and the Congress no later than January 1, 1968.

REVISION OF MAINTENANCE OF EFFORT REQUIREMENT FOR COLLEGE EQUIPMENT PROGRAM

20 USC 1124.

SEC. 14. Effective with respect to applications filed after December 30, 1966, section 604(b) of the Higher Education Act of 1965 is amended by striking out the second sentence and inserting in lieu thereof the following: "An institution of higher education shall be eligible for a grant for a project pursuant to this part in any fiscal year only if such institution will expend from current funds for instructional and library purposes, other than personnel costs, during

such fiscal year an amount not less than the amount expended by such institution from current funds for such purposes during the previous fiscal year.”

INCREASE IN AUTHORIZATIONS FOR FEDERAL CAPITAL CONTRIBUTIONS FOR  
NATIONAL DEFENSE STUDENT LOANS

SEC. 15. Section 201 of the National Defense Education Act of 1958 is amended by striking out “and \$195,000,000 for the fiscal year ending June 30, 1968” and inserting in lieu thereof “and \$225,000,000 for the fiscal year ending June 30, 1968”.

78 Stat. 1100.  
20 USC 421.

LOAN CANCELLATION FOR TEACHING HANDICAPPED CHILDREN, AND FOR  
TEACHING IN THE TRUST TERRITORY OF THE PACIFIC ISLANDS

SEC. 16. (a) Section 205(b)(3) of the National Defense Education Act of 1958 is amended by striking out “and (B) for the purposes of any cancellation pursuant to clause (A)” and inserting in lieu thereof the following: “(B) such rate shall be 15 per centum for each complete academic year or its equivalent (as so determined by regulations) of service as a full-time teacher of handicapped children (including mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed or other health impaired children who by reason thereof require special education) in a public or other nonprofit elementary or secondary school system, and (C) for the purposes of any cancellation pursuant to clause (A) or (B)”.

79 Stat. 1253.  
20 USC 425.

(b) Section 103(a) of such Act is amended by inserting after “except that” the following: “(1) as used in section 205(b)(3) such term includes the Trust Territory of the Pacific Islands, and (2)”.

72 Stat. 1582.  
20 USC 403.

(c) The amendments made by this section shall apply with respect to teaching service performed during academic years beginning after the date of enactment of this Act, whether the loan was made before or after such enactment.

Effective date.

ASSISTANCE IN INDUSTRIAL ARTS ADDED TO TITLE III OF NATIONAL DEFENSE  
EDUCATION ACT OF 1958

SEC. 17. (a) Effective for fiscal years beginning after June 30, 1967, clauses (1) and (5) of section 303(a) of the National Defense Education Act of 1958 are each amended by inserting “industrial arts,” after “economics,”.

20 USC 443.

(b) Section 301 of such Act is amended by striking out “and \$100,000,000 for the fiscal year ending June 30, 1966, and for each of the two succeeding fiscal years” and inserting in lieu thereof “\$100,000,000 for the fiscal year ending June 30, 1966, and for the succeeding fiscal year and \$110,000,000 for the fiscal year ending June 30, 1968”.

79 Stat. 1254.  
20 USC 441.

Approved November 3, 1966.

## Public Law 89-753

## AN ACT

November 3, 1966  
[S. 2947]

To amend the Federal Water Pollution Control Act in order to improve and make more effective certain programs pursuant to such Act.

Clean Water  
Restoration Act  
of 1966.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Clean Water Restoration Act of 1966".

## TITLE I

SEC. 101. Section 3 of the Federal Water Pollution Control Act, as amended, is amended by adding at the end thereof the following:

70 Stat. 498;  
75 Stat. 204;  
79 Stat. 903.  
33 USC 466a.

"(c) (1) The Secretary shall, at the request of the Governor of a State, or a majority of the governors when more than one State is involved, make a grant to pay not to exceed 50 per centum of the administrative expenses of a planning agency for a period not to exceed 3 years, if such agency provides for adequate representation of appropriate State, interstate, local, or (when appropriate) international, interests in the basin or portion thereof involved and is capable of developing an effective, comprehensive water quality control and abatement plan for a basin.

"(2) Each planning agency receiving a grant under this subsection shall develop a comprehensive pollution control and abatement plan for the basin which—

"(A) is consistent with any applicable water quality standards established pursuant to current law within the basin;

"(B) recommends such treatment works and sewer systems as will provide the most effective and economical means of collection, storage, treatment, and purification of wastes and recommends means to encourage both municipal and industrial use of such works and systems; and

"(C) recommends maintenance and improvement of water quality standards within the basin or portion thereof and recommends methods of adequately financing those facilities as may be necessary to implement the plan.

"Basin."

"(3) For the purposes of this subsection the term 'basin' includes, but is not limited to, rivers and their tributaries, streams, coastal waters, sounds, estuaries, bays, lakes, and portions thereof, as well as the lands drained thereby."

## TITLE II

SEC. 201. (a) Section 6 of the Federal Water Pollution Control Act is amended to read as follows:

79 Stat. 905.  
33 USC 466c-1.

## "GRANTS FOR RESEARCH AND DEVELOPMENT

"SEC. 6. (a) The Secretary is authorized to make grants to any State, municipality, or intermunicipal or interstate agency for the purpose of—

"(1) assisting in the development of any project which will demonstrate a new or improved method of controlling the discharge into any waters of untreated or inadequately treated sewage or other wastes from sewers which carry storm water or both storm water and sewage or other wastes, or

"(2) assisting in the development of any project which will demonstrate advanced waste treatment and water purification methods (including the temporary use of new or improved chemical additives which provide substantial immediate improvement

to existing treatment processes) or new or improved methods of joint treatment systems for municipal and industrial wastes, and for the purpose of reports, plans, and specifications in connection therewith.

“(b) The Secretary is authorized to make grants to persons for research and demonstration projects for prevention of pollution of waters by industry including, but not limited to, treatment of industrial waste.

“(c) Federal grants under subsection (a) of this section shall be subject to the following limitations:

Limitations.

“(1) No grant shall be made for any project pursuant to this section unless such project shall have been approved by the appropriate State water pollution control agency or agencies and by the Secretary;

“(2) No grant shall be made for any project in an amount exceeding 75 per centum of the estimated reasonable cost thereof as determined by the Secretary; and

“(3) No grant shall be made for any project under this section unless the Secretary determines that such project will serve as a useful demonstration for the purpose set forth in clause (1) or (2) of subsection (a).

“(d) Federal grants under subsection (b) of this section shall be subject to the following limitations:

“(1) No grant shall be made under this section in excess of \$1,000,000;

“(2) No grant shall be made for more than 70 per centum of the cost of the project; and

“(3) No grant shall be made for any project unless the Secretary determines that such project will serve a useful purpose in the development or demonstration of a new or improved method of treating industrial wastes or otherwise preventing pollution of waters by industry, which method shall have industry-wide application.

“(e) For the purposes of this section there are authorized to be appropriated—

Appropriation.

“(1) for the fiscal year ending June 30, 1966, and for each of the next three succeeding fiscal years, the sum of \$20,000,000 per fiscal year for the purposes set forth in subsections (a) and (b) of this section, including contracts pursuant to such subsections for such purposes;

“(2) for the fiscal year ending June 30, 1967, and for each of the next two succeeding fiscal years, the sum of \$20,000,000 per fiscal year for the purpose set forth in clause (2) of subsection (a); and

“(3) for the fiscal year ending June 30, 1967, and for each of the next two succeeding fiscal years, the sum of \$20,000,000 per fiscal year for the purpose set forth in subsection (b).”

(b) Section 5 of such Act is amended by adding at the end thereof the following new subsections:

“(g) (1) The Secretary shall, in cooperation with the Secretary of the Army, the Secretary of Agriculture, the Water Resources Council, and with other appropriate Federal, State, interstate, or local public bodies and private organizations, institutions, and individuals, conduct and promote, and encourage contributions to, a comprehensive study of the effects of pollution, including sedimentation, in the estuaries and estuarine zones of the United States on fish and wildlife, on sport and commercial fishing, on recreation, on water supply and water power, and on other beneficial purposes. Such study shall also consider the effect of demographic trends, the exploitation of mineral

Estuarine zones,  
pollution study.  
70 Stat. 499;  
75 Stat. 205;  
79 Stat. 903.  
33 USC 466c.

resources and fossil fuels, land and industrial development, navigation, flood and erosion control, and other uses of estuaries and estuarine zones upon the pollution of the waters therein.

"(2) In conducting the above study, the Secretary shall assemble, coordinate, and organize all existing pertinent information on the Nation's estuaries and estuarine zones; carry out a program of investigations and surveys to supplement existing information in representative estuaries and estuarine zones; and identify the problems and areas where further research and study are required.

"(3) The Secretary shall submit to the Congress a final report of the study authorized by this subsection not later than three years after the date of enactment of this subsection. Copies of the report shall be made available to all interested parties, public and private. The report shall include, but not be limited to—

"(A) an analysis of the importance of estuaries to the economic and social well-being of the people of the United States and of the effects of pollution upon the use and enjoyment of such estuaries;

"(B) a discussion of the major economic, social, and ecological trends occurring in the estuarine zones of the Nation;

"(C) recommendations for a comprehensive national program for the preservation, study, use, and development of estuaries of the Nation, and the respective responsibilities which should be assumed by Federal, State, and local governments and by public and private interests.

"(4) There is authorized to be appropriated the sum of \$1,000,000 per fiscal year for the fiscal years ending June 30, 1967, June 30, 1968, and June 30, 1969, to carry out the purposes of this subsection.

"(5) For the purpose of this subsection, the term 'estuaries zones' means an environmental system consisting of an estuary and those transitional areas which are consistently influenced or affected by water from an estuary such as, but not limited to, salt marshes, coastal and intertidal areas, bays, harbors, lagoons, inshore waters, and channels, and the term 'estuary' means all or part of the mouth of a navigable or interstate river or stream or other body of water having unimpaired natural connection with open sea and within which the sea water is measurably diluted with fresh water derived from land drainage.

"(h) There is authorized to be appropriated to carry out this section, other than subsection (g), not to exceed \$60,000,000 for the fiscal year ending June 30, 1968, and \$65,000,000 for the fiscal year ending June 30, 1969. Sums so appropriated shall remain available until expended."

(c) (1) Subsection (d) of section 5 of the Federal Water Pollution Control Act is amended by striking out "(1)" and by striking out all of paragraph (2) of such subsection.

(2) The amendment made by this subsection shall take effect July 1, 1967.

SEC. 202. (a) Subsection (a) of section 7 of the Federal Water Pollution Control Act is amended by striking out "and for each succeeding fiscal year to and including the fiscal year ending June 30, 1968, \$5,000,000" and inserting in lieu thereof "for each succeeding fiscal year to and including the fiscal year ending June 30, 1967, \$5,000,000, and for each succeeding fiscal year to and including the fiscal year ending June 30, 1971, \$10,000,000".

(b) Subsection (a) of section 7 of the Federal Water Pollution Control Act is further amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "including the training of personnel of public agencies."

SEC. 203. (a) Subsection (b) of section 8 of the Federal Water Pollution Control Act is amended to read as follows:

"(b) Federal grants under this section shall be subject to the following limitations: (1) No grant shall be made for any project pursuant

Report to  
Congress.

Appropriation.

"Estuarine  
zones."

"Estuary."

Appropriation.

75 Stat. 205;  
79 Stat. 903.  
33 USC 466c.

Program grants.  
33 USC 466d.

Construction  
grants.  
70 Stat. 502;  
79 Stat. 903.  
33 USC 466e.

to this section unless such project shall have been approved by the appropriate State water pollution control agency or agencies and by the Secretary and unless such project is included in a comprehensive program developed pursuant to this Act; (2) no grant shall be made for any project in an amount exceeding 30 per centum of the estimated reasonable cost thereof as determined by the Secretary; (3) no grant shall be made unless the grantee agrees to pay the remaining cost; (4) no grant shall be made for any project under this section until the applicant has made provision satisfactory to the Secretary for assuring proper and efficient operation and maintenance of the treatment works after completion of the construction thereof; and (5) no grant shall be made for any project under this section unless such project is in conformity with the State water pollution control plan submitted pursuant to the provisions of section 7 and has been certified by the appropriate State water pollution control agency as entitled to priority over other eligible projects on the basis of financial as well as water pollution control needs; (6) the percentage limitation of 30 per centum imposed by clause (2) of this subsection shall be increased to a maximum of 40 per centum in the case of grants made under this section from funds allocated for a fiscal year to a State under subsection (c) of this section if the State agrees to pay not less than 30 per centum of the estimated reasonable cost (as determined by the Secretary) of all projects for which Federal grants are to be made under this section from such allocation; (7) the percentage limitations imposed by clause (2) of this subsection shall be increased to a maximum of 50 per centum in the case of grants made under this section from funds allocated for a fiscal year to a State under subsection (c) of this section if the State agrees to pay not less than 25 per centum of the estimated reasonable costs (as determined by the Secretary) of all projects for which Federal grants are to be made under this section from such allocation and if enforceable water quality standards have been established for the waters into which the project discharges, in accordance with section 10(c) of this Act in the case of interstate waters, and under State law in the case of intrastate waters.

(b) The amendment made by subsection (a) of this section shall take effect July 1, 1967.

SEC. 204. The next to the last sentence of subsection (c) of section 8 of the Federal Water Pollution Control Act is amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "except that in the case of any project on which construction was initiated in such State after June 30, 1966, which was approved by the appropriate State water pollution control agency and which the Secretary finds meets the requirements of this section but was constructed without such assistance, such allotments for any fiscal year ending prior to July 1, 1971, shall also be available for payments in reimbursement of State or local funds used for such project prior to July 1, 1971, to the extent that assistance could have been provided under this section if such project had been approved pursuant to this section and adequate funds had been available. In the case of any project on which construction was initiated in such State after June 30, 1966, and which was constructed with assistance pursuant to this section but the amount of such assistance was a lesser per centum of the cost of construction than was allowable pursuant to this section, such allotments shall also be available for payments in reimbursement of State or local funds used for such project prior to July 1, 1971, to the extent that assistance could have been provided under this section if adequate funds had been available. Neither a finding by the Secretary that a project meets the requirements of this subsection, nor any other provision of this subsection, shall be con-

70 Stat. 499;  
79 Stat. 903.  
33 USC 466d.

79 Stat. 903,  
907.  
33 USC 466g.  
Effective date.

75 Stat. 206;  
79 Stat. 903.  
33 USC 466e.

strued to constitute a commitment or obligation of the United States to provide funds to make or pay any grant for such project."

SEC. 205. Subsection (d) of section 8 of the Federal Water Pollution Control Act is amended by striking out "and \$150,000,000 for the fiscal year ending June 30, 1967." and inserting in lieu thereof the following: "\$150,000,000 for the fiscal year ending June 30, 1967; \$450,000,000 for the fiscal year ending June 30, 1968; \$700,000,000 for the fiscal year ending June 30, 1969; \$1,000,000,000 for the fiscal year ending June 30, 1970; and \$1,250,000,000 for the fiscal year ending June 30, 1971."

SEC. 206. Section 10(d) of the Federal Water Pollution Control Act is amended by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively, and by inserting immediately after paragraph (1) the following new paragraph:

"(2) Whenever the Secretary, upon receipt of reports, surveys, or studies from any duly constituted international agency, has reason to believe that any pollution referred to in subsection (a) of this section which endangers the health or welfare of persons in a foreign country is occurring, and the Secretary of State requests him to abate such pollution, he shall give formal notification thereof to the State water pollution control agency of the State in which such discharge or discharges originate and to the interstate water pollution control agency, if any, and shall call promptly a conference of such agency or agencies, if he believes that such pollution is occurring in sufficient quantity to warrant such action. The Secretary, through the Secretary of State, shall invite the foreign country which may be adversely affected by the pollution to attend and participate in the conference, and the representative of such country shall, for the purpose of the conference and any further proceeding resulting from such conference, have all the rights of a State water pollution control agency. This paragraph shall apply only to a foreign country which the Secretary determines has given the United States essentially the same rights with respect to the prevention and control of water pollution occurring in that country as is given that country by this paragraph. Nothing in this paragraph shall be construed to modify, amend, repeal, or otherwise affect the provisions of the 1909 Boundary Waters Treaty between Canada and the United States or the Water Utilization Treaty of 1944 between Mexico and the United States (59 Stat. 1219), relative to the control and abatement of water pollution in waters covered by those treaties."

SEC. 207. Section 10(d) (3) of the Federal Water Pollution Control Act (as redesignated by this Act) is amended by inserting after the first sentence thereof the following: "In addition, it shall be the responsibility of the chairman of the conference to give every person contributing to the alleged pollution or affected by it an opportunity to make a full statement of his views to the conference."

SEC. 208. (a) Section 10 of the Federal Water Pollution Control Act is further amended by adding at the end thereof the following new subsection:

"(k) (1) At the request of a majority of the conferees in any conference called under this section the Secretary is authorized to request any person whose alleged activities result in discharges causing or contributing to water pollution, to file with him a report (in such form as may be prescribed in regulations promulgated by him) based on existing data, furnishing such information as may reasonably be requested as to the character, kind, and quantity of such discharges and the use of facilities or other means to prevent or reduce such discharges by the person filing such a report. No person shall be required in such report to divulge trade secrets or secret processes, and all information reported shall be considered confidential for the purposes of section 1905 of title 18 of the United States Code.

79 Stat. 903,  
907.

33 USC 466e.

Enforcement  
provisions.

70 Stat. 504;  
79 Stat. 903, 907.  
33 USC 466g.

36 Stat. 2448.

62 Stat. 791.

“(2) If any person required to file any report under this subsection shall fail to do so within the time fixed by regulations for filing the same, and such failure shall continue for thirty days after notice of such default, such person may, by order of a majority of the conferees, be subject to a forfeiture of \$100 for each and every day of the continuance of such failure which forfeiture shall be payable into the Treasury of the United States and shall be recoverable in a civil suit in the name of the United States brought in the district where such person has his principal office or in any district in which he does business. The Secretary may upon application therefor remit or mitigate any forfeiture provided for under this subsection and he shall have authority to determine the facts upon all such applications.

“(3) It shall be the duty of the various United States attorneys, under the direction of the Attorney General of the United States, to prosecute for the recovery of such forfeitures.”

(b) Subsection (f) of section 10 of the Federal Water Pollution Control Act is amended (1) by striking out “(f)” and inserting in lieu thereof “(f) (1)”, (2) by inserting immediately after the third sentence thereof the following: “It shall be the responsibility of the Hearing Board to give every person contributing to the alleged pollution or affected by it an opportunity to make a full statement of his views to the Hearing Board.”, and (3) by adding at the end thereof the following new paragraphs:

75 Stat. 208;  
79 Stat. 903, 907.  
33 USC 466g.

“(2) In connection with any hearing called under this section the Secretary is authorized to require any person whose alleged activities result in discharges causing or contributing to water pollution to file with him, in such form as he may prescribe, a report based on existing data, furnishing such information as may reasonably be required as to the character, kind, and quantity of such discharges and the use of facilities or other means to prevent or reduce such discharges by the person filing such a report. Such report shall be made under oath or otherwise, as the Secretary may prescribe, and shall be filed with the Secretary within such reasonable period as the Secretary may prescribe, unless additional time be granted by the Secretary. No person shall be required in such report to divulge trade secrets or secret processes, and all information reported shall be considered confidential for the purposes of section 1905 of title 18 of the United States Code.

62 Stat. 791.

“(3) If any person required to file any report under paragraph (2) of this subsection shall fail to do so within the time fixed by the Secretary for filing the same, and such failure shall continue for thirty days after notice of such default, such person shall forfeit to the United States the sum of \$100 for each and every day of the continuance of such failure, which forfeiture shall be payable into the Treasury of the United States, and shall be recoverable in a civil suit in the name of the United States brought in the district where such person has his principal office or in any district in which he does business. The Secretary may upon application therefor remit or mitigate any forfeiture provided for under this paragraph and he shall have authority to determine the facts upon all such applications.

“(4) It shall be the duty of the various United States attorneys, under the direction of the Attorney General of the United States, to prosecute for the recovery of such forfeitures.”

SEC. 209. Paragraph (f) of section 13 of the Federal Water Pollution Control Act is amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: “and an Indian tribe or an authorized Indian tribal organization.”

70 Stat. 506;  
79 Stat. 903.  
33 USC 466j.

SEC. 210. The Federal Water Pollution Control Act, as amended, is amended by renumbering existing section 16 as section 19 and by adding immediately after section 15 the following new sections:

"SEC. 16. (a) In order to provide the basis for evaluating programs authorized by this Act, the development of new programs, and to furnish the Congress with the information necessary for authorization of appropriations for fiscal years beginning after June 30, 1968, the Secretary, in cooperation with State water pollution control agencies and other water pollution control planning agencies, shall make a detailed estimate of the cost of carrying out the provisions of this Act; a comprehensive study of the economic impact on affected units of government of the cost of installation of treatment facilities; and a comprehensive analysis of the national requirements for and the cost of treating municipal, industrial, and other effluent to attain such water quality standards as established pursuant to this Act or applicable State law. The Secretary shall submit such detailed estimate and such comprehensive study of such cost for the five-year period beginning July 1, 1968, to the Congress no later than January 10, 1968, such study to be updated each year thereafter.

"(b) The Secretary shall also make a complete investigation and study to determine (1) the need for additional trained State and local personnel to carry out programs assisted pursuant to this Act and other programs for the same purpose as this Act, and (2) means of using existing Federal training programs to train such personnel. He shall report the results of such investigation and study to the President and the Congress not later than July 1, 1967.

"SEC. 17. The Secretary of the Interior shall, in consultation with the Secretary of the Army, the Secretary of the department in which the Coast Guard is operating, the Secretary of Health, Education, and Welfare, and the Secretary of Commerce, conduct a full and complete investigation and study of the extent of the pollution of all navigable waters of the United States from litter and sewage discharged, dumped, or otherwise deposited into such waters from watercraft using such waters, and methods of abating either in whole or in part such pollution. The Secretary shall submit a report of such investigation to Congress, together with his recommendations for any necessary legislation, not later than July 1, 1967.

"SEC. 18. The Secretary of the Interior shall conduct a full and complete investigation and study of methods for providing incentives designed to assist in the construction of facilities and works by industry designed to reduce or abate water pollution. Such study shall include, but not be limited to, the possible use of tax incentives as well as other methods of financial assistance. In carrying out this study the Secretary shall consult with the Secretary of the Treasury as well as the head of any other appropriate department or agency of the Federal Government. The Secretary shall report the results of such investigation and study, together with his recommendations, to the Congress not later than January 30, 1968."

SEC. 211. (a) The Oil Pollution Act, 1924 (43 Stat. 604; 33 U.S.C. 431 et seq.), is amended to read as follows: "That this Act may be cited as the 'Oil Pollution Act, 1924'.

"SEC. 2. When used in this Act, unless the context otherwise requires—

"(1) 'oil' means oil of any kind or in any form, including fuel oil, sludge, and oil refuse;

"(2) 'person' means an individual, company, partnership, corporation, or association; any owner, operator, master, officer, or employee of a vessel; and any officer, agent or employee of the United States;

70 Stat. 507;  
79 Stat. 903,  
33 USC 466 note.  
Cost estimates.

Report to Congress.

Personnel requirements.

Report to President and Congress.

Watercraft pollution study.

Report to Congress.

Incentive assistance to industries.

Report to Congress.

Oil Pollution Act, 1924, revision.

Definitions.

“(3) ‘discharge’ means any grossly negligent, or willful spilling, leaking, pumping, pouring, emitting, or emptying of oil;

“(4) ‘navigable waters of the United States’ means all portions of the sea within the territorial jurisdiction of the United States, and all inland waters navigable in fact; and

“(5) ‘Secretary’ means the Secretary of the Interior.

“SEC. 3. (a) Except in case of emergency imperiling life or property, or unavoidable accident, collision, or stranding, and except as otherwise permitted by regulations prescribed by the Secretary as hereinafter authorized, it is unlawful for any person to discharge or permit the discharge from any boat or vessel of oil by any method, means, or manner into or upon the navigable waters of the United States, and adjoining shorelines of the United States.

Prohibitions.

“(b) Any person discharging or permitting the discharge of oil from any boat or vessel, into or upon the navigable waters of the United States shall remove the same from the navigable waters of the United States, and adjoining shorelines immediately. If such person fails to do so, the Secretary may remove the oil or may arrange for its removal, and such person shall be liable to the United States, in addition to the penalties prescribed in section 4 of this Act, for all costs and expenses reasonably incurred by the Secretary in removing the oil from the navigable waters of the United States, and adjoining shorelines of the United States. These costs and expenses shall constitute a lien on such boat or vessel which may be recovered in proceedings by libel in rem.

“(c) The Secretary may prescribe regulations which—

“(1) permit the discharge of oil from boats or vessels in such quantities under such conditions, and at such times and places as in his opinion will not be deleterious to health or marine life or a menace to navigation, or dangerous to persons or property engaged in commerce on navigable waters of the United States; and

“(2) relate to the removal or cost of removal, or both, of oil from the navigable waters of the United States, and adjoining shorelines of the United States.

“SEC. 4. (a) Any person who violates section 3(a) of this Act shall, upon conviction thereof, be punished by a fine not exceeding \$2,500, or by imprisonment not exceeding one year, or by both such fine and imprisonment for each offense.

Penalties.

“(b) Any boat or vessel other than a boat or vessel owned and operated by the United States from which oil is discharged in violation of section 3(a) of this Act shall be liable for a penalty of not more than \$10,000. Clearance of a boat or vessel liable for this penalty from a port of the United States may be withheld until the penalty is paid. The penalty shall constitute a lien on such boat or vessel which may be recovered in proceedings by libel in rem in the district court of the United States for any district within which such boat or vessel may be.

“Sec. 5. The Commandant of the Coast Guard may, subject to the provisions of section 4450 of the Revised Statutes, as amended (46 U.S.C. 239), suspend or revoke a license issued to the master or other licensed officer of any boat or vessel found violating the provisions of section 3 of this Act.

Enforcement provisions.

“Sec. 6. In the administration of this Act the Secretary may, with the consent of the Commandant of the Coast Guard or the Secretary of the Army, make use of the organization, equipment, and agencies, including engineering, clerical, and other personnel, employed by the Coast Guard or the Department of the Army, respectively, for the preservation and protection of navigable waters of the United States. For the better enforcement of the provisions of this Act, the officers and agents of the United States in charge of river and harbor improvements and persons employed under them by authority of the Secretary of the Army, and persons employed by the Secretary, and officers of the Customs and Coast Guard of the United States shall have the power and authority and it shall be their duty to swear out process and to arrest and take into custody, with or without process, any person who may violate any of such provisions, except that no person shall be arrested without process for a violation not committed in the presence of some one of the aforesaid persons. Whenever any arrest is made under the provisions of this Act the person so arrested shall be brought forthwith before a commissioner, judge, or court of the United States for examination of the offenses alleged against him, and such commissioner, judge or court shall proceed in respect thereto as authorized by law in cases of crimes against the United States.

“Sec. 7. This Act shall be in addition to other laws for the preservation and protection of navigable waters of the United States and shall not be construed as repealing, modifying, or in any manner affecting the provisions of such laws.”

Effective date.

(b) The amendment made by subsection (a) of this section shall take effect on the thirtieth day which begins after the date of enactment of this Act.

Approved November 3, 1966.

## Public Law 89-754

## AN ACT

November 3, 1966  
[S. 3708]

To assist comprehensive city demonstration programs for rebuilding slum and blighted areas and for providing the public facilities and services necessary to improve the general welfare of the people who live in those areas, to assist and encourage planned metropolitan development, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Demonstration Cities and Metropolitan Development Act of 1966".

Demonstration  
Cities and Met-  
ropolitan De-  
velopment Act  
of 1966.

## TITLE I—COMPREHENSIVE CITY DEMONSTRATION PROGRAMS

### FINDINGS AND DECLARATION OF PURPOSE

SEC. 101. The Congress hereby finds and declares that improving the quality of urban life is the most critical domestic problem facing the United States. The persistence of widespread urban slums and blight, the concentration of persons of low income in older urban areas, and the unmet needs for additional housing and community facilities and services arising from rapid expansion of our urban population have resulted in a marked deterioration in the quality of the environment and the lives of large numbers of our people while the Nation as a whole prospers.

The Congress further finds and declares that cities, of all sizes, do not have adequate resources to deal effectively with the critical problems facing them, and that Federal assistance in addition to that now authorized by the urban renewal program and other existing Federal grant-in-aid programs is essential to enable cities to plan, develop, and conduct programs to improve their physical environment, increase their supply of adequate housing for low- and moderate-income people, and provide educational and social services vital to health and welfare.

The purposes of this title are to provide additional financial and technical assistance to enable cities of all sizes (with equal regard to the problems of small as well as large cities) to plan, develop, and carry out locally prepared and scheduled comprehensive city demonstration programs containing new and imaginative proposals to rebuild or revitalize large slum and blighted areas; to expand housing, job, and income opportunities; to reduce dependence on welfare payments; to improve educational facilities and programs; to combat disease and ill health; to reduce the incidence of crime and delinquency; to enhance recreational and cultural opportunities; to establish better access between homes and jobs; and generally to improve living conditions for the people who live in such areas, and to accomplish these objectives through the most effective and economical concentration and coordination of Federal, State, and local public and private efforts to improve the quality of urban life.

### BASIC AUTHORITY

SEC. 102. The Secretary of Housing and Urban Development (hereinafter referred to as the "Secretary") is authorized to make grants and provide technical assistance, as provided by this title, to enable city demonstration agencies (as defined in section 112(2)) to plan, develop, and carry out comprehensive city demonstration programs in accordance with the purposes of this title.

## ELIGIBILITY FOR ASSISTANCE

SEC. 103. (a) A comprehensive city demonstration program is eligible for assistance under sections 105 and 107 only if—

(1) physical and social problems in the area of the city covered by the program are such that a comprehensive city demonstration program is necessary to carry out the policy of the Congress as expressed in section 101;

(2) the program is of sufficient magnitude to make a substantial impact on the physical and social problems and to remove or arrest blight and decay in entire sections or neighborhoods; to contribute to the sound development of the entire city; to make marked progress in reducing social and educational disadvantages, ill health, underemployment, and enforced idleness; and to provide educational, health, and social services necessary to serve the poor and disadvantaged in the area, widespread citizen participation in the program, maximum opportunities for employing residents of the area in all phases of the program, and enlarged opportunities for work and training;

(3) the program, including rebuilding or restoration, will contribute to a well-balanced city with a substantial increase in the supply of standard housing of low and moderate cost, maximum opportunities in the choice of housing accommodations for all citizens of all income levels, adequate public facilities (including those needed for education, health and social services, transportation, and recreation), commercial facilities adequate to serve the residential areas, and ease of access between the residential areas and centers of employment;

(4) the various projects and activities to be undertaken in connection with such programs are scheduled to be initiated within a reasonably short period of time; adequate local resources are, or will be, available for the completion of the program as scheduled, and, in the carrying out of the program, the fullest utilization possible will be made of private initiative and enterprise; administrative machinery is available at the local level for carrying out the program on a consolidated and coordinated basis; substantive local laws, regulations, and other requirements are, or can be expected to be, consistent with the objectives of the program; there exists a relocation plan meeting the requirements of the regulations referred to in section 107; the local governing body has approved the program and, where appropriate, applications for assistance under the program; agencies whose cooperation is necessary to the success of the program have indicated their intent to furnish such cooperation; the program is consistent with comprehensive planning for the entire urban or metropolitan area; and the locality will maintain, during the period an approved comprehensive city demonstration program is being carried out, a level of aggregate expenditures for activities similar to those being assisted under this title which is not less than the level of aggregate expenditures for such activities prior to initiation of the comprehensive city demonstration program; and

(5) the program meets such additional requirements as the Secretary may establish to carry out the purposes of this title: *Provided*, That the authority of the Secretary under this paragraph shall not be used to impose criteria or establish requirements except those which are related and essential to the specific provisions of this title.

(b) In implementing this title the Secretary shall—

(1) emphasize local initiative in the planning, development, and implementation of comprehensive city demonstration programs;

(2) insure, in conjunction with other appropriate Federal departments and agencies and at the direction of the President, maximum coordination of Federal assistance provided in connection with this title, prompt response to local initiative, and maximum flexibility in programing, consistent with the requirements of law and sound administrative practice; and

(3) encourage city demonstration agencies to (A) enhance neighborhoods by applying a high standard of design, (B) maintain, as appropriate, natural and historic sites and distinctive neighborhood characteristics, and (C) make maximum possible use of new and improved technology and design, including cost reduction techniques.

(c) The preparation of demonstration city programs should include to the maximum extent feasible (1) the performance of analyses that provide explicit and systematic comparisons of the costs and benefits, financial and otherwise, of alternative possible actions or courses of action designed to fulfill urban needs; and (2) the establishment of programing systems designed to assure effective use of such analyses by city demonstration agencies and by other government bodies.

(d) Nothing in this section shall authorize the Secretary to require (or condition the availability or amount of financial assistance authorized to be provided under this title upon) the adoption by any community of a program (1) by which pupils now resident in a school district not within the confines of the area covered by the city demonstration program shall be transferred to a school or school district including all or part of such area, or (2) by which pupils now resident in a school district within the confines of the area covered by the city demonstration program shall be transferred to a school or school district not including a part of such area.

#### FINANCIAL ASSISTANCE FOR PLANNING COMPREHENSIVE CITY DEMONSTRATION PROGRAMS

SEC. 104. (a) The Secretary is authorized to make grants to, and to contract with, city demonstration agencies to pay 80 per centum of the costs of planning and developing comprehensive city demonstration programs.

(b) Financial assistance will be provided under this section only if (1) the application for such assistance has been approved by the local governing body of the city, and (2) the Secretary has determined that there exist (A) administrative machinery through which coordination of all related planning activities of local agencies can be achieved, and (B) evidence that necessary cooperation of agencies engaged in related local planning can be obtained.

#### FINANCIAL ASSISTANCE FOR APPROVED COMPREHENSIVE CITY DEMONSTRATION PROGRAMS

SEC. 105. (a) The Secretary is authorized to approve comprehensive city demonstration programs if, after review of the plans, he determines that such plans satisfy the criteria for such programs set forth in section 103.

(b) The Secretary is authorized to make grants to, and to contract with, city demonstration agencies to pay 80 per centum of the cost of administering approved comprehensive city demonstration programs, but not the cost of administering any project or activity assisted under a Federal grant-in-aid program.

(c) To assist the city to carry out the projects or activities included within an approved comprehensive city demonstration program, the Secretary is authorized to make grants to the city demonstration agency of not to exceed 80 per centum of the aggregate amount of non-Federal contributions otherwise required to be made to all projects or activities assisted by Federal grant-in-aid programs (as defined in section 112(1)) which are carried out in connection with such demonstration program: *Provided*, That no Federal grant-in-aid program shall be considered to be carried out in connection with such demonstration program unless it is closely related to the physical and social problems in the area of the city covered by the program and unless it can reasonably be expected to have a noticeable effect upon such problems. The specific amount of any such grant shall take into account the number and intensity of the economic and social pressures in the sections or neighborhoods involved, such as those involving or resulting from population density, poverty levels, unemployment rate, public welfare participation, educational levels, health and disease characteristics, crime and delinquency rate, and degree of substandard and dilapidated housing. The amount of non-Federal contribution required for each project in a Federal grant-in-aid program shall be certified to the Secretary by the Federal department or agency (other than the Department of Housing and Urban Development) administering such program, and the Secretary shall accept such certification in computing the grants hereunder.

(d) Grant funds provided to assist projects and activities included within an approved comprehensive city demonstration program pursuant to subsection (c) of this section shall be made available to assist new and additional projects and activities not assisted under a Federal grant-in-aid program. To the extent such funds are not necessary to support fully such new and additional projects and activities, they may be used and credited as part or all of the required non-Federal contribution to projects or activities, assisted under a Federal grant-in-aid program, which are part of an approved comprehensive city demonstration program. Such grant funds, however, shall not be used—

- (1) for the general administration of local governments; or
- (2) to replace non-Federal contributions in any federally aided project or activity included in an approved comprehensive city demonstration program, if prior to the filing of an application for assistance under section 104 an agreement has been entered into with any Federal agency obligating such non-Federal contributions with respect to such project or activity.

#### TECHNICAL ASSISTANCE

SEC. 106. The Secretary is authorized to undertake such activities as he determines to be desirable to provide, either directly or by contracts or other arrangements, technical assistance to city demonstration agencies to assist such agencies in planning, developing, and administering comprehensive city demonstration programs.

## RELOCATION REQUIREMENTS AND PAYMENTS

SEC. 107. (a) A comprehensive city demonstration program shall include a plan for the relocation of individuals, families, business concerns, and nonprofit organizations displaced or to be displaced in the carrying out of such program. The relocation plan shall be consistent with regulations prescribed by the Secretary to assure that (1) the provisions and procedures included in the plan meet relocation standards equivalent to those prescribed under section 105(c) of the Housing Act of 1949 with respect to urban renewal projects assisted under title I of that Act, and (2) relocation activities are coordinated to the maximum extent feasible with the increase in the supply of decent, safe, and sanitary housing for families and individuals of low or moderate income, as provided under the comprehensive city demonstration program, or otherwise, in order to best maintain the available supply of housing for all such families and individuals throughout the city.

79 Stat. 475.  
42 USC 1455.

(b) (1) To the extent not otherwise authorized under any Federal law, financial assistance extended to a city demonstration agency under section 105 shall include grants to cover the full cost of relocation payments, as herein defined. Such grants shall be in addition to other financial assistance extended to such agency under section 105.

(2) The term "relocation payments" means payments by a city demonstration agency to a displaced individual, family, business concern, or nonprofit organization which are made on such terms and conditions and subject to such limitations (to the extent applicable, but not including the date of displacement) as are provided for relocation payments, at the time such payments are approved, by section 114 (b), (c), (d), and (e) of the Housing Act of 1949 with respect to projects assisted under title I thereof.

"Relocation  
payments."

(c) Subsection (b) shall not be applicable with respect to any displacement occurring prior to the date of the enactment of this Act.

78 Stat. 788;  
79 Stat. 486.  
42 USC 1465.

## CONTINUED AVAILABILITY OF FEDERAL GRANT-IN-AID PROGRAM FUNDS

SEC. 108. Notwithstanding any other provision of law, unless hereafter enacted expressly in limitation of the provisions of this section, funds appropriated for a Federal grant-in-aid program which are reserved for any projects or activities assisted under such grant-in-aid program and undertaken in connection with an approved comprehensive city demonstration program shall remain available until expended.

## CONSULTATION

SEC. 109. In carrying out the provisions of this title, including the issuance of regulations, the Secretary shall consult with other Federal departments and agencies administering Federal grant-in-aid programs. The Secretary shall consult with each Federal department and agency affected by each comprehensive city demonstration program before entering into a commitment to make grants for such program under section 105.

## LABOR STANDARDS

SEC. 110. (a) All laborers and mechanics employed by contractors or subcontractors in the construction, rehabilitation, alteration, or repair of projects which—

- (1) are federally assisted in whole or in part under this title and

(2) are not otherwise subject to section 212 of the National Housing Act, section 16(2) of the United States Housing Act of 1937, section 109 of the Housing Act of 1949, or any other provision of Federal law imposing labor standards on federally assisted construction,

shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5): *Provided*, That this section shall apply to the construction, rehabilitation, alteration, or repair of residential property only if such residential property is designed for residential use for eight or more families. No financial assistance shall be extended to any such projects unless adequate assurance is first obtained that these labor standards will be maintained upon the construction work.

(b) The Secretary of Labor shall have, with respect to the labor standards specified in subsection (a), the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133z-15), and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948; 40 U.S.C. 276c), and the Contract Work Hours Standards Act (76 Stat. 357).

#### APPROPRIATIONS

SEC. 111. (a) There are authorized to be appropriated, for the purpose of financial assistance and administrative expenses under sections 104 and 106, not to exceed \$12,000,000 for the fiscal year ending June 30, 1967, and not to exceed \$12,000,000 for the fiscal year ending June 30, 1968.

(b) There are authorized to be appropriated, for the purpose of financial assistance and administrative expenses under sections 105, 106, and 107, not to exceed \$400,000,000 for the fiscal year ending June 30, 1968, and not to exceed \$500,000,000 for the fiscal year ending June 30, 1969.

(c) Appropriations authorized under this section shall remain available until expended.

#### DEFINITIONS

SEC. 112. As used in this title—

(1) "Federal grant-in-aid program" means a program of Federal financial assistance other than loans and other than the assistance provided by this title.

(2) "City demonstration agency" means the city, the county, or any local public agency established or designated by the local governing body of such city or county to administer the comprehensive city demonstration program.

(3) "City" means any municipality (or two or more municipalities acting jointly) or any county or other public body (or two or more acting jointly) having general governmental powers.

(4) "Local" agencies include State agencies and instrumentalities providing services or resources to a city or locality, and "local" resources include those provided to a city or locality by a State or its agency or instrumentality.

#### GRANT AUTHORITY FOR URBAN RENEWAL PROJECTS WHICH ARE PART OF APPROVED COMPREHENSIVE CITY DEMONSTRATION PROGRAMS

SEC. 113. Section 103(b) of the Housing Act of 1949 is amended by inserting after the first sentence the following new sentence: "In addition to the authority to make grants provided in the first sentence of this subsection, the Secretary may contract to make grants under

53 Stat. 807.  
12 USC 1715c.  
63 Stat. 430.  
42 USC 1416.  
68 Stat. 626.  
42 USC 1459.

49 Stat. 1011;  
78 Stat. 238.

63 Stat. 108.  
40 USC 327.

63 Stat. 416.  
42 USC 1453.

this title, on or after July 1, 1967, in an amount not to exceed \$250,000,000: *Provided*, That the authority to contract to make grants provided by this sentence shall be exercised only with respect to an urban renewal project which is identified and scheduled to be carried out as one of the projects or activities included within an approved comprehensive city demonstration program assisted under the provisions of section 105(c) of the Demonstration Cities and Metropolitan Development Act of 1966.”

*Ante*, p. 1258.

#### STATE LIMIT

SEC. 114. Grants made under section 105 for projects in any one State shall not exceed in the aggregate 15 per centum of the aggregate amount of funds authorized to be appropriated under section 111.

### TITLE II—PLANNED METROPOLITAN DEVELOPMENT

#### FINDINGS AND DECLARATION OF PURPOSE

SEC. 201. (a) The Congress hereby finds that the welfare of the Nation and of its people is directly dependent upon the sound and orderly development and the effective organization and functioning of the metropolitan areas in which two-thirds of its people live and work.

It further finds that the continuing rapid growth of these areas makes it essential that they prepare, keep current, and carry out comprehensive plans and programs for their orderly physical development with a view to meeting efficiently all their economic and social needs.

It further finds that metropolitan areas are especially handicapped in this task by the complexity and scope of governmental services required in such rapidly growing areas, the multiplicity of political jurisdictions and agencies involved, and the inadequacy of the operational and administrative arrangements available for cooperation among them.

It further finds that present requirements for areawide planning and programing in connection with various Federal programs have materially assisted in the solution of metropolitan problems, but that greater coordination of Federal programs and additional participation and cooperation are needed from the States and localities in perfecting and carrying out such efforts.

(b) It is the purpose of this title to provide, through greater coordination of Federal programs and through supplementary grants for certain federally assisted development projects, additional encouragement and assistance to States and localities for making comprehensive metropolitan planning and programing effective.

#### COOPERATION BETWEEN FEDERAL AGENCIES

SEC. 202. In order to insure that all Federal programs related to metropolitan development are carried out in a coordinated manner—

(1) the Secretary is authorized to call upon other Federal agencies to supply such statistical data, program reports, and other materials as he deems necessary to discharge his responsibilities for metropolitan development, and to assist the President in coordinating the metropolitan development efforts of all Federal agencies; and

(2) all Federal agencies which are engaged in administering programs related to metropolitan development, or which otherwise perform functions relating thereto, shall, to the maximum extent practicable, consult with and seek advice from all other

significantly affected Federal departments and agencies in an effort to assure fully coordinated programs.

#### METROPOLITAN EXPEDITERS

SEC. 203. Upon the request of the duly authorized local officials of the central city in any metropolitan area, and after consultation with local governmental authorities throughout the metropolitan area with respect to whether or not the Secretary should make an appointment under this section (and with respect to the individuals who might be so appointed), the Secretary may appoint a metropolitan expeditor for such area whenever he finds a need for the services specified in this section. The metropolitan expeditor shall provide information, data, and assistance to local authorities and private individuals and entities within the metropolitan area, and to all relevant Federal departments and agencies, with respect to all programs and activities conducted within such metropolitan area by the Department of Housing and Urban Development, and with respect to other public and private activities and needs within such metropolitan area which relate to the programs and activities of the Department.

#### COORDINATION OF FEDERAL AIDS IN METROPOLITAN AREAS

SEC. 204. (a) All applications made after June 30, 1967, for Federal loans or grants to assist in carrying out open-space land projects or for the planning or construction of hospitals, airports, libraries, water supply and distribution facilities, sewerage facilities and waste treatment works, highways, transportation facilities, and water development and land conservation projects within any metropolitan area shall be submitted for review—

(1) to any areawide agency which is designated to perform metropolitan or regional planning for the area within which the assistance is to be used, and which is, to the greatest practicable extent, composed of or responsible to the elected officials of a unit of areawide government or of the units of general local government within whose jurisdiction such agency is authorized to engage in such planning, and

(2) if made by a special purpose unit of local government, to the unit or units of general local government with authority to operate in the area within which the project is to be located.

(b)(1) Except as provided in paragraph (2) of this subsection, each application shall be accompanied (A) by the comments and recommendations with respect to the project involved by the areawide agency and governing bodies of the units of general local government to which the application has been submitted for review, and (B) by a statement by the applicant that such comments and recommendations have been considered prior to formal submission of the application. Such comments shall include information concerning the extent to which the project is consistent with comprehensive planning developed or in the process of development for the metropolitan area or the unit of general local government, as the case may be, and the extent to which such project contributes to the fulfillment of such planning. The comments and recommendations and the statement referred to in this paragraph shall, except in the case referred to in paragraph (2) of this subsection, be reviewed by the agency of the Federal Government to which such application is submitted for the sole purpose of assisting it in determining whether the application is in accordance with the provisions of Federal law which govern the making of the loans or grants.

(2) An application for a Federal loan or grant need not be accompanied by the comments and recommendations and the statements referred to in paragraph (1) of this subsection, if the applicant certifies that a plan or description of the project, meeting the requirements of such rules and regulations as may be prescribed under subsection (c), or such application, has lain before an appropriate area-wide agency or instrumentality or unit of general local government for a period of sixty days without comments or recommendations thereon being made by such agency or instrumentality.

(3) The requirements of paragraphs (1) and (2) shall also apply to any amendment of the application which, in light of the purposes of this title, involves a major change in the project covered by the application prior to such amendment.

(c) The Bureau of the Budget, or such other agency as may be designated by the President, is hereby authorized to prescribe such rules and regulations as are deemed appropriate for the effective administration of this section.

#### GRANTS TO ASSIST IN PLANNED METROPOLITAN DEVELOPMENT

SEC. 205. (a) The Secretary is authorized to make supplementary grants to applicant State and local public bodies and agencies carrying out, or assisting in carrying out, metropolitan development projects meeting the requirements of this section.

(b) Grants may be made under this section only for metropolitan development projects in metropolitan areas for which it has been demonstrated, to the satisfaction of the Secretary, that—

(1) metropolitanwide comprehensive planning and programing provide an adequate basis for evaluating (A) the location, financing, and scheduling of individual public facility projects (including but not limited to hospitals and libraries; sewer, water, and sewage treatment facilities; highway, mass transit, airport, and other transportation facilities; and recreation and other open-space areas) whether or not federally assisted; and (B) other proposed land development or uses, which projects or uses, because of their size, density, type, or location, have public metropolitanwide or interjurisdictional significance;

(2) adequate metropolitanwide institutional or other arrangements exist for coordinating, on the basis of such metropolitanwide comprehensive planning and programing, local public policies and activities affecting the development of the area; and

(3) public facility projects and other land development or uses which have a major impact on the development of the area are, in fact, being carried out in accord with such metropolitanwide comprehensive planning and programing.

(c) (1) Where the applicant for a grant under this section is a unit of general local government, it must demonstrate to the satisfaction of the Secretary that, taking into consideration the scope of its authority and responsibilities, it is adequately assuring that public facility projects and other land development or uses of public metropolitanwide or interjurisdictional significance are being, and will be, carried out in accord with metropolitan planning and programing meeting the requirements of subsection (b). In making this determination the Secretary shall give special consideration to whether the applicant is effectively assisting in, and conforming to, metropolitan planning and programing through (A) the location and scheduling of public facility projects, whether or not federally assisted; and (B) the establishment and consistent administration of zoning codes, subdivision regulations, and similar land-use and density controls.

(2) Where the applicant for a grant under this section is not a unit of general local government, both it and the unit of general local government having jurisdiction over the location of the project must meet the requirements of this subsection.

(d) In making the determinations required under this section, the Secretary shall obtain, and give full consideration to, the comments of the body or bodies (State or local) responsible for comprehensive planning and programing for the metropolitan area.

(e) No grant shall be made under this section with respect to a metropolitan development project for which a Federal grant has been made, or a contract of assistance has been entered into, under the legislation referred to in paragraph (2) of section 208, prior to February 21, 1966, or more than one year prior to the date on which the Secretary has made the determinations required under this section with respect to the applicant and to the area in which the project is located: *Provided*, That in the case of a project for which a contract of assistance under the legislation referred to in paragraph (2) of section 208 has been entered into after June 30, 1967, no grant shall be made under this section unless an application for such grant has been made on or before the date of such contract.

(f) Nothing in this section shall authorize the Secretary to require (or condition the availability or amount of financial assistance authorized to be provided under this title upon) the adoption by any community of a program to achieve a racial balance or to eliminate racial imbalance within school districts within the metropolitanwide area.

#### EXTENT OF GRANT

SEC. 206. (a) A grant under section 205 shall not exceed (1) 20 per centum of the cost of the project for which the grant is made; nor (2) the Federal grant made with respect to the project under the legislation referred to in paragraph (2) of section 208. In no case shall the total Federal contributions to the cost of such project be more than 80 per centum. Notwithstanding any other provision of law, including requirements with respect to non-Federal contributions, grants under section 205 shall be eligible for inclusion (directly or through refunds or credits) as part of the financing for such projects: *Provided*, That projects or activities on the basis of which assistance is provided under section 105(c) shall not be eligible for assistance under section 205.

(b) There are authorized to be appropriated for grants under section 205 not to exceed \$25,000,000 for the fiscal year ending June 30, 1967, and not to exceed \$50,000,000 for the fiscal year ending June 30, 1968. Appropriations authorized under this section shall remain available until expended.

Restriction.  
Ante, p. 1258.

#### CONSULTATION AND CERTIFICATION

SEC. 207. In carrying out his authority under section 205, including the issuance of regulations, the Secretary shall consult with the Department of the Interior; the Department of Health, Education, and Welfare; the Department of Commerce; and the Federal Aviation Agency with respect to metropolitan development projects assisted by those departments and agencies; and he shall, for the purpose of section 206, accept their respective certifications as to the cost of those projects and the amount of the non-Federal contribution paid or to be paid to that cost.

## DEFINITIONS

SEC. 208. As used in this title—

(1) "Metropolitan development" means all projects or programs for the acquisition, use, and development of open-space land; and the planning and construction of hospitals, libraries, airports, water supply and distribution facilities, sewerage facilities and waste treatment works, transportation facilities, highways, water development and land conservation, and other public works facilities.

(2) "Metropolitan development project" means a project assisted or to be assisted under section 702 of the Housing and Urban Development Act of 1965; title II of the Library Services and Construction Act; section 606 of the Public Health Service Act; section 8 of the Federal Water Pollution Control Act; section 120(a) of title 23, United States Code; section 12 of the Federal Airport Act; section 3 of the Urban Mass Transportation Act of 1964; title VII of the Housing Act of 1961; or section 5(e) of the Land and Water Conservation Fund Act of 1965; or under section 101(a)(1) of the Public Works and Economic Development Act of 1965 (for a project of a type which the Secretary determines to be eligible for assistance under any of the other provisions listed above).

(3) "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or possession of the United States, or an agency or instrumentality of any of the foregoing.

(4) "Metropolitan area" means a standard metropolitan statistical area as established by the Bureau of the Budget, subject however to such modifications and extensions as the Secretary may determine to be appropriate for the purposes of this title.

(5) "Comprehensive planning" includes the following, to the extent directly related to area needs or needs of a unit of general local government: (A) preparation, as a guide for long-range development, of general physical plans with respect to the pattern and intensity of land use and the provision of public facilities, including transportation facilities; (B) programing of capital improvements based on a determination of relative urgency; (C) long-range fiscal plans for implementing such plans and programs; and (D) proposed regulatory and administrative measures which aid in achieving coordination of all related plans of the departments or subdivisions of the governments concerned and intergovernmental coordination of related planned activities among the State and local governmental agencies concerned.

(6) "Hospital" means any public health center or general, tuberculosis, mental, chronic disease, or other type of hospital and related facilities, such as laboratories, outpatient departments, nurses' home and training facilities, and central service facilities normally operated in connection with hospitals, but does not include any hospital furnishing primarily domiciliary care.

(7) "Areawide agency" means an official State or metropolitan or regional agency empowered under State or local laws or under an interstate compact or agreement to perform comprehensive planning in an area; an organization of the type referred to in section 701(g) of the Housing Act of 1954; or such other agency or instrumentality as may be designated by the Governor (or, in the case of metropolitan areas crossing State lines, any one or more of such agencies or instrumentalities as may be designated by the Governors of the States involved) to perform such planning.

42 USC 3102.  
20 USC 355a-  
355d.  
42 USC 291f.  
33 USC 466e.  
49 USC 1111.  
49 USC 1602.  
42 USC 1500.  
16 USC 4604-8.  
42 USC 3131.

79 Stat. 502.  
40 USC 461.

(8) "Special purpose unit of local government" means any special district, public-purpose corporation, or other limited-purpose political subdivision of a State, but shall not include a school district.

(9) "Unit of general local government" means any city, county, town, parish, village, or other general-purpose political subdivision of a State.

(10) "Secretary" means the Secretary of Housing and Urban Development.

#### STATE LIMIT

SEC. 209. Grants made under section 205 for projects in any one State shall not exceed in the aggregate 15 per centum of the aggregate amount of funds authorized to be appropriated pursuant to section 206(b).

### TITLE III—FHA INSURANCE OPERATIONS

#### FHA MORTGAGE FINANCING FOR VETERANS

79 Stat. 466.  
12 USC 1709.

SEC. 301. The next to last sentence of section 203(b)(2) of the National Housing Act is amended by striking out "If the mortgagor is a veteran who has not received any direct, guaranteed, or insured loan under laws administered by the Veterans' Administration for the purchase, construction, or repair of a dwelling (including a farm dwelling) which was to be owned and occupied by him as his home," and inserting in lieu thereof the following: "If the mortgagor is a veteran,".

#### AREAS AFFECTED BY CIVIL DISORDERS

52 Stat. 10.

SEC. 302. Section 203 of the National Housing Act is amended by adding at the end thereof the following new subsection:

"(1) The Secretary is authorized to insure under this section any mortgage meeting the requirements of this section, other than the requirement in subsection (c) relating to economic soundness, if he determines that (1) the dwelling covered by the mortgage is situated in an area in which rioting or other civil disorders have occurred or are threatened, (2) as a result of such actual or threatened rioting or other disorders the property with respect to which the mortgage is executed cannot meet the normal requirements with respect to economic soundness, and (3) such property is an acceptable risk giving due consideration to the need for providing adequate housing for families of low and moderate income in such area."

#### COOPERATIVE HOUSING INSURANCE FUND

79 Stat. 469.  
12 USC 1715e.

SEC. 303. (a) Section 213(m) of the National Housing Act is amended by striking out ", but only in cases where the consent of the mortgagee or lender to the transfer is obtained or a request by the mortgagee or lender for the transfer is received by the Commissioner within such period of time after the date of the enactment of this subsection as the Commissioner shall prescribe".

(b) Section 213(n) of such Act is amended—

(1) by striking out "insured under this section and sections 207, 231, and 232" and inserting in lieu thereof "the insurance of which is the obligation of either the Management Fund or the General Insurance Fund"; and

(2) by adding at the end thereof the following new sentence: "Premium charges on the insurance of mortgages or loans transferred to the Management Fund or insured pursuant to commitments transferred to the Management Fund may be payable in

debentures which are the obligation of either the Management Fund or the General Insurance Fund.”

(c)(1) The fourth sentence of section 213(k) of such Act is amended to read as follows: “The Secretary is directed to transfer to the Management Fund from the General Insurance Fund an amount equal to the total of the premium payments theretofore made with respect to the insurance of mortgages and loans transferred to the Management Fund pursuant to subsection (m) minus the total of any administrative expenses theretofore incurred in connection with such mortgages and loans, plus such other amounts as the Secretary determines to be necessary and appropriate.”

79 Stat. 468.  
12 USC 1715e.

(2) The second proviso in section 213(l) of such Act is amended by striking out “pursuant to subsection (k) or (o)” and inserting in lieu thereof “pursuant to subsection (o)”.

#### SUPPLEMENTARY FINANCING FOR COOPERATIVE HOUSING

SEC. 304. Section 213(j)(2)(A) of the National Housing Act is amended by adding at the end thereof the following: “except that, in the case of improvements or additional community facilities, the outstanding indebtedness may be increased by an amount equal to 97 per centum of the amount which the Secretary estimates will be the value of such improvements or facilities, and the new outstanding indebtedness may exceed the original principal obligation of the mortgage if such new outstanding indebtedness does not exceed the limitations imposed by subsection (b);”.

75 Stat. 179.

#### MORTGAGE LIMITS UNDER SECTION 220 SALES HOUSING MORTGAGE INSURANCE PROGRAM

SEC. 305. (a) Section 220(d)(3)(A)(i) of the National Housing Act is amended by striking out “(3) 75 per centum of such replacement cost in excess of \$20,000” and inserting in lieu thereof “(3) 80 per centum of such replacement cost in excess of \$20,000”.

71 Stat. 295;  
75 Stat. 180.  
12 USC 1715k.

(b) Section 220(d)(3)(A)(i) of such Act is further amended by adding before the semicolon at the end thereof the following: “: *Provided further*, That if the mortgagor is a veteran and the mortgage to be insured under this section covers property upon which there is located a dwelling designed principally for a one-family residence, the principal obligation may be in an amount equal to the sum of (1) 100 per centum of \$15,000 of the Commissioner's estimate of replacement cost of the property, as of the date the mortgage is accepted for insurance, (2) 90 per centum of such replacement cost in excess of \$15,000 but not in excess of \$20,000, and (3) 85 per centum of such replacement cost in excess of \$20,000. As used herein, the term ‘veteran’ means any person who served on active duty in the Armed Forces of the United States for a period of not less than ninety days (or is certified by the Secretary of Defense as having performed extra-hazardous service), and who was discharged or released therefrom under conditions other than dishonorable”.

#### INCREASED MORTGAGE LIMITATIONS UNDER SECTION 220(d)(3)(B) FOR SMALL PROJECTS CONTAINING LARGER FAMILY DWELLING UNITS

SEC. 306. (a) Section 220(d)(3)(B)(iii) of the National Housing Act is amended by inserting after “; and except that” the following: “with respect to rehabilitation projects involving not more than five family units, the Secretary may by regulation increase by 25 per centum any of the foregoing dollar amount limitations contained in

78 Stat. 775;  
79 Stat. 467.

this clause which are applicable to units with two, three, or four or more bedrooms: *Provided, That*”.

78 Stat. 775;  
79 Stat. 467,  
12 USC 1715k.

- (b) Section 220(d)(3)(B)(iii) of such Act is further amended—
- (1) by inserting immediately before “by not to exceed 45 per centum” the following: “(as determined after the application of the preceding proviso)”;
  - and
  - (2) by striking out “*Provided, That nothing*” and inserting in lieu thereof “*Provided further, That nothing*”.

#### MORTGAGE LIMITS FOR HOMES UNDER SECTION 221(d)(2)

75 Stat. 149.  
12 USC 1715l.

SEC. 307. Section 221(d)(2)(A) of the National Housing Act is amended by striking out “\$11,000” and “\$18,000” and inserting in lieu thereof “\$12,500” and “\$20,000”, respectively.

#### NONDWELLING FACILITIES IN SECTION 221 PROJECTS IN URBAN RENEWAL AREAS

68 Stat. 599.

SEC. 308. Section 221(f) of the National Housing Act is amended by inserting before the period at the end of the first sentence the following: “: *Provided, That* in the case of any such property or project located in an urban renewal area, the provisions of section 220(d)(3)(B)(iv) shall apply with respect to the nondwelling facilities which may be included in the mortgage if the mortgagor waives the right to receive dividends on its equity investment in the portion thereof devoted to community and shopping facilities”.

73 Stat. 658.

#### SINGLE OCCUPANTS IN SECTION 221(d)(3) HOUSING

SEC. 309. Section 221(f) of the National Housing Act is amended by adding at the end thereof the following new sentence: “Low- and moderate-income persons who are less than 62 years of age shall be eligible for occupancy of dwelling units in a project financed with a mortgage insured under subsection (d)(3), but not more than 10 per centum of the dwelling units in any such project shall be available for occupancy by such persons.”

#### INSURANCE OF MORTGAGES UNDER SECTION 221 TO FINANCE PURCHASE AND REHABILITATION BY NONPROFIT ORGANIZATIONS OF HOUSING FOR RESALE TO LOW-INCOME PURCHASERS

SEC. 310. (a) Section 221 of the National Housing Act is amended by adding at the end thereof the following new subsection:

“(h)(1) In addition to mortgages insured under the other provisions of this section, the Secretary is authorized, upon application by the mortgagee, to insure under this subsection as hereinafter provided any mortgage (including advances under such mortgage during rehabilitation) which is executed by a nonprofit organization to finance the purchase and rehabilitation of deteriorating or substandard housing for subsequent resale to low-income home purchasers and, upon such terms and conditions as the Secretary may prescribe, to make commitments for the insurance of such mortgages prior to the date of their execution or disbursement thereon.

“(2) To be eligible for insurance under paragraph (1) of this subsection, a mortgage shall—

“(A) be executed by a private nonprofit corporation or association approved for purposes of this subsection by the Secretary, for the purpose of financing the purchase of property (comprising one or more tracts or parcels, whether or not contiguous) upon

which there is located deteriorating or substandard housing consisting of five or more single-family dwellings of detached, semi-detached, or row construction and of rehabilitating such dwellings with a view to subsequent resale as hereinafter provided:

“(B) be secured by the property which is to be purchased and rehabilitated with the proceeds thereof;

“(C) be in a principal amount not exceeding the appraised value of the property at the time of its purchase under the mortgage plus the estimated cost of the rehabilitation;

“(D) bear interest (exclusive of premium charges for insurance and service charge, if any) at the rate in effect under the proviso in subsection (d) (5) at the time of execution;

“(E) provide for complete amortization (subject to paragraph (5) (E)) by periodic payments within such term as the Secretary may prescribe; and

“(F) provide for the release of individual single-family dwellings from the lien of the mortgage upon the sale of the rehabilitated dwellings in accordance with paragraph (5).

“(3) No mortgage shall be insured under paragraph (1) unless the mortgagor shall have demonstrated to the satisfaction of the Secretary that (A) the property to be rehabilitated is located in a neighborhood which is sufficiently stable and contains sufficient public facilities and amenities to support long-term values, or (B) the rehabilitation to be carried out by the mortgagor plus its related activities and the activities of other owners of housing in the neighborhood, together with actions to be taken by public authorities, will be of such scope and quality as to give reasonable promise that a stable environment will be created in the neighborhood.

“(4) The aggregate principal balance of all mortgages insured under paragraph (1) and outstanding at any one time shall not exceed \$20,000,000.

“(5) (A) No mortgage shall be insured under paragraph (1) unless the mortgagor enters into an agreement (in form and substance satisfactory to the Secretary) that it will offer to sell the dwellings involved, upon completion of their rehabilitation, to individuals or families (hereinafter referred to as ‘low-income purchasers’) determined by the Secretary to have incomes below the maximum amount specified (with respect to the area involved) in section 101(c)(1) of the Housing and Urban Development Act of 1965.

“(B) The Secretary is authorized to insure under this paragraph mortgages executed to finance the sale of individual dwellings to low-income purchasers as provided in subparagraph (A). Any such mortgage shall—

“(i) be in a principal amount equal to that portion of the unpaid balance of the principal mortgage covering the property (insured under paragraph (1)) which is allocable to the individual dwelling involved; and

“(ii) bear interest at the same rate as the principal mortgage, and provide for complete amortization by periodic payments within a term equal to the remaining term (determined without regard to subparagraph (E)) of such principal mortgage.

“(C) The price for which any individual dwelling is sold to a low-income purchaser under this paragraph shall be the amount of the mortgage covering the sale as determined under subparagraph (B), except that the purchaser shall in addition thereto be required to pay on account of the property at the time of purchase such amount (which shall not be less than \$200, but which may be applied in whole or in part toward closing costs) as the Secretary may determine to be reasonable and appropriate in the circumstances.

“(D) Upon the sale under this paragraph of any individual dwelling, such dwelling shall be released from the lien of the principal mortgage, and such mortgage shall thereupon be replaced by an individual mortgage insured under this paragraph to the extent of the portion of its unpaid balance which is allocable to the dwelling covered by such individual mortgage. Until all of the individual dwellings in the property covered by the principal mortgage have been sold, the mortgagor shall hold and operate the dwellings remaining unsold at any given time as though they constituted rental units in a project covered by a mortgage which is insured under subsection (d) (3) (and which receives the benefits of the interest rate provided for in the proviso in subsection (d) (5)).

“(E) Upon the sale under this paragraph of all of the individual dwellings in the property covered by the principal mortgage, and the release of all individual dwellings from the lien of the principal mortgage, the insurance of the principal mortgage shall be terminated and no adjusted premium charge shall be charged by the Secretary upon such termination.

“(F) Any mortgage insured under this paragraph shall contain a provision that if the low-income mortgagor does not continue to occupy the property the interest rate shall increase to the highest rate permissible under this section and the regulations of the Secretary effective at the time of commitment for insurance of the principal mortgage; except that the increase in interest rate shall not be applicable if the property is sold and the purchaser is (i) the nonprofit organization which executed the principal mortgage, (ii) a public housing agency having jurisdiction under the United States Housing Act of 1937 over the area where the dwelling is located, or (iii) a low-income purchaser approved for the purposes of this paragraph by the Secretary.”

(b) (1) Section 221(g) (1) of such Act is amended by inserting after “paragraph (2) of subsection (d) of this section” the following: “or paragraph (5) of subsection (h) of this section”.

(2) Section 221(g) (2) of such Act is amended by inserting after “paragraph (3) or (4) of subsection (d) of this section” the following: “or paragraph (1) of subsection (h) of this section”.

(c) Section 221(f) of such Act is amended by inserting after “Housing Act of 1961,” in the fourth sentence “or which meet the requirements of subsection (h).”.

(d) Section 305(h) of such Act is amended by striking out “section 221(d) (3)” and inserting in lieu thereof “sections 221(d) (3) and 221(h).”.

APPLICATION OF DAVIS-BACON ACT TO COOPERATIVE HOUSING PROJECTS INSURED UNDER SECTION 221(d) (3) AND (d) (4) AND MORTGAGES INSURED UNDER SECTION 221(h) (1)

SEC. 311. The third sentence of section 212(a) of the National Housing Act is amended by striking out “subsection (d) (3) or (d) (4).” and inserting in lieu thereof “subsection (d) (3) or (d) (4) and (deeming the term ‘construction’ as used in the first sentence of this subsection to mean rehabilitation) of any mortgage described in subsection (h) (1) which covers property on which there is located a dwelling or dwellings designed principally for residential use for more than eight families; except that compliance with such provisions may be waived by the Secretary—

“(1) with respect to mortgages described in such subsection (d) (3) or (d) (4), in cases or classes of cases where laborers or mechanics (not otherwise employed at any time in the construc-

50 Stat. 888.  
42 USC 1430.

68 Stat. 599.  
12 USC 1715f.

75 Stat. 153.  
12 USC 1720.

53 Stat. 807;  
79 Stat. 454.  
12 USC 1715c.

tion of the project) voluntarily donate their services without compensation for the purpose of lowering their housing costs in a cooperative housing project and the Secretary determines that any amounts saved thereby are fully credited to the cooperative undertaking the construction, and

“(2) with respect to mortgages described in such subsection (h)(1), in cases or classes of cases where prospective owners of such dwellings voluntarily donate their services without compensation, or other persons (not otherwise employed at any time in the rehabilitation of the property) voluntarily donate their services without compensation, and the Secretary determines that any amounts saved thereby are fully credited to the nonprofit organization undertaking the rehabilitation.”

WAIVER OF DEDUCTION ON ASSIGNMENT OF PROPERTY TO  
SECRETARY IN LIEU OF FORECLOSURE

SEC. 312. Title V of the National Housing Act is amended by adding at the end thereof the following new section: 12 USC 1731a-1735f.

“WAIVER OF DEDUCTION ON ASSIGNMENT OF PROPERTY  
TO SECRETARY IN LIEU OF FORECLOSURE

“SEC. 523. Notwithstanding any other provision of this Act, from and after the date of the enactment of the Demonstration Cities and Metropolitan Development Act of 1966, the Secretary, under such terms and conditions as he may approve, may waive all or a part of the 1 per centum deduction otherwise made from insurance benefits with respect to multifamily housing or land development mortgages assigned to him, where the assignment is made at his request in lieu of foreclosure of the mortgage.”

TITLE IV—LAND DEVELOPMENT AND NEW  
COMMUNITIES

EXPERIMENTAL MORTGAGE INSURANCE PROGRAM FOR NEW COMMUNITIES

SEC. 401. (a) Title X of the National Housing Act is amended by inserting after section 1003 the following new section 1004 and redesignating the remaining sections accordingly: 79 Stat. 463.  
12 USC 1749cc.

“NEW COMMUNITIES

“SEC. 1004. (a) New communities consisting of developments, satisfying all other requirements under this title, may be approved under this section by the Secretary for mortgage insurance if they meet the requirements of subsection (b) of this section.

“(b) A development shall be eligible for approval as a new community if the Secretary determines it will, in view of its size and scope, make a substantial contribution to the sound and economic growth of the area within which it is located in the form of—

“(1) substantial economies, made possible through large-scale development, in the provision of improved residential sites;

“(2) adequate housing to be provided for those who would be employed in the community or the surrounding area;

“(3) maximum accessibility from the new residential sites to industrial or other employment centers and commercial, recreational, and cultural facilities in or near the community; and

“(4) maximum accessibility to any major central city in the area.

“(c) No development shall be approved as a new community by the Secretary under this section unless the construction of such development has been approved by the local governing body or bodies of the locality or localities in which it will be located and by the Governor of the State in which such locality or localities are situated: *Provided*, That if such locality or localities have been delegated general powers of local self-government by State law or State constitution, as determined by the Secretary, the approval of the Governor shall not be required.

“(d) The aggregate amount of mortgages insured under this title with respect to new communities approved under this section and outstanding at any one time shall not exceed \$250,000,000.”

(b) No mortgage shall be insured under title X of the National Housing Act with respect to a new community approved under section 1004 of such Act (as added by subsection (a) of this section) after October 1, 1972, except pursuant to a commitment to insure entered into before that date.

*Ante*, p. 1271.

#### MORTGAGE AMOUNT AND TERM

SEC. 402. (a) Section 1002(c) of the National Housing Act is amended by striking out “\$10,000,000” and inserting in lieu thereof “\$25,000,000”.

(b) Section 1002(d) (1) of such Act is amended to read as follows:

“(1) contain repayment provisions satisfactory to the Secretary and have a maturity not to exceed seven years, or such longer maturity as the Secretary deems reasonable (A) in the case of a privately owned system for water or sewerage, and (B) in the case of a new community approved under section 1004;”.

#### ENCOURAGEMENT OF SMALL BUILDERS

SEC. 403. The section of the National Housing Act redesignated as section 1005 by section 401 of this Act is amended by inserting “particularly small builders,” after “broad participation by builders.”

#### WATER AND SEWERAGE FACILITIES

SEC. 404. The section of the National Housing Act redesignated as section 1006 by section 401 of this Act is amended to read as follows:

#### “WATER AND SEWERAGE FACILITIES

“SEC. 1006. After development of the land it shall be served by public systems for water and sewerage which are consistent with other existing or prospective systems within the area, except that—

“(a) in the case of systems for water, the land may be served by privately or cooperatively owned systems which are consistent with other existing or prospective systems within the area; are approved as adequate by the Secretary; and are regulated or supervised by the State or political subdivision or an agency thereof, or (in the absence of such State or local regulation or supervision) are otherwise regulated in a manner acceptable to the Secretary, with respect to user rates and charges, capital structure, methods of operation, rate of return, and conditions and terms of any sale or transfer; and

“(b) in the case of systems for sewerage, the land may be served by—

“(1) existing privately or cooperatively owned systems (including reasonable extensions thereto) which are approved as adequate by the Secretary, and which are regulated or supervised by the State or political subdivision or an agency thereof, or (in the absence of such State or local regulation or supervision) are otherwise regulated in a manner acceptable to the Secretary; or

“(2) if it is necessary to develop a new system and the Secretary determines that public ownership of such a system is not feasible, an adequate privately or cooperatively owned new system (A) which he finds consistent with other existing or prospective systems within the area, (B) which during the period of such ownership will be regulated or supervised by the State or political subdivision or an agency thereof, or (in the absence of such State or local regulation or supervision) will be otherwise regulated in a manner acceptable to the Secretary, with respect to user rates and charges, capital structure, methods of operation, and rate of return, and (C) regarding which he receives assurances, satisfactory to him, with respect to eventual public ownership and operation of the system and with respect to the conditions and terms of any sale or transfer.”

#### FEDERAL NATIONAL MORTGAGE ASSOCIATION SPECIAL ASSISTANCE FOR NEW COMMUNITIES

SEC. 405. Section 302(b) of the National Housing Act is amended by inserting after “or title VIII,” in the proviso the following: “or under title X with respect to a new community approved under section 1004 thereof,”.

68 Stat. 613;  
75 Stat. 176.  
12 USC 1717.

#### URBAN PLANNING GRANTS

SEC. 406. Section 701(a) (4) of the Housing Act of 1954 is amended by inserting before the semicolon at the end thereof the following: “, or for areas where rapid urbanization is expected to result on land developed or to be developed as a new community approved under section 1004 of the National Housing Act”.

73 Stat. 678.  
40 USC 461.

#### PUBLIC FACILITY LOANS

SEC. 407. Section 202(b) (4) of the Housing Amendments of 1955 is amended by adding before the period at the end of the second sentence the following: “, or (iii) to be provided in connection with the establishment of a new community approved under section 1004 of the National Housing Act”.

78 Stat. 798;  
79 Stat. 503.  
42 USC 1492.

### TITLE V—MORTGAGE INSURANCE FOR GROUP PRACTICE FACILITIES

#### PURPOSE

SEC. 501. It is the purpose of this title to assure the availability of credit on reasonable terms to units or organizations engaged in the group practice of medicine, optometry, or dentistry, particularly those in smaller communities and those sponsored by cooperative or other nonprofit organizations, to assist in financing the construction and equipment of group practice facilities.

## ESTABLISHMENT OF PROGRAM

12 USC 1701.

SEC. 502. (a) The National Housing Act is amended by adding at the end thereof the following new title:

“TITLE XI—MORTGAGE INSURANCE FOR GROUP PRACTICE FACILITIES

“INSURANCE OF MORTGAGES

“SEC. 1101. (a) The Secretary is authorized (1) to insure mortgages (including advances on such mortgages during construction), upon such terms and conditions as he may prescribe, in accordance with the provisions of this title, and (2) to make commitments for the insuring of such mortgages prior to the date of their execution or disbursement thereon. No mortgage shall be insured under this title after October 1, 1969, except pursuant to a commitment to insure issued before that date.

“(b) To be eligible for insurance under this title, the mortgage shall (1) be executed by a mortgagor that is a group practice unit or organization, approved by the Secretary, (2) be made to and held by a mortgagee approved by the Secretary as responsible and able to service the mortgage properly, and (3) cover a property or project which is approved for mortgage insurance prior to the beginning of construction or rehabilitation and is designed for use as a group practice facility which the Secretary finds will be constructed in an economical manner, will not be of elaborate or extravagant design or materials, and will be adequate and suitable for carrying out the purposes of this title. No mortgage shall be insured under this title unless it is shown to the satisfaction of the Secretary that the applicant would be unable to obtain the mortgage loan without such insurance on terms comparable to those specified in subsection (c).

“(c) The mortgage shall—

“(1) not exceed \$5,000,000;

“(2) not exceed 90 per centum of the amount which the Secretary estimates will be the value of the property or project when construction or rehabilitation is completed. The value of the property may include the land and the proposed physical improvements, equipment, utilities within the boundaries of the property, architects' fees, taxes, and interest accruing during construction or rehabilitation, and other miscellaneous charges incident to construction or rehabilitation and approved by the Secretary;

“(3) have a maturity satisfactory to the Secretary but not to exceed twenty-five years, and provide for complete amortization of the principal obligation by periodic payments within such term as the Secretary shall prescribe; and

“(4) bear interest (exclusive of premium charges for insurance, and service charges if any) at a rate of not to exceed 5 per centum per annum of the amount of the principal obligation outstanding at any time, or not to exceed such rate (not in excess of 6 per centum per annum) as the Secretary finds necessary to meet the mortgage market.

“(d) Any contract of insurance executed by the Secretary under this title shall be conclusive evidence of the eligibility of the mortgage for insurance, and the validity of any contract for insurance so executed shall be incontestable in the hands of an approved mortgagee from the date of the execution of such contract, except for fraud or misrepresentation on the part of such approved mortgagee.

“(e) Each mortgage insured under this title shall contain an undertaking (in accordance with regulations prescribed under this title and in force at the time the mortgage is approved for insurance) to the effect that, except as authorized by the Secretary and the mortgagee, the property will be used as a group practice facility until the mortgage has been paid in full or the contract of insurance otherwise terminated.

“(f) No mortgage shall be insured under this title unless the mortgagor and the mortgagee certify (1) that they will keep such records relating to the mortgage transaction and indebtedness, to the construction of the facility covered by the mortgage, and to the use of such facility as a group practice facility as are prescribed by the Secretary at the time of such certification, (2) that they will make such reports as may from time to time be required by the Secretary pertaining to such matters, and (3) that the Secretary shall have access to and the right to examine and audit such records.

Recordkeeping.

#### “PREMIUMS

“SEC. 1102. The Secretary shall fix premium charges for the insurance of mortgages under this title, but such charges shall not be more than 1 per centum per annum of the amount of the principal obligation of the mortgage outstanding at any time, without taking into account delinquent payments or prepayments. In addition to the premium charge, the Secretary is authorized to charge and collect such amounts as he may deem reasonable for the analysis of a proposed project and the appraisal and inspection of the property and improvements. Where the principal obligation of any mortgage accepted for insurance under this title is paid in full prior to the maturity date, the Secretary is authorized to require the payment by the mortgagee of an adjusted premium charge. This charge shall be in such amount as the Secretary determines to be equitable, but not in excess of the aggregate amount of the premium charges that the mortgagee would otherwise have been required to pay if the mortgage had continued to be insured until the maturity date. Where such prepayment occurs, the Secretary is authorized to refund to the mortgagee for the account of the mortgagor all, or such portion as he shall determine to be equitable, of the current unearned premium charges theretofore paid. Premium charges fixed under this section shall be payable by the mortgagee either in cash, or in debentures which are the obligation of the General Insurance Fund at par plus accrued interest, at such times and in such manner as may be prescribed by the Secretary.

#### “PAYMENT OF INSURANCE BENEFITS

“SEC. 1103. The mortgagee shall be entitled to receive the benefits of the insurance under this title in the manner provided in subsection (g) of section 207 with respect to mortgages insured under that section. For such purpose the provisions of subsections (g), (h), (i), (j), (k), (l), and (n) of section 207 shall apply to mortgages insured under this title and all references in such subsections to section 207 shall be deemed to refer to this title.

12 USC 1713.

#### “REGULATIONS

“SEC. 1104. The Secretary shall prescribe such regulations as may be necessary to carry out this title, after consulting with the Secretary of Health, Education, and Welfare with respect to any health or medical aspects of the program under this title which may be involved in such regulations.

## "ADMINISTRATION

"SEC. 1105. (a) At the request of individuals or organizations operating or contemplating the operation of group practice facilities (as defined in section 1106(1)), the Secretary may provide or obtain technical assistance in the planning for and construction of such facilities.

"(b) With a view to avoiding unnecessary duplication of existing staffs and facilities of the Federal Government, the Secretary is authorized to utilize available services and facilities of any agency of the Federal Government in carrying out the provisions of this title, and to pay for such services and facilities, either in advance or by way of reimbursement, in accordance with an agreement between the Secretary and the head of such agency.

## "DEFINITIONS

"SEC. 1106. For the purposes of this title—

"(1) The term 'group practice facility' means a facility in a State for the provision of preventive, diagnostic, and treatment services to ambulatory patients (in which patient care is under the professional supervision of persons licensed to practice medicine in the State or, in the case of optometric care or treatment, is under the professional supervision of persons licensed to practice optometry in the State, or, in the case of dental diagnosis or treatment, is under the professional supervision of persons licensed to practice dentistry in the State) and which is primarily for the provision of such health services by a medical or dental group.

"(2) The term 'medical or dental group' means a partnership or other association or group of persons licensed to practice medicine or surgery in the State, or of persons licensed to practice optometry in the State, or of persons licensed to practice dentistry in the State, or of any combination of such persons, who, as their principal professional activity and as a group responsibility, engage or undertake to engage in the coordinated practice of their profession primarily in one or more group practice facilities, and who (in this connection) share common overhead expenses (if and to the extent such expenses are paid by members of the group), medical and other records, and substantial portions of the equipment and the professional, technical, and administrative staffs, and which partnership or association or group is composed of at least such professional personnel and make available at least such health services as may be provided in regulations prescribed under this title.

"(3) The term 'group practice unit or organization' means—

"(A) a private nonprofit agency or organization undertaking to provide, directly or through arrangements with a medical or dental group, comprehensive medical care, optometric care, or dental care, or any combination thereof, which may include hospitalization, to members or subscribers primarily on a group practice prepayments basis; or

"(B) a private nonprofit agency or organization established for the purpose of improving the availability of medical, optometric, or dental care in the community or having some function or functions related to the provision of such care, which will, through lease or other arrangement, make the group practice facility with respect to which assistance has been requested under this title available to a medical or dental group for use by it.

"(4) The term 'nonprofit organization' means a corporation, association, foundation, trust, or other organization no part of the net earnings of which inures, or may lawfully inure, to the benefit of any

private shareholder or individual except, in the case of an organization the purposes of which include the provision of personal health services to its members or subscribers or their dependents under a plan of such organization for the provision of such services to them (which plan may include the provision of other services or insurance benefits to them), through the provision of such health services (or such other services or insurance benefits) to such members or subscribers or dependents under such plan.

“(5) The term ‘State’ includes the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, and the District of Columbia.

“(6) The term ‘mortgage’ means a first mortgage on real estate in fee simple, or on the interest of either the lessor or lessee thereof (A) under a lease for not less than ninety-nine years which is renewable, or (B) under a lease having a period of not less than fifty years to run from the date the mortgage was executed. The term ‘first mortgage’ means such classes of first liens as are commonly given to secure advances (including but not limited to advances during construction) on, or the unpaid purchase price of, real estate under the laws of the State in which the real estate is located, together with the credit instrument or instruments, if any, secured thereby, and any mortgage may be in the form of one or more trust mortgages or mortgage indentures or deeds of trust, securing notes, bonds, or other credit instruments, and, by the same instrument or by a separate instrument, may create a security interest in initial equipment, whether or not attached to the realty.

“(7) The term ‘mortgagee’ means the original lender under a mortgage, and his or its successors and assigns, and includes the holders of credit instruments issued under a trust mortgage or deed of trust pursuant to which such holders act by and through a trustee named therein.

“(8) The term ‘mortgagor’ means the original borrower under a mortgage and his or its successors and assigns.”

(b) The first sentence of section 227 of such Act is amended by inserting after “new or rehabilitated multifamily housing” the following: “or a property or project described in title XI”.

68 Stat. 607.  
12 USC 1715r.

#### LABOR STANDARDS

SEC. 503. Section 212(a) of the National Housing Act is amended by adding at the end thereof the following new sentence: “The provisions of this section shall also apply to the insurance of any mortgage under title XI; and each laborer or mechanic employed on any facility covered by a mortgage insured under such title shall receive compensation at a rate not less than one and one-half times his basic rate of pay for all hours worked in any workweek in excess of eight hours in any workday or forty hours in the workweek, as the case may be.”

53 Stat. 807.  
12 USC 1715c.

#### AMENDMENTS TO OTHER FEDERAL LAWS

SEC. 504. (a) (1) The sixth sentence of paragraph “Seventh” of section 5136 of the Revised Statutes, as amended (12 U.S.C. 24), is amended by inserting after “Federal Home Loan Banks,” the following: “or obligations which are insured by the Secretary of Housing and Urban Development under title XI of the National Housing Act”.

(2) The third sentence of the first paragraph of section 24 of the Federal Reserve Act, as amended (12 U.S.C. 371), is amended by inserting after “or sections 1471-1484 of title 42,” the following: “or

69 Stat. 633.

which are insured by the Secretary of Housing and Urban Development pursuant to title XI of the National Housing Act.”

53 Stat. 1153.

(b) Subsection (a) of section 304 of the Trust Indenture Act of 1939 (15 U.S.C. 77ddd) is amended by striking out the word “or” at the end of paragraph (8); by striking out the period at the end of paragraph (9) and inserting in lieu thereof a semicolon and the word “or”; and by adding after paragraph (9) a new paragraph as follows:

“(10) any security issued under a mortgage or trust deed indenture as to which a contract of insurance under title XI of the National Housing Act is in effect; and any such security shall be deemed to be exempt from the provisions of the Securities Act of 1933 to the same extent as though such security were specifically enumerated in section 3(a)(2), as amended, of the Securities Act of 1933 (15 U.S.C. 77c(a)(2)).”

48 Stat. 906.

52 Stat. 902.

(c) Section 263 of chapter X of the Bankruptcy Act (11 U.S.C. 663) is amended by adding at the end thereof the following: “Nothing contained in this chapter shall be deemed to affect or apply to the creditors of any corporation under a mortgage insured pursuant to title XI of the National Housing Act.”

## TITLE VI—PRESERVATION OF HISTORIC STRUCTURES

### PRESERVATION OF HISTORIC STRUCTURES AS PART OF URBAN RENEWAL PROJECTS

71 Stat. 301.

42 USC 1460.

SEC. 601. (a) Section 110(b) of the Housing Act of 1949 is amended by inserting “historic and architectural preservation,” after “land acquisition,”.

70 Stat. 1097.

(b) Section 110(c)(6) of such Act is amended by inserting “to promote historic and architectural preservation,” after “deterioration,”.

(c) Section 110(c) of such Act is further amended by striking out “and” at the end of clause (8), and by striking out clause (9) and inserting in lieu thereof the following:

“(9) relocation within or outside the project area of structures which will be restored and maintained for architectural or historic purposes; and

“(10) restoration of acquired properties of historic or architectural value.”

### LOCAL GRANT-IN-AID CREDIT FOR RELOCATION AND RESTORATION OF HISTORIC STRUCTURES

68 Stat. 626.

SEC. 602. Clause (2) of section 110(d) of the Housing Act of 1949 is amended by striking out “clause (2) and clause (3)” and inserting in lieu thereof “clauses (2), (3), (9), and (10)”.

### GRANTS TO NATIONAL TRUST FOR HISTORIC PRESERVATION TO COVER RESTORATION COSTS

SEC. 603. (a) The Secretary of Housing and Urban Development is authorized to make grants to the National Trust for Historic Preservation, on such terms and conditions and in such amounts (not exceeding \$90,000 with respect to any one structure) as he deems appropriate, to cover the costs incurred by such Trust in renovating or restoring structures which it considers to be of historic or architectural value and which it has accepted and will maintain (after such renovation or restoration) for historic purposes.

(b) There are authorized to be appropriated such sums as may be necessary for the grants to be made under subsection (a).

## URBAN PLANNING GRANTS FOR SURVEYS OF HISTORIC STRUCTURES

SEC. 604. Section 701 of the Housing Act of 1954 is amended by adding at the end thereof the following new subsection:

73 Stat. 678.  
40 USC 461.

“(h) In addition to the other grants authorized by this section, the Secretary is authorized to make grants to assist any city, other municipality, or county in making a survey of the structures and sites in such locality which are determined by its appropriate authorities to be of historic or architectural value. Any such survey shall be designed to identify the historic structures and sites in the locality, determine the cost of their rehabilitation or restoration, and provide such other information as may be necessary or appropriate to serve as a foundation for a balanced and effective program of historic preservation in such locality. The aspects of any such survey which relate to the identification of historic and architectural values shall be conducted in accordance with criteria found by the Secretary to be comparable to those used in establishing the National Register maintained by the Secretary of the Interior under other provisions of law; and the results of each such survey shall be made available to the Secretary of the Interior. A grant under this subsection shall not exceed two-thirds of the cost of the survey for which it is made, and shall be made to the appropriate agency or entity specified in paragraphs (1) through (9) of subsection (a) or, if there is no such agency or entity which is qualified and willing to receive the grant and provide for its utilization in accordance with this subsection, directly to the city, other municipality, or county involved.”

78 Stat. 792,  
793; 79 Stat. 17.

## GRANTS FOR HISTORIC PRESERVATION

SEC. 605. (a) The heading of title VII of the Housing Act of 1961 is amended to read as follows:

75 Stat. 183.  
42 USC 1500  
et seq.

“TITLE VII—OPEN-SPACE LAND, URBAN BEAUTIFICATION, AND HISTORIC PRESERVATION”.

(b) Section 701 of such Act is amended by redesignating subsection (c) as subsection (d), and by inserting after subsection (b) a new subsection as follows:

79 Stat. 494.

“(c) The Congress further finds that there is a need for timely action to preserve and restore areas, sites, and structures of historic or architectural value in order that these remaining evidences of our past history and heritage shall not be lost or destroyed through the expansion and development of the Nation's urban areas.”

(c) Section 701(d) of such Act (as redesignated by subsection (b) of this section) is amended—

(1) by inserting after “urban development,” the following: “to assist in preserving areas and properties of historic or architectural value,”; and

(2) by striking out “and (2)” and inserting in lieu thereof “(2) acquire, improve, and restore areas, sites, and structures of historic or architectural value, and (3)”.

(d) Section 702(e) of such Act is amended to read as follows:

75 Stat. 184.

“(e) The Secretary shall consult with the Secretary of the Interior on the general policies to be followed in reviewing applications for grants under this title. To assist the Secretary in such review, the Secretary of the Interior shall furnish him (1) appropriate information on the status of national and statewide recreation and historic preservation planning as it affects the areas to be assisted with such grants, and (2) the current listing of any districts, sites, buildings, structures, and objects significant in American history, architecture,

archeology, and culture which may be contained on a National Register maintained by the Secretary of the Interior pursuant to other provisions of law. The Secretary shall provide current information to the Secretary of the Interior from time to time on significant program developments."

79 Stat. 496.

42 USC 1500c-2.

42 USC 1500d.

(e) Section 706 of such Act is amended by striking out the proviso.

(f) Section 708 of such Act is amended by inserting "(a)" after "SEC. 708.", by inserting "(b)" before "The" in the second paragraph, and by adding at the end thereof a new subsection as follows:

"(c) Notwithstanding any other provision of this title, the Secretary may use not to exceed \$10,000,000 of the sum authorized for contracts under this title for the purpose of entering into contracts to make grants in amounts not to exceed 90 per centum of the cost of activities which he determines have special value in developing and demonstrating new and improved methods and materials for use in carrying out the purposes of this title."

42 USC 1500e.

(g) Title VII of such Act is amended by redesignating section 709 as section 710, and by adding after section 708 a new section as follows:

#### "GRANTS FOR HISTORIC PRESERVATION

"SEC. 709. The Secretary is authorized to enter into contracts to make grants to States and local public bodies to assist in the acquisition of title to or other permanent interests in areas, sites, and structures of historic or architectural value in urban areas, and in their restoration and improvement for public use and benefit, in accord with the comprehensively planned development of the locality. The amount of any such grant shall not exceed 50 per centum of the total cost, as approved by the Secretary, of the assisted activities. The remainder of such cost shall be provided from non-Federal sources."

(h) Commencing three years after the date of the enactment of this Act, no grant shall be made (except pursuant to a contract or commitment entered into less than three years after such date) under section 709 of the Housing Act of 1961 or section 701(h) of the Housing Act of 1954, or under section 103 of the Housing Act of 1949 to the extent that it is to be used for historic or architectural preservation, except with respect to districts, sites, buildings, structures, and objects which the Secretary of Housing and Urban Development finds meet criteria comparable to those used in establishing the National Register maintained by the Secretary of the Interior pursuant to other provisions of law.

*Supra.*

*Ante*, pp.  
1279, 1260.

### TITLE VII—URBAN RENEWAL

#### LOCAL GRANTS-IN-AID

68 Stat. 626.

42 USC 1460.

SEC. 701. Section 110(d) of the Housing Act of 1949 is amended by inserting immediately after the colon at the end of the first proviso the following: "*Provided further*, That any publicly owned facility, the construction of which was begun not earlier than three years prior to the date of enactment of the Demonstration Cities and Metropolitan Development Act of 1966, shall be deemed to benefit an urban renewal project or projects to the extent of 25 per centum of the total benefits of such facility, or \$3,500,000, whichever is less, if such facility (A) (i) is used, or is to be used, by the public predominantly for cultural, exhibition, or civic purposes, or is a city hall or a public safety building, or (ii) is a facility, constructed or rehabilitated by a public university, which is or will be devoted to the treatment of physical or mental disabilities and illness or to medical research; (B) is located within, adjacent to, or in the immediate vicinity of such urban

renewal project or projects; (C) is found to contribute materially to the objectives of the urban renewal plan or plans for such project or projects; and (D) is not otherwise eligible as a local grant-in-aid.”

#### AIR RIGHTS SITES IN URBAN RENEWAL PROJECTS

SEC. 702. (a) Section 110(c)(1) of the Housing Act of 1949 is amended by inserting in clause (iv), between the word “income” and the colon immediately preceding the first proviso, the following: “or, if the area is found by the local public agency to be unsuitable for use for low or moderate income housing, for use for industrial development”.

78 Stat. 787.  
42 USC 1460.

(b) Section 110(c)(7) of such Act is amended by inserting immediately before the semicolon the following: “, or construction of foundations and platforms necessary for the provision of air rights sites for industrial development”.

78 Stat. 788.

#### ADDITIONAL REQUIREMENTS FOR REDEVELOPMENT OF URBAN RENEWAL AREA

SEC. 703. (a) Section 105 of the Housing Act of 1949 is amended by adding at the end thereof the following new subsection:

63 Stat. 416.  
42 USC 1455.

“(f) The redevelopment of the urban renewal area, unless such redevelopment is for predominantly nonresidential uses, will provide a substantial number of units of standard housing of low and moderate cost and result in marked progress in serving the poor and disadvantaged people living in slum and blighted areas.”

(b) The amendment made by subsection (a) shall apply only in the case of contracts for loans or capital grants which are made with respect to urban renewal projects undertaken pursuant to urban renewal plans approved after the date of the enactment of this Act.

#### THREE-FOURTHS GRANTS FOR PROJECTS IN CERTAIN REDEVELOPMENT AREAS

SEC. 704. Section 103(a)(2)(B) of the Housing Act of 1949 is amended by inserting after “to avoid hardship,” the following: “or at any time after such contract or contracts are entered into and prior to the time the final grant payment has been made pursuant thereto,”.

79 Stat. 479.  
42 USC 1453.

#### EXPENDITURES BY EDUCATIONAL INSTITUTIONS AND HOSPITALS

SEC. 705. Section 112(a) of the Housing Act of 1949 is amended by inserting before the period at the end thereof the following: “: *Provided further*, That no such expenditure shall be deemed ineligible as a local grant-in-aid in connection with an urban renewal project, to the extent that the expenditure is otherwise eligible, if the facilities, land, buildings, or structures with respect to which the expenditure is made are located within one mile of the project”.

75 Stat. 169.  
42 USC 1463.

#### REQUIREMENT OF SEPARATE SEWER SYSTEMS IN REDEVELOPMENT OF URBAN RENEWAL AREA

SEC. 706. Section 105 of the Housing Act of 1949 is amended by adding at the end thereof (after the new subsection added by section 703 of this Act) the following new subsection:

42 USC 1455.

“(g) Consideration has been given to development of a sewer system to serve the urban renewal area which will, to the maximum extent feasible, provide for effective control of storm and sanitary wastes.”

## TITLE VIII—RURAL HOUSING

75 Stat. 186.  
42 USC 1471.

76 Stat. 671.  
42 USC 1472.

42 USC 1474.

42 USC 1485.

SEC. 801. Section 501(a) of the Housing Act of 1949 is amended by striking out "previously occupied" wherever it appears.

SEC. 802. Section 502(a) of the Housing Act of 1949 is amended by striking out "In cases of applicants who are elderly persons, the" and inserting in lieu thereof "The".

SEC. 803. Section 504 of the Housing Act of 1949 is amended by striking out "\$1,000" and inserting in lieu thereof "\$1,500".

SEC. 804. (a) Section 515(a) of the Housing Act of 1949 is amended by inserting after "income" the following: "or other persons and families of low income".

(b) Section 515(d)(1) of such Act is amended by striking out "elderly persons or elderly families" and inserting in lieu thereof "occupants eligible under this section".

SEC. 805. (a) Subsections (a) and (b) of section 515 of the Housing Act of 1949 are each amended by striking out "rental housing" and inserting in lieu thereof "rental or cooperative housing".

(b) Section 515(b) of such Act is amended by inserting after "families" the following: "or other persons and families of moderate income".

(c) Section 515(d)(4) of such Act is amended by adding at the end thereof the following: "Such fees and charges may include payments to qualified consulting organizations or foundations which operate on a nonprofit basis and which render services or assistance to nonprofit corporations or consumer cooperatives who provide housing and related facilities."

79 Stat. 498.  
42 USC 1487.

SEC. 806. Section 517(a)(1) of the Housing Act of 1949 is amended—

(1) by inserting "and" before "(B)"; and

(2) by striking out ", and (C)" and all that follows and inserting in lieu thereof the following: "; but no loan under this paragraph shall be insured or made after October 1, 1969, except pursuant to a commitment entered into before that date; and".

SEC. 807. (a) Section 501(a) of the Housing Act of 1949 is amended by inserting before the period at the end thereof the following: ", and (4) to an owner described in clause (1), (2), or (3) for refinancing indebtedness which—

"(A) was incurred for an eligible purpose described in such clause,

"(B) if not refinanced, is likely to result at an early date in loss of the applicant's necessary dwelling or essential farm service buildings,

"(C) is not held or insured by the United States or any agency thereof, and

"(D) was incurred prior to the enactment of this clause."

42 USC 1471.

(b) Section 501(c) of such Act is amended by inserting before the semicolon at the end of clause (1) the following: ", or that he is the owner of a farm or other real estate in a rural area who needs refinancing of indebtedness described in clause (4) of subsection (a)".

## TITLE IX—URBAN INFORMATION AND TECHNICAL ASSISTANCE SERVICES

## PURPOSE

SEC. 901. It is the purpose of this title to assist States to make available information and data on urban needs and assistance programs and activities, and to provide technical assistance, to small communities with respect to the solution of urban problems.

## GRANT AUTHORITY

SEC. 902. (a) The Secretary is authorized to make grants to States to help finance programs to provide information and data on urban needs and assistance programs and activities, and to provide technical assistance, to small communities with respect to the solution of local problems. Activities aided by such grants may include—

(1) the assembly, correlation, and dissemination of urban physical, social, and economic development information and data for the purpose of informing local governments of small communities, and interested organizations and individuals, of the availability and status of Federal, State, and local programs and other resources and data for the solution of urban problems; and

(2) providing technical assistance with respect to the solution of urban problems to any small community requesting such assistance.

(b) A program assisted under this section shall—

(1) specify the information and technical assistance activities to be carried on and justify the needs for the costs of such activities; and

(2) represent substantially increased or improved activities on the part of the applicant State agency.

## AMOUNT OF GRANT

SEC. 903. (a) A grant under this section shall not exceed 50 per centum of the cost of the activities carried on under an approved urban information and technical assistance program.

(b) No grant shall be made under this title to assist in assembling data, or providing information, to be used primarily in the day to day operations of State or local governing bodies and agencies.

## COOPERATION AND COORDINATION

SEC. 904. (a) Federal departments and agencies shall cooperate with States in providing information to assist in carrying out the purpose of this title.

(b) In the administration of this title, the Secretary shall seek to ensure the greatest practicable coordination of urban information and technical assistance programs established under this title.

## DEFINITIONS

SEC. 905. As used in this title—

(1) "State" means any State of the United States, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, or an agency or instrumentality designated by the chief executive of any of the foregoing, or a statewide agency or instrumentality of its political subdivisions designated by such chief executive.

(2) "Secretary" means the Secretary of Housing and Urban Development.

(3) "Small communities" means communities having populations of less than one hundred thousand according to the most recent decennial census.

## APPROPRIATIONS

SEC. 906. There are authorized to be appropriated for the purpose of carrying out the provisions of this title not to exceed \$2,500,000 for the fiscal year ending June 30, 1967, and not to exceed \$5,000,000 for the fiscal year ending June 30, 1968. Appropriations authorized under this section shall remain available until expended.

## TITLE X—MISCELLANEOUS

## HOUSING FOR THE ELDERLY OR HANDICAPPED

SEC. 1001. Section 105(b) of the Housing and Urban Development Act of 1965 is amended—

(1) by inserting “(1)” after “(b)”;

(2) by striking out “Effective with respect to loans made on or after the date of the enactment of this Act, section” and inserting in lieu thereof “Section”; and

(3) by adding at the end thereof a new paragraph as follows:

“(2) The interest rate provided by the amendment made in paragraph (1) shall be applicable (A) with respect to any loan made on or after August 10, 1965, and (B) with respect to any loan made prior to such date if construction of the housing or related facilities to be assisted by such loan was not commenced prior to such date, and not completed prior to the filing of an application for the benefits of such interest rate.”

## LOW-RENT HOUSING IN PRIVATE ACCOMMODATIONS—TERM OF LEASE

SEC. 1002. Section 23(d) of the United States Housing Act of 1937 is amended by striking out “thirty-six months” and inserting in lieu thereof “sixty months”.

APPLICATION OF DAVIS-BACON ACT TO LOW-RENT HOUSING PROJECTS  
CONSISTING OF PRIVATELY BUILT HOUSING

SEC. 1003. Section 16(2) of the United States Housing Act of 1937 is amended by inserting after “the development of the project involved” the following: “(including a project for the use of privately built housing in any case, other than under the authority of section 23 of this Act, where the public housing agency and the builder or sponsor enter into an agreement for such use before construction or rehabilitation is commenced), and that each such laborer or mechanic shall receive compensation at a rate not less than one and one-half times his basic rate of pay for all hours worked in any workweek in excess of eight hours in any workday or forty hours in the workweek, as the case may be”.

## ASSISTANCE FOR HOUSING IN ALASKA

SEC. 1004. (a) The Secretary of Housing and Urban Development (hereinafter referred to as the “Secretary”) is authorized to make loans and grants to the State of Alaska, or any duly authorized agency or instrumentality thereof, in accordance with a statewide program prepared by such State, agency, or instrumentality, and approved by the Secretary, to assist in the provision of housing and related facilities for Alaska natives and other Alaska residents who are otherwise unable to finance such housing and related facilities upon terms and conditions which they can afford. The program shall (1) specify the

79 Stat. 457,  
12 USC 1701q  
note.

79 Stat. 455.  
42 USC 1421b.

63 Stat. 430.  
42 USC 1416.

minimum and maximum standards for such housing and related facilities (not to exceed an average of \$7,500 per dwelling unit); (2) to the extent feasible, encourage the proposed users of such housing and related facilities to utilize mutual and self-help in the construction thereof; and (3) provide experience, and encourage continued participation, in self-government and individual home ownership.

(b) Grants under this section shall not exceed 75 per centum of the aggregate cost of the housing and related facilities to be constructed under an approved program.

(c) There is authorized to be appropriated not to exceed \$10,000,000 to carry out the purposes of this section.

FEDERAL NATIONAL MORTGAGE ASSOCIATION PARTICIPATION IN FEDERAL HOUSING ADMINISTRATION-INSURED CONSTRUCTION FINANCING

SEC. 1005. Section 305 of the National Housing Act is amended by adding at the end thereof the following new subsection:

“(i) In any case where the Association makes a commitment to purchase under this section (1) a mortgage insured under section 213, (2) a mortgage insured under section 220, or (3) a mortgage insured under section 221(d)(3) and executed by a cooperative (including an investor-sponsor), a limited dividend corporation, a private non-profit corporation or association, or a mortgagor qualified under section 221(e), such commitment may provide for participation by the Association in the making of insured advances on the mortgage during construction. Such participation shall be limited to 95 per centum of the amount of each of the advances involved, and the mortgagee providing the balance of such amount shall perform all necessary servicing and processing of such advances until the final insurance endorsement of the mortgage. The Secretary of Housing and Urban Development shall approve the reasonableness of the fee to be paid a participating mortgagee, taking into account its services and the extent of its participation in the advances.”

68 Stat. 616.  
12 USC 1720.

12 USC 1715e,  
1715k, 1715l.

FEDERAL NATIONAL MORTGAGE ASSOCIATION SPECIAL ASSISTANCE FOR FINANCING LOW-COST HOMES

SEC. 1006. The Congress hereby finds that the sharp decline in new home construction over the past year threatens to undercut our present high level of prosperity and employment as such declines have in the past; that the substantial reduction which has taken place has had its greatest impact on families of modest income who are seeking to achieve the goal of homeownership; that this decline in homebuilding is due primarily to the shortage of mortgage financing on terms which moderate income families can afford; and that our national policy objectives in the field of housing and community development are thereby being thwarted. The Congress therefore expresses its intent that the special assistance funds made available to the Federal National Mortgage Association for the financing of new low-cost homes by the Act of September 10, 1966 (Public Law 89-556), should be released immediately to halt the continuing decline in the construction of new homes for families of moderate income.

*Ante*, p. 738.

FEDERAL NATIONAL MORTGAGE ASSOCIATION STANDBY COMMITMENTS

SEC. 1007. Section 304(a)(1) of the National Housing Act is amended by striking out the last sentence.

75 Stat. 176.  
12 USC 1719.

PLANNING GRANTS FOR RESEARCH ON STATE STATUTES AFFECTING LOCAL GOVERNMENTS

68 Stat. 640.  
40 USC 461.

SEC. 1008. Section 701(b) of the Housing Act of 1954 is amended by inserting before the period at the end thereof the following: “, and for grants to assist in the conduct of studies and research relating to needed revisions in State statutes which create, govern, or control local governments and local governmental operations”.

PUBLIC FACILITY LOANS

69 Stat. 643;  
75 Stat. 174;  
76 Stat. 543.  
42 USC 1492.

SEC. 1009. Section 202 of the Housing Amendments of 1955 is amended by adding at the end thereof a new subsection as follows:

“(f) The restrictions and limitations set forth in subsection (c) of this section shall not apply to assistance to municipalities, other political subdivisions and instrumentalities of one or more States, and Indian tribes, for specific projects for cultural centers, including but not limited to, museums, art centers and galleries, and theaters and other physical facilities for the performing arts, which would be of cultural, educational, and informational value to the communities and areas where the centers would be located.”

APPLYING ADVANCES IN TECHNOLOGY TO HOUSING AND URBAN DEVELOPMENT

SEC. 1010. (a) To encourage and assist the housing industry to continue to reduce the cost and improve the quality of housing by the application to home construction of advances in technology, and to encourage and assist the application of advances in technology to urban development activities, the Secretary of Housing and Urban Development (hereinafter referred to as the “Secretary”) is directed to—

(1) conduct research and studies to test and demonstrate new and improved techniques and methods of applying advances in technology to housing construction, rehabilitation, and maintenance, and to urban development activities; and

(2) encourage and promote the acceptance and application of new and improved techniques and methods of constructing, rehabilitating, and maintaining housing, and the application of advances in technology to urban development activities, by all segments of the housing industry, communities, industries engaged in urban development activities, and the general public.

(b) Research and studies conducted under this section shall be designed to test and demonstrate the applicability to housing construction, rehabilitation, and maintenance, and urban development activities, of advances in technology relating to (1) design concepts, (2) construction and rehabilitation methods, (3) manufacturing processes, (4) materials and products, and (5) building components.

(c) The Secretary is authorized to carry out the research and studies authorized by this section either directly or by contract with public or private bodies or agencies, or by working agreement with departments and agencies of the Federal Government, as he may determine to be desirable. Contracts may be made by the Secretary for research and studies authorized by this section for work to continue not more than two years from the date of any such contract.

(d) There are authorized to be appropriated to carry out the provisions of this section not to exceed \$5,000,000 for the fiscal year ending June 30, 1967, and not to exceed \$10,000,000 for the fiscal year ending June 30, 1968. All funds so appropriated shall remain available until expended.

(e) Nothing contained in this section shall limit any authority of the Secretary under title III of the Housing Act of 1948, section 602 of the Housing Act of 1956, or any other provision of law.

63 Stat. 431.  
12 USC 1701e-  
1701f-1.  
70 Stat. 1113.  
12 USC 1701d-3.

#### URBAN ENVIRONMENTAL STUDIES

SEC. 1011. (a) The Congress finds that, with the ever-increasing concentration of the Nation's population in urban centers, there has occurred a marked change in the environmental conditions under which most people live and work; that such change is characterized by the progressive substitution of a highly complex, man-contrived environment for an environment conditioned primarily by nature; that the beneficent or malignant influence of environment on all living creatures is well recognized; and that much more knowledge is urgently needed concerning the effect on human beings of highly urbanized surroundings. It is the purpose of this section to authorize a comprehensive program of research, studies, surveys, and analyses to improve understanding of the environmental conditions necessary for the well-being of an urban society, and for the intelligent planning and development of viable urban centers.

(b) In order to carry out the purpose of this section, the Secretary is authorized and directed to—

- (1) conduct studies, surveys, research, and analyses with respect to the ecological factors involved in urban living;
- (2) document and define urban environmental factors which need to be controlled or eliminated for the well-being of urban life;
- (3) establish a system of collecting and receiving information and data on urban ecological research and evaluations which are in process or are being planned by public or private agencies, or individuals;
- (4) evaluate and disseminate information pertaining to urban ecology to public and private agencies or organizations, or individuals, in the form of reports or otherwise;
- (5) initiate and utilize urban ecological information in urban development projects initiated or assisted by the Department of Housing and Urban Development; and
- (6) establish through interagency consultation the coordinated utilization of urban ecological information in projects undertaken or assisted by the Federal Government which affect the growth or development of urban areas.

(c) (1) The Secretary is authorized to establish such advisory committees as he deems desirable for the purpose of rendering advice and submitting recommendations for carrying out the purpose of this section. Such advisory committees shall render such advice to the Secretary upon his request and may submit such recommendations to the Secretary at any time on their own initiative. The Secretary may designate employees of the Department of Housing and Urban Development to assist such committees.

Advisory committees.

(2) Members of such advisory committees shall receive not to exceed \$100 per day when engaged in the actual performance of their duties, in addition to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties.

(d) The Secretary is authorized to carry out the studies, surveys, research, and analyses authorized by this section either directly or by contract with public or private bodies or agencies, or by working agreement with departments and agencies of the Federal Government, as he may determine to be desirable. Contracts may be made by the Secretary for work under this subsection to continue not more than two years from the date of any such contract.

(e) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section. All funds so appropriated shall remain available until expended when so provided in appropriation Acts.

MORTGAGE RELIEF FOR CERTAIN HOMEOWNERS

SEC. 1012. That part of section 107 of the Housing and Urban Development Act of 1965 which precedes subsection (f) is amended to read as follows:

79 Stat. 458.  
12 USC 1735g.

“MORTGAGE RELIEF FOR CERTAIN HOMEOWNERS

“SEC. 107. (a) For the purposes of this section—

12 USC 1701.

“(1) The term ‘mortgage’ means a mortgage which (A) is insured under the National Housing Act, or (B) secures a home loan guaranteed or insured under the Servicemen’s Readjustment Act of 1944 or chapter 37 of title 38, United States Code.

58 Stat. 284;  
72 Stat. 1273.  
72 Stat. 1203.  
38 USC 1801.

“(2) The term ‘Federal mortgage agency’ means—

“(A) the Secretary of Housing and Urban Development when used in connection with mortgages insured under the National Housing Act, and

“(B) the Administrator of Veterans’ Affairs when used in connection with mortgages securing home loans guaranteed or insured under the Servicemen’s Readjustment Act of 1944 or chapter 37 of title 38, United States Code.

“(3) The term ‘distressed mortgagor’ means an individual who—

“(A) was employed by the Federal Government at, or was assigned as a serviceman to, a military base or other Federal installation and whose employment or service at such base or installation was terminated subsequent to November 1, 1964, as the result of the closing (in whole or in part) of such base or installation; and

“(B) is the owner-occupant of a dwelling situated at or near such base or installation and upon which there is a mortgage securing a loan which is in default because of the inability of such individual to make payments due under such mortgage.

“(b) (1) Any distressed mortgagor, for the purpose of avoiding foreclosure of his mortgage, may apply to the appropriate Federal mortgage agency for a determination that suspension of his obligation to make payments due under such mortgage during a temporary period is necessary in order to avoid such foreclosure.

“(2) Upon receipt of an application made under this subsection by a distressed mortgagor, the Federal mortgage agency shall issue to such mortgagor a certificate of moratorium if it determines, after consultation with the interested mortgagee, that such action is necessary to avoid foreclosure.

“(3) Prior to the issuance to any distressed mortgagor of a certificate of moratorium under paragraph (2), the Federal mortgage agency, the mortgagor, and the mortgagee shall enter into a binding agreement under which—

“(A) the mortgagor will be required to make payments to such agency, after the expiration of such certificate, in an aggregate amount equal to the amount paid by such agency on behalf of such mortgagor as provided in subsection (c), together with interest thereon at a rate not to exceed the rate provided in the mortgage; the manner and time in which such payments shall be made to be

determined by the Federal mortgage agency having due regard for the purposes sought to be achieved by this section; and

“(B) the Federal mortgage agency will be subrogated to the rights of the mortgagee to the extent of payments made pursuant to such certificate, which rights, however, shall be subject to the prior right of the mortgagee to receive the full amount payable under the mortgage.

“(4) Any certificate of moratorium issued under this subsection shall expire on whichever of the following dates is the earliest—

“(A) two years from the date on which such certificate was issued;

“(B) thirty days after the date on which the mortgagor gives notice in writing to the Federal mortgage agency that he is able to resume his obligation to make payments due under his mortgage; or

“(C) thirty days after the date on which the Federal mortgage agency determines that the mortgagor to whom such certificate was issued has ceased to be a distressed mortgagor as defined in subsection (a) (3).

“(c) (1) Whenever a Federal mortgage agency issues a certificate of moratorium to any distressed mortgagor with respect to any mortgage, it shall transmit to the mortgagee a copy of such certificate, together with a notice stating that, while such certificate is in effect, such agency will assume the obligation of such mortgagor to make payments due under the mortgage.

“(2) Payments made by any Federal mortgage agency pursuant to a certificate of moratorium issued under this section with respect to the mortgage of any distressed mortgagor may include, in addition to the payments referred to in paragraph (1), an amount equal to the unpaid payments under such mortgage prior to the issuance of such certificate, plus a reasonable allowance for foreclosure costs actually paid by the mortgagee if a foreclosure action was dismissed as a result of the issuance of a moratorium certificate. Payments by the Federal mortgage agency may also include payments of taxes and insurance premiums on the mortgaged property as deemed necessary when these items are not provided for through payments to a tax and insurance account held by the interested mortgagee.

“(3) While any certificate of moratorium issued under this section is in effect with respect to the mortgage of any distressed mortgagor, no further payments due under the mortgage shall be required of such mortgagor, and no action (legal or otherwise) shall be taken or maintained by the mortgagee to enforce or collect such payments. Upon the expiration of such certificate, the mortgagor shall again be liable for the payment of all amounts due under the mortgage in accordance with its terms.

“(4) Each Federal mortgage agency shall give prompt notice in writing to the interested mortgagor and mortgagee of the expiration of any certificate of moratorium issued by it under this section.

“(d) The Federal mortgage agencies are authorized to issue such individual and joint regulations as may be necessary to carry out this section and to insure the uniform administration thereof.

“(e) There shall be in the Treasury (1) a fund which shall be available to the Secretary of Housing and Urban Development for the purpose of extending financial assistance in behalf of distressed mortgagors as provided in subsection (c) and for paying administrative expenses incurred in connection with such assistance, and (2) a fund which shall be available to the Administrator of Veterans' Affairs for the same purpose, except administrative expenses. The capital of each

such fund shall consist of such sums as may, from time to time, be appropriated thereto, and any sums so appropriated shall remain available until expended. Receipts arising from the programs of assistance under subsection (c) shall be credited to the fund from which such assistance was extended. Moneys in either of such funds not needed for current operations, as determined by the Secretary of Housing and Urban Development, or the Administrator of Veterans' Affairs, as the case may be, shall be invested in bonds or other obligations of the United States, or paid into the Treasury as miscellaneous receipts."

Investment of  
moneys.

ACQUISITION OF CERTAIN PROPERTIES SITUATED AT OR NEAR MILITARY BASES WHICH HAVE BEEN ORDERED TO BE CLOSED

SEC. 1013. (a) Notwithstanding any other provision of law, the Secretary of Defense is authorized to acquire title to, hold, manage, and dispose of, or, in lieu thereof, to reimburse for certain losses upon private sale of, or foreclosure against, any property improved with a one- or two-family dwelling which is situated at or near a military base or installation which the Department of Defense has, subsequent to November 1, 1964, ordered to be closed in whole or in part, if he determines—

(1) that the owner of such property is, or has been, a Federal employee employed at or in connection with such base or installation (other than a temporary employee serving under a time limitation) or a serviceman assigned thereto;

(2) that the closing of such base or installation, in whole or in part, has required or will require the termination of such owner's employment or service at or in connection with such base or installation; and

(3) that as the result of the actual or pending closing of such base or installation, in whole or in part, there is no present market for the sale of such property upon reasonable terms and conditions.

(b) In order to be eligible for the benefits of this section such employees or military personnel must be or have been—

(1) assigned to or employed at or in connection with the installation or activity at the time of public announcement of the closure action,

(2) transferred from such installation or activity, or terminated as employees as a result of reduction-in-force, within six months prior to public announcement of the closure action, or

(3) transferred from the installation or activity on an overseas tour unaccompanied by dependents within fifteen months prior to public announcement of the closure action:

*Provided*, That, at the time of public announcement of the closure action, or at the time of transfer or termination as set forth above, such personnel or employees must—

(i) have been the owner-occupant of the dwelling, or

(ii) have vacated the owned dwelling as a result of being ordered into on-post housing during a six-month period prior to the closure announcement:

*Provided further*, That as a consequence of such closure such employees or personnel must—

(i) be required to relocate because of military transfer or acceptance of employment beyond a normal commuting distance from the dwelling for which compensation is sought, or

(ii) be unemployed, not as a matter of personal choice, and able to demonstrate such financial hardship that they are unable to meet their mortgage payments and related expenses.

(c) Such persons as the Secretary of Defense may determine to be eligible under the criteria set forth above shall elect either (1) to receive a cash payment as compensation for losses which may be or have been sustained in a private sale, in an amount not to exceed the difference between (A) 95 per centum of the fair market value of their property (as such value is determined by the Secretary of Defense) prior to public announcement of intention to close all or part of the military base or installation and (B) the fair market value of such property (as such value is so determined) at the time of the sale, or (2) to receive, as purchase price for their property, an amount not to exceed 90 per centum of prior fair market value as such value is determined by the Secretary of Defense, or the amount of the outstanding mortgages. Cash payment as compensation for losses sustained in a private sale shall not be made in any case in which the property is encumbered by a mortgage loan guaranteed, insured, or held by a Federal agency unless such mortgage loan is paid, assumed by a purchaser satisfactory to such Federal agency, or otherwise fully satisfied at or prior to the time such cash payment is made. Except in cases of payment as compensation for losses, in the event of foreclosure by mortgagees commenced on or after public announcement of intention to close all or part of the military base or installation and prior to the one hundred and twentieth day after the enactment of this Act, the Secretary of Defense may reimburse or pay on account of eligible persons such sums as may be paid or be otherwise due and owing by such persons as the result of such foreclosure, including (without limiting the generality of the foregoing) direct costs of judicial foreclosure, expenses and liabilities enforceable according to the terms of their mortgages or promissory notes, and the amount of debts, if any, established against such persons by a Federal agency in the case of loans made, guaranteed, or insured by such agency following liquidation of the security for such loans.

(d) There shall be in the Treasury a fund which shall be available to the Secretary of Defense for the purpose of extending the financial assistance provided above. The capital of such fund shall consist of such sums as may, from time to time, be appropriated thereto, and shall consist also of receipts from the management, rental, or sale of properties acquired under this section, which receipts shall be credited to the fund and shall be available, together with funds appropriated therefor, for purchase or reimbursement purposes as provided above, as well as to defray expenses arising in connection with the acquisition, management, and disposal of such properties, including payment of principal, interest, and expenses of mortgages or other indebtedness thereon, and including the cost of staff services and contract services, costs of insurance, and other indemnity. Any part of such receipts not required for such expenses shall be covered into the Treasury as miscellaneous receipts. Properties acquired under this section shall be conveyed to, and acquired in the name of, the United States. The Secretary of Defense shall have the power to deal with, rent, renovate, and dispose of, whether by sales for cash or credit or otherwise, any properties so acquired: *Provided, however,* That no contract for acquisition, or acquisition, shall be deemed to constitute a contract for or acquisition of family housing units in support of military installations or activities within the meaning of section 406(a) of the Act of August 30, 1957 (42 U.S.C. 1594i), nor shall it be deemed a transaction within the contemplation of section 2662 of title 10, United States Code.

(e) Payments from the fund created by this section may be made in lieu of taxes to any State or political subdivision thereof, with respect to real property, including improvements thereon, acquired

73 Stat. 321.

74 Stat. 186.

and held under this section. The amount so paid for any year upon such property shall not exceed the taxes which would be paid to the State or subdivision, as the case may be, upon such property if it were not exempt from taxation, and shall reflect such allowance as may be considered appropriate for expenditures, if any, by the Government for streets, utilities, or other public services to serve such property.

(f) The title to any property acquired under this section, the eligibility for, and the amounts of, cash payable, and the administration of the preceding provisions of this section, shall conform to such requirements, and shall be administered under such conditions and regulations, as the Secretary of Defense may prescribe. Such regulations shall also prescribe the terms and conditions under which payments may be made and instruments accepted under this section, and all the determinations and decisions made pursuant to such regulations by the Secretary of Defense regarding such payments and conveyances and the terms and conditions under which they are approved or disapproved, shall be final and conclusive and shall not be subject to judicial review.

(g) The Secretary of Defense is authorized to enter into such agreement with the Secretary of Housing and Urban Development as may be appropriate for the purposes of economy and efficiency of administration of this section. Such agreement may provide authority to the Secretary of Housing and Urban Development and his designee to make any or all of the determinations and take any or all of the actions which the Secretary of Defense is authorized to undertake pursuant to the preceding provisions of this section. Any such determinations shall be entitled to finality to the same extent as if made by the Secretary of Defense, and, in event the Secretaries of Defense and Housing and Urban Development so elect, the fund established pursuant to subsection (d) of this section shall be available to the Secretary of Housing and Urban Development to carry out the purposes thereof.

(h) Section 223(a)(8) of the National Housing Act is amended to read as follows:

“(8) executed in connection with the sale by the Government of any housing acquired pursuant to section 1013 of the Demonstration Cities and Metropolitan Development Act of 1966.”

(i) No funds may be appropriated for the acquisition of any property under authority of this section unless such funds have been specifically authorized for such purpose in a military construction authorization act, and no moneys in the fund created pursuant to subsection (d) of this section may be expended for any purpose except as may be provided in appropriation Acts.

(j) Section 108 of the Housing and Urban Development Act of 1965 is repealed.

#### COLLEGE HOUSING

SEC. 1014. (a) Section 404(b)(4) of the Housing Act of 1950 is amended by striking out “public” immediately before “educational institution”.

(b) Section 401(d) of such Act is amended by inserting before the period at the end thereof the following: “and, notwithstanding the first proviso of this subsection, the amount of this annual increase which is not utilized for loans for hospitals may be utilized for loans for other educational facilities, as defined herein”.

79 Stat. 461.  
12 USC 1715n.

Repeal.  
79 Stat. 460.  
12 USC 1735h.

71 Stat. 304.  
12 USC 1749c.

73 Stat. 681.  
12 USC 1749.

## STUDY CONCERNING RELIEF OF HOMEOWNERS IN PROXIMITY TO AIRPORTS

SEC. 1015. Section 1113 of the Housing and Urban Development Act of 1965 is amended—

- (1) by inserting "(a)" after "Sec. 1113.";
- (2) by striking out "one year after the date of the enactment of this Act" and inserting in lieu thereof "six months after the date of the enactment of the Demonstration Cities and Metropolitan Development Act of 1966"; and
- (3) by adding at the end thereof the following new subsection:
 

"(b) There is authorized to be appropriated the sum of \$100,000 to carry out subsection (a)."

79 Stat. 509.  
12 USC 1701d-3  
note.

QUARTERS AND FACILITIES FOR FEDERAL HOME LOAN BANKS AND  
THE FEDERAL HOME LOAN BANK BOARD

SEC. 1016. (a) The second sentence of section 12 of the Federal Home Loan Bank Act (12 U.S.C. 1432) is amended by striking out "but no bank building shall be bought or erected to house any such bank, nor shall any such bank make any lease" and inserting in lieu thereof "but, except with the prior approval of the board, no bank building shall be bought or erected to house any such bank, or leased by such bank under any lease".

47 Stat. 735.

(b) Section 18 of such Act (12 U.S.C. 1438) is amended—

- (1) by adding at the end of subsection (b) the following new sentence: "Such assessments may include such amounts as the board may deem advisable for carrying out the provisions of subsection (c) of this section."; and
- (2) by adding at the end thereof the following new subsection:
 

"(c) (1) The board, utilizing the services of the Administrator of General Services (hereinafter referred to as the 'Administrator'), and subject to any limitation hereon which may hereafter be imposed in appropriation Acts, is hereby authorized—

  - "(A) to acquire, in the name of the United States, real property in the District of Columbia, for the purposes set forth in this subsection;
  - "(B) to construct, develop, furnish, and equip such buildings thereon and such facilities as in its judgment may be appropriate to provide, to such extent as the board may deem advisable, suitable and adequate quarters and facilities for the board and the agencies under its administration or supervision;
  - "(C) to enlarge, remodel, or reconstruct any of the same; and
  - "(D) to make or enter into contracts for any of the foregoing.

"(2) The board may require of the respective banks, and they shall make to the board, such advances of funds for the purposes set out in paragraph (1) as in the sole judgment of the board may from time to time be advisable. Such advances shall be in addition to the assessments authorized in subsection (b) and shall be apportioned by the board among the banks in proportion to the total assets of the respective banks, determined in such manner and as of such times as the board may prescribe. Each such advance shall bear interest at the rate of 4½ per centum per annum from the date of the advance and shall be repaid by the board in such installments and over such period, not longer than twenty-five years from the making of the advance, as the board may determine. Payments of interest and principal upon such advances shall be made from receipts of the board or from other sources which may from time to time be available to the board. The obligation of the board to make any such payment shall not be

regarded as an obligation of the United States. To such extent as the board may prescribe any such obligation shall be regarded as a legal investment for the purposes of subsections (g) and (h) of section 11 and for the purposes of section 16.

“(3) The plans and designs for such buildings and facilities and for any such enlargement, remodeling, or reconstruction shall, to such extent as the chairman of the board may request, be subject to his approval.

“(4) Upon the making of arrangements mutually agreeable to the board and the Administrator, which arrangements may be modified from time to time by mutual agreement between them and may include but shall not be limited to the making of payments by the board and such agencies to the Administrator and by the Administrator to the board, the custody, management, and control of such buildings and facilities and of such real property shall be vested in the Administrator in accordance therewith. Until the making of such arrangements such custody, management, and control, including the assignment and allotment and the reassignment and reallocation of building and other space, shall be vested in the board.

“(5) Any proceeds (including advances) received by the board in connection with this subsection, and any proceeds from the sale or other disposition of real or other property acquired by the board under this subsection, shall be considered as receipts of the board, and obligations and expenditures of the board and such agencies in connection with this subsection shall not be considered as administrative expenses. As used in this subsection, the term ‘property’ shall include interests in property.

“(6) With respect to its functions under this subsection the board shall (A) annually prepare and submit a budget program as provided in title I of the Government Corporation Control Act with regard to wholly owned Government corporations, and for purposes of this sentence, the terms ‘wholly owned Government corporations’ and ‘Government corporations’, wherever used in such title, shall include the board, and (B) maintain an integral set of accounts which shall be audited annually by the General Accounting Office in accordance with the principles and procedures applicable to commercial corporate transactions as provided in such title, and no other audit, settlement, or adjustment shall be required with respect to transactions under this subsection or with respect to claims, demands, or accounts by or against any person arising thereunder. The first budget program shall be for the first full fiscal year beginning on or after the date of the enactment of this subsection, and the first audit shall be for the remainder of the fiscal year in which this subsection is enacted. Except as otherwise provided in this subsection or by the board, the provisions of this subsection and the functions thereby or thereunder subsisting shall be applicable and exercisable notwithstanding and without regard to the Act of June 20, 1938 (D.C. Code, secs. 5-413-5-428), except that the proviso of section 16 thereof shall apply to any building constructed under this subsection, and section 306 of the Act of July 30, 1947 (61 Stat. 584), or any other provision of law relating to the construction, alteration, repair, or furnishing of public or other buildings or structures or the obtaining of sites therefor, but any person or body in whom any such function is vested may provide for delegation or redelegation of the exercise of such function.

“(7) No obligation shall be incurred and no expenditure, except in liquidation of obligation, shall be made pursuant to the first two subparagraphs of paragraph (1) of this subsection if the total amount of all obligations incurred pursuant thereto would thereupon exceed

Budget program preparation.

59 Stat. 597.  
31 USC 841-852.

GAO audit.

52 Stat. 797.

40 USC 129.

\$13,200,000, or such greater amount as may be provided in an appropriation Act or other law.”

#### SMALL BUSINESS ACT

SEC. 1017. Paragraph (1) of section 8(b) of the Small Business Act is amended by inserting “(A)” after “(1)”, by inserting “and” after “Administration;”, and by adding at the end thereof a new subparagraph as follows:

72 Stat. 389.  
15 USC 637.

“(B) to allow an individual or group of persons cooperating with it in furtherance of the purposes of subparagraph (A) to make such use of its office facilities and related materials and services as it deems appropriate;”.

#### USE OF CERTAIN LANDS FOR CIVIL DEFENSE PURPOSES

SEC. 1018. Section 2 of the Act entitled “An Act to provide for the conveyance of a tract of land in Prince Georges County, Maryland, to the State of Maryland for use as a site for a National Guard Armory and for training the National Guard or for other military purposes”, approved August 10, 1949 (63 Stat. 592), is amended by striking out “The land” and inserting in lieu thereof “(a) Except as provided in subsection (b) of this section, the land” and by adding at the end thereof the following new subsection:

“(b) The Secretary of Housing and Urban Development shall execute the necessary instrument or instruments to provide that a certain portion of land, not to exceed two acres, on the easterly side of the land described in the first section of this Act, as more particularly determined and designated by the Secretary of the Army, may be used for civil defense or other emergency preparedness purposes or the purposes stated in subsection (a) and that such use shall not cause the reverter clause set forth herein to become operable.”

#### MORTGAGE INSURANCE FOR LAND DEVELOPMENT—CLARIFYING AMENDMENTS

SEC. 1019. Section 1001(d) of the National Housing Act is amended—

79 Stat. 462.  
12 USC 1749aa.

(1) by striking out “sewerage disposal installations,” and inserting in lieu thereof “sewage disposal installations, steam, gas, and electric lines and installations,”;

(2) by striking out the semicolon after “or common use”, and inserting in lieu thereof a period and the following new sentence: “Related uses may include industrial uses, with sites for such uses to be in proper proportion to the size and scope of the development.”;

(3) by striking out “but such term” and inserting in lieu thereof: “The term improvements”; and

(4) by inserting after “sewage disposal installation,” in clause (1) the following: “or a steam, gas, or electric line or installation,”.

#### MISCELLANEOUS AND TECHNICAL AMENDMENTS

SEC. 1020. (a) Section 106(d) of the Housing Act of 1949 is repealed.

63 Stat. 419.  
42 USC 1456.

(b) Section 227(a) of the National Housing Act is amended by striking out “subsection (b) (2)” in clause (vi) and inserting in lieu thereof “subsection (b)”.

68 Stat. 607.  
12 USC 1715r.

71 Stat. 299.  
12 USC 1720.

68 Stat. 620.  
12 USC 1723.

12 USC 1731a.

12 USC 1749aa.

12 USC 1702.

69 Stat. 636.  
12 USC 1715e  
note.

12 USC 1715e,  
1715i, 1701s.

(c) The last sentence of section 305(e) of the National Housing Act is amended by striking out "supplementing" and inserting in lieu thereof "supplementary".

(d) Section 308 of the National Housing Act is amended by striking out "(a)".

(e) Section 512 of the National Housing Act is amended by striking out "or IX" and inserting in lieu thereof "IX, X, or XI".

(f) Section 1001(c) of the National Housing Act is amended by striking out "mortgage" and inserting in lieu thereof "mortgage".

(g) Section 1 of the National Housing Act is amended by striking out "and X" wherever it appears and inserting in lieu thereof "X, and XI".

(h) Section 102(h) of the Housing Amendments of 1955 is amended by striking out "section 213 of the National Housing Act, as amended, the Commissioner" and inserting in lieu thereof "section 213 of the National Housing Act, section 221(d)(3) of the National Housing Act, and section 101 of the Housing and Urban Development Act of 1965 (insofar as the provisions of such sections relate to cooperative housing), the Secretary of Housing and Urban Development", and by striking out "such section" each place it appears and inserting in lieu thereof "such sections".

Approved November 3, 1966.

## Public Law 89-755

### AN ACT

November 3, 1966  
[S. 985]

To regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes.

Fair Packaging  
and Labeling Act.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Fair Packaging and Labeling Act".

### DECLARATION OF POLICY

SEC. 2. Informed consumers are essential to the fair and efficient functioning of a free market economy. Packages and their labels should enable consumers to obtain accurate information as to the quantity of the contents and should facilitate value comparisons. Therefore, it is hereby declared to be the policy of the Congress to assist consumers and manufacturers in reaching these goals in the marketing of consumer goods.

### PROHIBITION OF UNFAIR AND DECEPTIVE PACKAGING AND LABELING

SEC. 3. (a) It shall be unlawful for any person engaged in the packaging or labeling of any consumer commodity (as defined in this Act) for distribution in commerce, or for any person (other than a common carrier for hire, a contract carrier for hire, or a freight forwarder for hire) engaged in the distribution in commerce of any packaged or labeled consumer commodity, to distribute or to cause to be distributed in commerce any such commodity if such commodity is contained in a package, or if there is affixed to that commodity a label, which does not conform to the provisions of this Act and of regulations promulgated under the authority of this Act.

(b) The prohibition contained in subsection (a) shall not apply to persons engaged in business as wholesale or retail distributors of consumer commodities except to the extent that such persons (1) are engaged in the packaging or labeling of such commodities, or (2) prescribe or specify by any means the manner in which such commodities are packaged or labeled.

#### REQUIREMENTS AND PROHIBITIONS

SEC. 4. (a) No person subject to the prohibition contained in section 3 shall distribute or cause to be distributed in commerce any packaged consumer commodity unless in conformity with regulations which shall be established by the promulgating authority pursuant to section 6 of this Act which shall provide that—

(1) The commodity shall bear a label specifying the identity of the commodity and the name and place of business of the manufacturer, packer, or distributor;

(2) The net quantity of contents (in terms of weight, measure, or numerical count) shall be separately and accurately stated in a uniform location upon the principal display panel of that label;

(3) The separate label statement of net quantity of contents appearing upon or affixed to any package—

(A) (i) if on a package containing less than four pounds or one gallon and labeled in terms of weight or fluid measure, shall, unless subparagraph (ii) applies and such statement is set forth in accordance with such subparagraph, be expressed both in ounces (with identification as to avoirdupois or fluid ounces) and, if applicable, in pounds for weight units, with any remainder in terms of ounces or common or decimal fractions of the pound; or in the case of liquid measure, in the largest whole unit (quarts, quarts and pints, or pints, as appropriate) with any remainder in terms of fluid ounces or common or decimal fractions of the pint or quart;

(ii) if on a random package, may be expressed in terms of pounds and decimal fractions of the pound carried out to not more than two decimal places;

(iii) if on a package labeled in terms of linear measure, shall be expressed both in terms of inches and the largest whole unit (yards, yards and feet, or feet, as appropriate) with any remainder in terms of inches or common or decimal fractions of the foot or yard;

(iv) if on a package labeled in terms of measure of area, shall be expressed both in terms of square inches and the largest whole square unit (square yards, square yards and square feet, or square feet, as appropriate) with any remainder in terms of square inches or common or decimal fractions of the square foot or square yard;

(B) shall appear in conspicuous and easily legible type in distinct contrast (by typography, layout, color, embossing, or molding) with other matter on the package;

(C) shall contain letters or numerals in a type size which shall be (i) established in relationship to the area of the principal display panel of the package, and (ii) uniform for all packages of substantially the same size; and

(D) shall be so placed that the lines of printed matter included in that statement are generally parallel to the base on which the package rests as it is designed to be displayed; and

(4) The label of any package of a consumer commodity which bears a representation as to the number of servings of such commodity contained in such package shall bear a statement of the net quantity (in terms of weight, measure, or numerical count) of each such serving.

“Random package.”

(5) For purposes of paragraph (3) (A) (ii) of this subsection the term “random package” means a package which is one of a lot, shipment, or delivery of packages of the same consumer commodity with varying weights, that is, packages with no fixed weight pattern.

(b) No person subject to the prohibition contained in section 3 shall distribute or cause to be distributed in commerce any packaged consumer commodity if any qualifying words or phrases appear in conjunction with the separate statement of the net quantity of contents required by subsection (a), but nothing in this subsection or in paragraph (2) of subsection (a) shall prohibit supplemental statements, at other places on the package, describing in nondeceptive terms the net quantity of contents: *Provided*, That such supplemental statements of net quantity of contents shall not include any term qualifying a unit of weight, measure, or count that tends to exaggerate the amount of the commodity contained in the package.

#### ADDITIONAL REGULATIONS

SEC. 5. (a) The authority to promulgate regulations under this Act is vested in (A) the Secretary of Health, Education, and Welfare (referred to hereinafter as the “Secretary”) with respect to any consumer commodity which is a food, drug, device, or cosmetic, as each such term is defined by section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321); and (B) the Federal Trade Commission (referred to hereinafter as the “Commission”) with respect to any other consumer commodity.

52 Stat. 1040.

(b) If the promulgating authority specified in this section finds that, because of the nature, form, or quantity of a particular consumer commodity, or for other good and sufficient reasons, full compliance with all the requirements otherwise applicable under section 4 of this Act is impracticable or is not necessary for the adequate protection of consumers, the Secretary or the Commission (whichever the case may be) shall promulgate regulations exempting such commodity from those requirements to the extent and under such conditions as the promulgating authority determines to be consistent with section 2 of this Act.

(c) Whenever the promulgating authority determines that regulations containing prohibitions or requirements other than those prescribed by section 4 are necessary to prevent the deception of consumers or to facilitate value comparisons as to any consumer commodity, such authority shall promulgate with respect to that commodity regulations effective to—

(1) establish and define standards for characterization of the size of a package enclosing any consumer commodity, which may be used to supplement the label statement of net quantity of contents of packages containing such commodity, but this paragraph shall not be construed as authorizing any limitation on the size, shape, weight, dimensions, or number of packages which may be used to enclose any commodity;

(2) regulate the placement upon any package containing any commodity, or upon any label affixed to such commodity, of any printed matter stating or representing by implication that such commodity is offered for retail sale at a price lower than the ordinary and customary retail sale price or that a retail sale price advantage is accorded to purchasers thereof by reason of the size of that package or the quantity of its contents;

(3) require that the label on each package of a consumer commodity (other than one which is a food within the meaning of section 201(f) of the Federal Food, Drug, and Cosmetic Act) bear (A) the common or usual name of such consumer commodity, if any, and (B) in case such consumer commodity consists of two or more ingredients, the common or usual name of each such ingredient listed in order of decreasing predominance, but nothing in this paragraph shall be deemed to require that any trade secret be divulged; or

(4) prevent the nonfunctional-slack-fill of packages containing consumer commodities.

For purposes of paragraph (4) of this subsection, a package shall be deemed to be nonfunctionally slack-filled if it is filled to substantially less than its capacity for reasons other than (A) protection of the contents of such package or (B) the requirements of machines used for enclosing the contents in such package.

(d) Whenever the Secretary of Commerce determines that there is undue proliferation of the weights, measures, or quantities in which any consumer commodity or reasonably comparable consumer commodities are being distributed in packages for sale at retail and such undue proliferation impairs the reasonable ability of consumers to make value comparisons with respect to such consumer commodity or commodities, he shall request manufacturers, packers, and distributors of the commodity or commodities to participate in the development of a voluntary product standard for such commodity or commodities under the procedures for the development of voluntary products standards established by the Secretary pursuant to section 2 of the Act of March 3, 1901 (31 Stat. 1449, as amended; 15 U.S.C. 272). Such procedures shall provide adequate manufacturer, packer, distributor, and consumer representation.

(e) If (1) after one year after the date on which the Secretary of Commerce first makes the request of manufacturers, packers, and distributors to participate in the development of a voluntary product standard as provided in subsection (d) of this section, he determines that such a standard will not be published pursuant to the provisions of such subsection (d), or (2) if such a standard is published and the Secretary of Commerce determines that it has not been observed, he shall promptly report such determination to the Congress with a statement of the efforts that have been made under the voluntary standards program and his recommendation as to whether Congress should enact legislation providing regulatory authority to deal with the situation in question.

#### PROCEDURE FOR PROMULGATION OF REGULATIONS

SEC. 6. (a) Regulations promulgated by the Secretary under section 4 or section 5 of this Act shall be promulgated, and shall be subject to

52 Stat. 1040.  
21 USC 321.

64 Stat. 371.

judicial review, pursuant to the provisions of subsections (e), (f), and (g) of section 701 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 371 (e), (f), and (g)). Hearings authorized or required for the promulgation of any such regulations by the Secretary shall be conducted by the Secretary or by such officer or employee of the Department of Health, Education, and Welfare as he may designate for that purpose.

(b) Regulations promulgated by the Commission under section 4 or section 5 of this Act shall be promulgated, and shall be subject to judicial review, by proceedings taken in conformity with the provisions of subsections (e), (f), and (g) of section 701 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 371 (e), (f), and (g)) in the same manner, and with the same effect, as if such proceedings were taken by the Secretary pursuant to subsection (a) of this section. Hearings authorized or required for the promulgation of any such regulations by the Commission shall be conducted by the Commission or by such officer or employee of the Commission as the Commission may designate for that purpose.

(c) In carrying into effect the provisions of this Act, the Secretary and the Commission are authorized to cooperate with any department or agency of the United States, with any State, Commonwealth, or possession of the United States, and with any department, agency, or political subdivision of any such State, Commonwealth, or possession.

(d) No regulation adopted under this Act shall preclude the continued use of returnable or reusable glass containers for beverages in inventory or with the trade as of the effective date of this Act, nor shall any regulation under this Act preclude the orderly disposal of packages in inventory or with the trade as of the effective date of such regulation.

#### ENFORCEMENT

SEC. 7. (a) Any consumer commodity which is a food, drug, device, or cosmetic, as each such term is defined by section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321), and which is introduced or delivered for introduction into commerce in violation of any of the provisions of this Act, or the regulations issued pursuant to this Act, shall be deemed to be misbranded within the meaning of chapter III of the Federal Food, Drug, and Cosmetic Act, but the provisions of section 303 of that Act (21 U.S.C. 333) shall have no application to any violation of section 3 of this Act.

(b) Any violation of any of the provisions of this Act, or the regulations issued pursuant to this Act, with respect to any consumer commodity which is not a food, drug, device, or cosmetic, shall constitute an unfair or deceptive act or practice in commerce in violation of section 5(a) of the Federal Trade Commission Act and shall be subject to enforcement under section 5(b) of the Federal Trade Commission Act.

(c) In the case of any imports into the United States of any consumer commodity covered by this Act, the provisions of sections 4 and 5 of this Act shall be enforced by the Secretary of the Treasury pursuant to section 801 (a) and (b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381).

#### REPORTS TO THE CONGRESS

SEC. 8. Each officer or agency required or authorized by this Act to promulgate regulations for the packaging or labeling of any consumer commodity, or to participate in the development of voluntary product

52 Stat. 1055;  
70 Stat. 919.

66 Stat. 632.  
15 USC 45.

52 Stat. 112.

52 Stat. 1058;  
63 Stat. 882.

standards with respect to any consumer commodity under procedures referred to in section 5(d) of this Act, shall transmit to the Congress in January of each year a report containing a full and complete description of the activities of that officer or agency for the administration and enforcement of this Act during the preceding fiscal year.

#### COOPERATION WITH STATE AUTHORITIES

SEC. 9. (a) A copy of each regulation promulgated under this Act shall be transmitted promptly to the Secretary of Commerce, who shall (1) transmit copies thereof to all appropriate State officers and agencies, and (2) furnish to such State officers and agencies information and assistance to promote to the greatest practicable extent uniformity in State and Federal regulation of the labeling of consumer commodities.

(b) Nothing contained in this section shall be construed to impair or otherwise interfere with any program carried into effect by the Secretary of Health, Education, and Welfare under other provisions of law in cooperation with State governments or agencies, instrumentalities, or political subdivisions thereof.

#### DEFINITIONS

SEC. 10. For the purposes of this Act—

(a) The term "consumer commodity", except as otherwise specifically provided by this subsection, means any food, drug, device, or cosmetic (as those terms are defined by the Federal Food, Drug, and Cosmetic Act), and any other article, product, or commodity of any kind or class which is customarily produced or distributed for sale through retail sales agencies or instrumentalities for consumption by individuals, or use by individuals for purposes of personal care or in the performance of services ordinarily rendered within the household, and which usually is consumed or expended in the course of such consumption or use. Such term does not include—

21 USC 321.

(1) any meat or meat product, poultry or poultry product, or tobacco or tobacco product;

(2) any commodity subject to packaging or labeling requirements imposed by the Secretary of Agriculture pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act, or the provisions of the eighth paragraph under the heading "Bureau of Animal Industry" of the Act of March 4, 1913 (37 Stat. 832-833; 21 U.S.C. 151-157), commonly known as the Virus-Serum-Toxin Act;

61 Stat. 163.  
7 USC 135 note.

(3) any drug subject to the provisions of section 503(b)(1) or 506 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(b)(1) and 356);

65 Stat. 648;  
55 Stat. 851.

(4) any beverage subject to or complying with packaging or labeling requirements imposed under the Federal Alcohol Administration Act (27 U.S.C. 201 et seq.); or

49 Stat. 977.

(5) any commodity subject to the provisions of the Federal Seed Act (7 U.S.C. 1551-1610).

53 Stat. 1275.

(b) The term "package" means any container or wrapping in which any consumer commodity is enclosed for use in the delivery or display of that consumer commodity to retail purchasers, but does not include—

(1) shipping containers or wrappings used solely for the transportation of any consumer commodity in bulk or in quantity to

manufacturers, packers, or processors, or to wholesale or retail distributors thereof;

(2) shipping containers or outer wrappings used by retailers to ship or deliver any commodity to retail customers if such containers and wrappings bear no printed matter pertaining to any particular commodity; or

(3) containers subject to the provisions of the Act of August 3, 1912 (37 Stat. 250, as amended; 15 U.S.C. 231-233), the Act of March 4, 1915 (38 Stat. 1186, as amended; 15 U.S.C. 234-236), the Act of August 31, 1916 (39 Stat. 673, as amended; 15 U.S.C. 251-256), or the Act of May 21, 1928 (45 Stat. 685, as amended; 15 U.S.C. 257-257j).

(c) The term "label" means any written, printed, or graphic matter affixed to any consumer commodity or affixed to or appearing upon a package containing any consumer commodity.

(d) The term "person" includes any firm, corporation, or association.

(e) The term "commerce" means (1) commerce between any State, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States, and any place outside thereof, and (2) commerce within the District of Columbia or within any territory or possession of the United States not organized with a legislative body, but shall not include exports to foreign countries.

(f) The term "principal display panel" means that part of a label that is most likely to be displayed, presented, shown, or examined under normal and customary conditions of display for retail sale.

#### SAVING PROVISION

SEC. 11. Nothing contained in this Act shall be construed to repeal, invalidate, or supersede—

(a) the Federal Trade Commission Act or any statute defined therein as an antitrust Act;

(b) the Federal Food, Drug, and Cosmetic Act; or

(c) the Federal Hazardous Substances Labeling Act.

38 Stat. 717.  
15 USC 58.

52 Stat. 1040.  
21 USC 301.  
74 Stat. 372.

15 USC 1261 note.

#### EFFECT UPON STATE LAW

SEC. 12. It is hereby declared that it is the express intent of Congress to supersede any and all laws of the States or political subdivisions thereof insofar as they may now or hereafter provide for the labeling of the net quantity of contents of the package of any consumer commodity covered by this Act which are less stringent than or require information different from the requirements of section 4 of this Act or regulations promulgated pursuant thereto.

#### EFFECTIVE DATE

SEC. 13. This Act shall take effect on July 1, 1967: *Provided*, That the Secretary (with respect to any consumer commodity which is a food, drug, device, or cosmetic, as those terms are defined by the Federal Food, Drug, and Cosmetic Act), and the Commission (with respect to any other consumer commodity) may by regulation postpone, for an additional twelve-month period, the effective date of this Act with respect to any class or type of consumer commodity on the basis of a finding that such a postponement would be in the public interest.

Approved November 3, 1966.

52 Stat. 1040.  
21 USC 321.

## Public Law 89-756

## AN ACT

November 3, 1966  
[S. 3298]

To amend the Federal Hazardous Substances Labeling Act to ban hazardous toys and articles intended for children, and other articles so hazardous as to be dangerous in the household regardless of labeling, and to apply to unpackaged articles intended for household use, and for other purposes.

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

Child Protec-  
tion Act of  
1966.

## SHORT TITLE

SECTION 1. This title may be cited as the "Child Protection Act of 1966".

## APPLICATION OF FEDERAL HAZARDOUS SUBSTANCES LABELING ACT TO ARTICLES BEARING OR CONTAINING PESTICIDES, AND TO UNPACKAGED HAZARDOUS SUBSTANCES

SEC. 2. (a) Section 2(f)(2) of the Federal Hazardous Substances Labeling Act (15 U.S.C. 1261(f)(2)), which excludes "economic poisons" subject to the Federal Insecticide, Fungicide, and Rodenticide Act and certain other articles from the term "hazardous substance", is amended by inserting before the period at the end thereof the following: "but such term shall apply to any article which is not itself an economic poison within the meaning of the Federal Insecticide, Fungicide, and Rodenticide Act but which is a hazardous substance within the meaning of subparagraph 1 of this paragraph by reason of bearing or containing such an economic poison".

74 Stat. 372.

61 Stat. 163.  
7 USC 135 note.

(b) So much of section 2(n) of such Act (15 U.S.C. 1261(n)), defining the term "label", as precedes the semicolon is amended to read as follows:

"(n) the term 'label' means a display of written, printed, or graphic matter upon the immediate container of any substance or, in the case of an article which is unpackaged or is not packaged in an immediate container intended or suitable for delivery to the ultimate consumer, a display of such matter directly upon the article involved or upon a tag or other suitable material affixed thereto".

(c)(1) Paragraph (p) of section 2 of such Act (15 U.S.C. 1261(p)), defining the terms "misbranded package" and "misbranded package of a hazardous substance", is amended by changing so much of such paragraph as precedes subparagraph (1) thereof to read as follows:

"(p) The term 'misbranded hazardous substance' means a hazardous substance (including a toy, or other article intended for use by children, which is a hazardous substance, or which bears or contains a hazardous substance in such manner as to be susceptible of access by a child to whom such toy or other article is entrusted) intended, or packaged in a form suitable, for use in the household or by children, which substance, except as otherwise provided by or pursuant to section 3, fails to bear a label—".

(2) Such paragraph (p) is further amended by striking out, in subparagraph (1), all of clause (J) through the word "and" and inserting in lieu thereof the following: "(J) the statement (i) 'Keep out of the reach of children' or its practical equivalent, or, (ii) if the article is intended for use by children and is not a banned hazardous substance, adequate directions for the protection of children from the hazard, and".

(d) Section 3(b) of such Act (15 U.S.C. 1262(b)), authorizing the Secretary to establish reasonable variations or additional label

requirements necessary for the protection of the public health and safety, is amended by changing so much of such subsection as follows the semicolon to read as follows: "and any such hazardous substance intended, or packaged in a form suitable, for use in the household or by children, which fails to bear a label in accordance with such regulations shall be deemed to be a misbranded hazardous substance."

74 Stat. 375.

(e) Subsection (d) of section 3 of such Act (15 U.S.C. 1262(d)), authorizing the Secretary to except containers of hazardous substances with respect to which adequate requirements satisfying the purposes of such Act have been established by or pursuant to another Act, is amended by inserting "hazardous substance or" before "container of a hazardous substance".

(f) Section 4 of such Act (15 U.S.C. 1263), setting forth prohibited acts, is amended as follows:

(1) Paragraphs (a), (c), and (g) of such section are each amended by striking out "misbranded package of a hazardous substance" and inserting in lieu thereof "misbranded hazardous substance";

(2) Paragraphs (b) and (f) of such section are each amended by striking out "being in a misbranded package" and inserting in lieu thereof "being a misbranded hazardous substance".

(g) Subsection (b) of section 5 of such Act (15 U.S.C. 1264) is amended by striking out "in misbranded packages" in clause (2) thereof and inserting in lieu thereof "a misbranded hazardous substance".

(h) Section 6(a) of such Act (15 U.S.C. 1265(a)) is amended by striking out "Any hazardous substance that is in a misbranded package" and inserting in lieu thereof "Any misbranded hazardous substance".

(i) Section 14(a) of such Act (15 U.S.C. 1273(a)) is amended by striking out "in misbranded packages" in the second sentence thereof and inserting in lieu thereof "a misbranded hazardous substance".

**EXCLUSION, FROM INTERSTATE COMMERCE, OF TOYS AND OTHER CHILDREN'S ARTICLES CONTAINING HAZARDOUS SUBSTANCES, AND OF OTHER SUBSTANCES SO DANGEROUS THAT CAUTIONARY LABELING IS NOT ADEQUATE**

**SEC. 3.** (a) Section 2 of such Act (15 U.S.C. 1261) is further amended by adding at the end thereof the following new paragraph:

"(q) (1) The term 'banned hazardous substance' means (A) any toy, or other article intended for use by children, which is a hazardous substance, or which bears or contains a hazardous substance in such manner as to be susceptible of access by a child to whom such toy or other article is entrusted; or (B) any hazardous substance intended, or packaged in a form suitable, for use in the household, which the Secretary by regulation classifies as a 'banned hazardous substance' on the basis of a finding that, notwithstanding such cautionary labeling as is or may be required under this Act for that substance, the degree or nature of the hazard involved in the presence or use of such substance in households is such that the objective of the protection of the public health and safety can be adequately served only by keeping such substance, when so intended or packaged, out of the channels of interstate commerce: *Provided*, That the Secretary, by regulation, (i) shall exempt from clause (A) of this paragraph articles, such as chemical sets, which by reason of their functional purpose require the inclusion of the hazardous substance involved, and which bear labeling giving adequate directions and warnings for safe use and are intended for use by children who have attained sufficient maturity, and may reasonably be expected, to read and heed such directions and

warnings, and (ii) shall exempt from clause (A), and provide for the labeling of, common fireworks (including toy paper caps, cone fountains, cylinder fountains, whistles without report, and sparklers) to the extent that he determines that such articles can be adequately labeled to protect the purchasers and users thereof.

"(2) Proceedings for the issuance, amendment, or repeal of regulations pursuant to clause (B) of subparagraph (1) of this paragraph shall be governed by the provisions of sections 701 (e), (f), and (g) of the Federal Food, Drug, and Cosmetic Act: *Provided*, That if the Secretary finds that the distribution for household use of the hazardous substance involved presents an imminent hazard to the public health, he may by order published in the Federal Register give notice of such finding, and thereupon such substance when intended or offered for household use, or when so packaged as to be suitable for such use, shall be deemed to be a 'banned hazardous substance' pending the completion of proceedings relating to the issuance of such regulations."

(b) Subsections (a), (b), (c), and (g) of section 4 of such Act, as amended by section 2 of this Act, are each further amended by inserting "or banned hazardous substance" after "misbranded hazardous substance".

(c) Clause (2) of section 5(b) of such Act, as amended by section 2 of this Act, is further amended by striking out "within the meaning of that term" in such clause and inserting in lieu thereof "or a banned hazardous substance within the meaning of those terms".

(d) Section 6(a) of such Act, as amended by section 2 of this Act, is further amended by inserting "or banned hazardous substance" after "Any misbranded hazardous substance".

(e) Section 14(a) of such Act, as amended by section 2 of this Act, is further amended by inserting "or banned hazardous substance" after "misbranded hazardous substance" in the second sentence thereof.

52 Stat. 1055.  
21 USC 371.

Publication in  
Federal Register.

Ante, p. 1304.

#### EFFECT UPON STATE LAW

SEC. 4. (a) Section 17 of such Act (15 U.S.C. 1261, note) is amended by inserting "(a)" immediately after the section designation and adding at the end thereof the following new subsection:

"(b) It is hereby expressly declared that it is the intent of the Congress to supersede any and all laws of the States and political subdivisions thereof insofar as they may now or hereafter provide for the precautionary labeling of any substance or article intended or suitable for household use (except for those substances defined in sections 2(f) (2) and (3) of this Act) which differs from the requirements or exemptions of this Act or the regulations or interpretations promulgated pursuant thereto. Any law, regulation, or ordinance purporting to establish such a labeling requirement shall be null and void."

(b) The title of such section is amended to read as follows:

"EFFECT UPON FEDERAL AND STATE LAW".

#### CHANGE IN SHORT TITLE OF ACT

SEC. 5. Section 1 of the Federal Hazardous Substances Labeling Act is amended by striking out "Labeling".

Approved November 3, 1966.

74 Stat. 380.

74 Stat. 372.  
15 USC 1261  
note.

## Public Law 89-757

## AN ACT

November 5, 1966  
[H. R. 2266]

To provide for the settlement of claims resulting from an explosion at a United States ordnance plant in Bowie County, Texas, on July 8, 1963.

Bowie County,  
Tex.  
Settlement of  
certain claims.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Congress recognizes and assumes the compassionate responsibility of the United States for the losses sustained by reason of the explosion at Day and Zimmerman, Incorporated, an ordnance plant wholly owned by the United States in Bowie County, Texas, on July 8, 1963, and hereby provides the procedure by which the amounts shall be determined and paid.

SEC. 2. The Secretary of the Army (hereinafter referred to as the "Secretary") or his designee, is authorized to receive, investigate, and settle claims against the United States for death or personal injury proximately resulting from the explosion referred to in the first section of this Act. No claim may be approved by the Secretary in an amount in excess of \$25,000.

Rule of proce-  
dure.

SEC. 3. (a) The Secretary shall promulgate and publish within sixty days after the date of the enactment of this Act rules of procedure for the consideration and disposition of claims filed under this Act.

(b) Claimants shall submit their claims in writing to the Secretary, under such rules as he may prescribe pursuant to subsection (a), within six months after the date of the enactment of this Act.

(c) The Secretary shall determine the amount of awards, if any, in the case of each claim within eighteen months from the date on which the claim was submitted.

(d) Except as otherwise provided herein, the law of the State of Texas shall apply.

SEC. 4. (a) With respect to claims filed and awards paid pursuant to the provisions of this Act, the Secretary shall limit himself to the determination of—

(1) whether the losses sustained resulted from the explosion at the said ordnance plant in Bowie County, Texas, on July 8, 1963;

(2) the amounts to be awarded as compensation for such losses not to exceed \$25,000 in each claim; and

(3) the persons entitled to receive such awards.

(b) Claims for awards based on death shall be submitted only by duly authorized legal representatives.

SEC. 5. (a) In determining the amounts to be awarded for death, or personal injury, the Secretary shall reduce any such amounts by an amount equal to the total of insurance benefits (except life insurance benefits), or other payments or settlements of any nature, previously paid or to be paid with respect to such death claims or personal injury.

(b) Payments approved by the Secretary for death or personal injury, shall not be subject to insurance subrogation claims in any respect.

(c) The Secretary shall not include in any award any amount for reimbursement to any insurance company or compensation insurance fund for loss payments made by such company or fund.

SEC. 6. (a) The payment to any person of an award pursuant to a claim filed under the provisions of this Act shall be in full settlement and discharge of all claims of such person against the United States resulting from the explosion described in the first section of this Act.

(b) No claim cognizable under the provisions of this Act shall be assigned or transferred, except to the United States.

SEC. 7. The Secretary of the Army shall require assignment to the United States of any right of action against a third party arising from the death, or personal injury claim with respect to which settlement is made.

SEC. 8. The Secretary shall, within two years and six months after the date of enactment of this Act, transmit to the Congress a report setting forth—

Report to  
Congress.

(1) each claim settled by him and paid pursuant to the provisions of this Act, with a brief statement concerning the character and equity of each such claim, the amount claimed, and the amount approved and paid; and

(2) each claim submitted to him in accordance with the provisions of this Act which has not been settled by him, with supporting papers and a statement of his findings of facts and recommendations with respect to each such claim.

SEC. 9. Attorney and agent fees shall be paid out of the awards hereunder. No attorney or agent on account of services rendered in connection with each claim shall receive in excess of 20 per centum of the amount paid, any contract to the contrary notwithstanding.

Whoever violates the provisions of this Act shall be fined a sum not to exceed \$1,000.

Violations.

SEC. 10. The Secretary of the Treasury shall pay out of moneys in the Treasury not otherwise appropriated the claims referred to in this Act in the amounts approved for payment by the Secretary of the Army or his designee and the administrative costs of the investigation and settlement of claims under this Act. The authority of the Secretary of the Treasury to make payment of awards so fixed and determined shall terminate three years from the effective date of this Act.

Approved November 5, 1966.

## Public Law 89-758

### AN ACT

To permit the sale of grain storage facilities to public and private nonprofit agencies and organizations.

November 5, 1966  
[H. R. 12360]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 4(h) of the Commodity Credit Corporation Charter Act, as amended, is amended by inserting before the period at the end thereof the following: “: *Provided*, That, notwithstanding any other provision of law, where a grain storage facility owned by the Corporation is not needed by the Corporation and, upon being offered for sale no person offers to pay the minimum price set by the Corporation for such facility for use in connection with storage or handling of agricultural commodities, then the Corporation may, without declaring such facility to be excess property, sell it by bids at not less than such minimum price to any public or private nonprofit agency or organization for use for the purposes of such agency or organization. This provision shall apply also to facilities which on the effective date of this Act have been declared excess to the needs of the Commodity Credit Corporation but have not been claimed by any other Government agency, or surplus to the needs of the Government but not disposed of pursuant to the provisions of the Federal Property and Administrative Services Act of 1949, as amended.

Grain storage  
facilities.  
Sale.  
62 Stat. 1071.  
15 USC 714b.

Approved November 5, 1966.

63 Stat. 377.  
40 USC 471 note.

Public Law 89-759

AN ACT

November 5, 1966  
[H. R. 15024]

To authorize the Administrator of General Services to select an available Government-owned site in the District of Columbia and to improve and lease such site for a temporary heliport.

D.C.  
Heliport site  
and facilities.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Administrator of General Services, in consultation with the Administrator of the Federal Aviation Agency, is authorized to—

(1) select, with the approval of the Government department or agency administering the site, a Government-owned site within the District of Columbia which is appropriate for a temporary heliport;

(2) construct on such site necessary minimum heliport facilities; and

(3) lease, by negotiation or otherwise, and at the highest obtainable rental, such site and facilities on an annual basis to any person who will operate such heliport in accordance with such rules and regulations as are established by the Administrator of the Federal Aviation Agency.

Appropriation.

SEC. 2. There are authorized to be appropriated not to exceed \$100,000 for the purposes of this Act.

Approved November 5, 1966.

Public Law 89-760

AN ACT

November 5, 1966  
[S. 84]

To provide for reimbursement to the State of Wyoming for improvements made on certain lands in Sweetwater County, Wyoming, if and when such lands revert to the United States.

Sweetwater  
County, Wyo.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of Agriculture, having conveyed certain lands situated in Sweetwater County, Wyoming, to the State of Wyoming by reason of and in accordance with the provisions of that deed of June 6, 1962, executed pursuant to the Act of March 20, 1962 (76 Stat. 44), and having included in such deed provision that, if the lands so conveyed to the State of Wyoming should cease to be used in the cooperative agricultural demonstration work of the United States, Department of Agriculture, and the State of Wyoming, title to the lands thus conveyed shall revert to and become revested in the United States of America; the Secretary of the Interior be hereby authorized, at such time as said reversionary provision might become effective, to reimburse the State of Wyoming from whatever funds may be available to him, for those permanent improvements made by said State of Wyoming and remaining on said lands at the time such reversion of title becomes effective in an amount not to exceed the current fair market value of said improvement as determined by appraisal made at that time.

Approved November 5, 1966.

Public Law 89-761

AN ACT

To provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes.

November 5, 1966  
[S. 360]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve for the educational, inspirational, and recreational use of the public certain portions of the Indiana dunes and other areas of scenic, scientific, and historic interest and recreational value in the State of Indiana, the Secretary of the Interior is authorized to establish and administer the Indiana Dunes National Lakeshore (hereinafter referred to as the "lakeshore") in accordance with the provisions of this Act. The lakeshore shall comprise the area within the boundaries delineated on a map identified as "A Proposed Indiana Dunes National Lakeshore", dated September 1966, and bearing the number "LNPNE-1008-ID", which map is on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior.

Indiana Dunes National Sea-shore. Establishment.

SEC. 2. (a) Within the boundaries of the lakeshore the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire lands, waters, and other property, or any interest therein, by donation, purchase with donated or appropriated funds, exchange, or otherwise. The Indiana Dunes State Park may be acquired only by donation of the State of Indiana, and the Secretary is hereby directed to negotiate with the State for the acquisition of said park. In exercising his authority to acquire property by exchange for the purposes of this Act, the Secretary may accept title to non-Federal property located within the area described in section 1 of this Act and convey to the grantor of such property any federally owned property under the jurisdiction of the Secretary which he classifies as suitable for exchange or other disposal within the State of Indiana or Illinois. Properties so exchanged shall be approximately equal in fair market value, as determined by the Secretary who may, in his discretion, base his determination on an independent appraisal obtained by him: *Provided*, That the Secretary may accept cash from or pay cash to the grantor in such an exchange in order to equalize the values of the properties exchanged.

Acquisition of lands, authorization.

(b) In exercising his authority to acquire property under subsection (a) of this section, the Secretary may enter into contracts requiring the expenditure, when appropriated, of funds authorized to be appropriated by section 10 of this Act, but the liability of the United States under any such contract shall be contingent on the appropriation of funds sufficient to fulfill the obligations thereby incurred.

Contracts.

SEC. 3. As soon as practicable after the effective date of this Act and following the acquisition by the Secretary of an acreage within the boundaries of the area described in section 1 of this Act which in his opinion is efficiently administrable for the purposes of this Act, he shall establish the Indiana Dunes National Lakeshore by publication of notice thereof in the Federal Register. Following such establishment and subject to the limitations and conditions prescribed in section 1 hereof, the Secretary may continue to acquire lands and interests in lands for the lakeshore.

Boundaries. Publication in Federal Register.

SEC. 4. (a) The Secretary's authority to acquire property by condemnation shall be suspended with respect to all improved property located within the boundaries of the lakeshore during all times when an appropriate zoning agency shall have in force and applicable to such property a duly adopted, valid zoning ordinance approved by the Secretary in accordance with the provisions of section 5 of this Act.

Condemned property.

“Improved property.”

(b) The term “improved property”, whenever used in this Act, shall mean a detached, one-family dwelling, construction of which was begun before January 4, 1965, together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the lands so designated. The amount of land so designated shall in every case be not more than three acres in area, and in making such designation the Secretary shall take into account the manner of noncommercial residential use in which the dwelling and land have customarily been enjoyed: *Provided*, That the Secretary may exclude from the land so designated any beach or waters, together with so much of the land adjoining such beach or waters, as he may deem necessary for public access thereto or public use thereof.

Standards.

SEC. 5. (a) As soon as practicable after enactment of this Act, the Secretary shall issue regulations specifying standards for approval by him of zoning ordinances for the purposes of sections 4 and 6 of this Act. The Secretary may issue amended regulations specifying standards for approval by him of zoning ordinances whenever he shall consider such amended regulations to be desirable due to changed or unforeseen conditions. The Secretary shall approve any zoning ordinance and any amendment to any approved zoning ordinance submitted to him which conforms to the standards contained in the regulations in effect at the time of adoption of such ordinance or amendment by the zoning agency. Such approval shall not be withdrawn or revoked, by issuance of any amended regulations after the date of such approval, for so long as such ordinance or amendment remains in effect as approved.

(b) The standards specified in such regulations and amended regulations for approval of any zoning ordinance or zoning ordinance amendment shall contribute to the effect of (1) prohibiting the commercial and industrial use, other than any commercial or industrial use which is permitted by the Secretary, of all property covered by the ordinance within the boundaries of the lakeshore; and (2) promoting the preservation and development, in accordance with the purposes of this Act, of the area covered by the ordinance within the lakeshore by means of acreage, frontage, and setback requirements and other provisions which may be required by such regulations to be included in a zoning ordinance consistent with the laws of the State of Indiana.

(c) No zoning ordinance or amendment thereof shall be approved by the Secretary which (1) contains any provision which he may consider adverse to the preservation and development, in accordance with the purposes of this Act, of the area comprising the lakeshore; or (2) fails to have the effect of providing that the Secretary shall receive notice of any variance granted under and any exception made to the application of such ordinance or amendment.

(d) If any improved property, with respect to which the Secretary's authority to acquire by condemnation has been suspended according to the provisions of this Act, is made the subject of a variance under or exception to such zoning ordinance, or is subjected to any use, which variance, exception, or use fails to conform to or is inconsistent with any applicable standard contained in regulations issued pursuant to this section and in effect at the time of passage of such ordinance, the Secretary may, in his discretion, terminate the suspension of his authority to acquire such improved property by condemnation.

(e) The Secretary shall furnish to any party in interest requesting the same a certificate indicating, with respect to any property located within the lakeshore as to which the Secretary's authority to acquire such property by condemnation has been suspended in accordance with provisions of this Act, that such authority has been so suspended and the reasons therefor.

SEC. 6. (a) Any owner or owners of improved property on the date of its acquisition by the Secretary may, as a condition to such acquisition, retain the right of use and occupancy of the improved property for noncommercial residential purposes for a term of twenty-five years, or for such lesser time as the said owner or owners may elect at the time of acquisition by the Secretary. Where any such owner retains a right of use and occupancy as herein provided, such right during its existence may be conveyed or leased for noncommercial residential purposes. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition, less the fair market value on such date of the right retained by the owner.

Owners of improved property, retention rights.

(b) The Secretary shall have authority to terminate any right of use and occupancy retained as provided in subsection (a) of this section at any time after the date upon which any use occurs with respect to such property which fails to conform or is in any manner opposed to or inconsistent with the applicable standards contained in regulations issued pursuant to section 5 of this Act and which is in effect on said date: *Provided*, That no use which is in conformity with the provisions of a zoning ordinance approved in accordance with said section 5 and applicable to such property shall be held to fail to conform or be opposed to or inconsistent with any such standard. In the event the Secretary terminates a right of use and occupancy under this subsection, he shall pay to the owner of the right so terminated an amount equal to the fair market value of the portion of said right which remained unexpired on the date of termination.

Termination right of Secretary.

SEC. 7. (a) In the administration of the lakeshore the Secretary may utilize such statutory authorities relating to areas of the national park system and such statutory authority otherwise available to him for the conservation and management of natural resources as he deems appropriate to carry out the purposes of this Act.

Administration.

(b) In order that the lakeshore shall be permanently preserved in its present state, no development or plan for the convenience of visitors shall be undertaken therein which would be incompatible with the preservation of the unique flora and fauna or the physiographic conditions now prevailing or with the preservation of such historic sites and structures as the Secretary may designate: *Provided*, That the Secretary may provide for the public enjoyment and understanding of the unique natural, historic, and scientific features within the lakeshore by establishing such trails, observation points, and exhibits and providing such services as he may deem desirable for such public enjoyment and understanding: *Provided further*, That the Secretary may develop for appropriate public uses such portions of the lakeshore as he deems especially adaptable for such uses.

SEC. 8. (a) There is hereby established an Indiana Dunes National Lakeshore Advisory Commission. Said Commission shall terminate ten years after the date of establishment of the national lakeshore pursuant to this Act.

Indiana Dunes National Lakeshore Advisory Commission.

(b) The Commission shall be composed of seven members, each appointed for a term of two years by the Secretary, as follows: (1) one member who is a year-round resident of Porter County to be appointed from recommendations made by the commissioners of such county; (2) one member who is a year-round resident of the town of Beverly Shores to be appointed from the recommendations made by

Membership.

the board of trustees of such town; (3) one member who is a year-round resident of the towns of Porter, Dune Acres, Portage, Pines, Chesterton, Ogden Dunes, or the village of Tremont, such member to be appointed from recommendations made by the boards of trustees or the trustee of the affected town or township; (4) one member who is a year-round resident of the city of Michigan City to be appointed from recommendations made by such city; (5) two members to be appointed from recommendations made by the Governor of the State of Indiana; and (6) one member to be designated by the Secretary.

(c) The Secretary shall designate one member to be Chairman. Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

(d) A member of the Commission shall serve without compensation as such. The Secretary is authorized to pay the expense reasonably incurred by the Commission in carrying out its responsibilities under this Act on vouchers signed by the Chairman.

(e) The Secretary or his designee shall, from time to time, consult with the Commission with respect to matters relating to the development of the Indiana Dunes National Lakeshore and with respect to the provisions of sections 4, 5, and 6 of this Act.

SEC. 9. Nothing in this Act shall deprive the State of Indiana or any political subdivision thereof of its civil and criminal jurisdiction over persons found, acts performed, and offenses committed within the boundaries of the Indiana Dunes National Lakeshore or of its right to tax persons, corporations, franchises, or other non-Federal property on lands included therein.

SEC. 10. There are hereby authorized to be appropriated not more than \$27,900,000 for the acquisition of land and interests in land pursuant to this Act.

Approved November 5, 1966.

Public Law 89-762

AN ACT

To repeal section 3342 of title 5, United States Code, relating to the prohibition of employee details from the field service to the departmental service, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) section 3342 of title 5, United States Code, relating to the prohibition of details of employees from the field service to the departmental service, is hereby repealed.

(b) The table of contents of subchapter III of chapter 33 of title 5, United States Code, is amended by striking out—

“3342. Details; field to departmental service prohibited.”

SEC. 2. Section 525 of the Act of June 17, 1930 (46 Stat. 741; 19 U.S.C. 1525), which provides exception to the Department of the Treasury from the restrictions imposed by section 3342 of title 5, United States Code, is hereby repealed.

Approved November 5, 1966.

Crimes and offenses, jurisdiction.

Appropriation.

November 5, 1966  
[S. 1496]

Federal employee details.  
Ante, p. 425.  
Repeal.

## Public Law 89-763

## AN ACT

November 5, 1966  
[S. 476]

To amend the Act approved March 18, 1950, providing for the construction of airports in or in close proximity to national parks, national monuments, and national recreation areas, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act approved March 18, 1950 (64 Stat. 27; 16 U.S.C. 7a-7e), is amended by striking the figure "\$2,000,000" at the end of section 2 and inserting in lieu thereof the figure "\$3,500,000".

National parks.  
Airport construction.

Approved November 5, 1966.

## Public Law 89-764

## AN ACT

November 5, 1966  
[S. 1349]

To amend the inland, Great Lakes, and western rivers rules concerning sailing vessels and vessels under sixty-five feet in length.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That article 20 of section 1 of the Act of June 7, 1897 (33 U.S.C. 205), is amended by adding the following sentence at the end thereof: "This rule shall not give to a sailing vessel the right to hamper, in a narrow channel, the safe passage of a steam vessel which can navigate only inside that channel."

Navigation  
rules.  
Amendment.  
30 Stat. 101.

SEC. 2. Article 25 of section 1 of the Act of June 7, 1897 (33 U.S.C. 210), is amended by adding the following paragraph at the end thereof: "In narrow channels a steam vessel of less than sixty-five feet in length shall not hamper the safe passage of a vessel which can navigate only inside that channel."

28 Stat. 648.

SEC. 3. Rule 19 of section 1 of the Act of February 8, 1895 (33 U.S.C. 284), is amended by adding the following sentence at the end thereof: "This rule shall not give to a sailing vessel the right to hamper, in a narrow channel, the safe passage of a steam vessel which can navigate only inside that channel."

SEC. 4. Rule 24 of section 1 of the Act of February 8, 1895 (33 U.S.C. 289), is amended by adding the following paragraph at the end thereof: "In all narrow channels a steam vessel of less than sixty-five feet in length shall not hamper the safe passage of a vessel which can navigate only inside that channel."

SEC. 5. The rule numbered 20 in section 4233 of the Revised Statutes, as amended (33 U.S.C. 345), is further amended by adding the following sentence at the end thereof: "This rule shall not give to a sailing vessel the right to hamper the safe passage of a large steam vessel or vessel with tow that is ascending or descending a river."

SEC. 6. Section 4233 of the Revised Statutes, as amended, is further amended by adding the following new rule after rule numbered 23: "Rule twenty-three (A). A steam vessel of less than sixty-five feet in length which can maneuver easily shall not hamper the safe passage of a large vessel or vessel with tow that is ascending or descending a river."

SEC. 7. The amendments made by this Act shall take effect as of the ninetieth day after the date of enactment of this Act.

Effective date.

Approved November 5, 1966.

## Public Law 89-765

## AN ACT

November 5, 1966  
[S.1556]

To authorize the Board of Governors of the Federal Reserve System to delegate certain of its functions, and for other purposes.

Federal Reserve System.  
Board of Governors, functions.  
38 Stat. 261;  
76 Stat. 670.  
60 Stat. 237.  
5 USC 1001 note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 11 of the Federal Reserve Act (12 U.S.C. 248) is amended by adding after subsection (j) the following subsection:

“(k) To delegate, by published order or rule and subject to the Administrative Procedure Act, any of its functions, other than those relating to rulemaking or pertaining principally to monetary and credit policies, to one or more hearing examiners, members or employees of the Board, or Federal Reserve banks. The assignment of responsibility for the performance of any function that the Board determines to delegate shall be a function of the Chairman. The Board shall, upon the vote of one member, review action taken at a delegated level within such time and in such manner as the Board shall by rule prescribe.”

Approved November 5, 1966.

## Public Law 89-766

## AN ACT

November 5, 1966  
[S.1760]

To authorize the acceptance of a settlement of certain indebtedness of Greece to the United States and to authorize the use of the payments resulting from the settlement for a cultural and educational exchange program.

Greek Loan of 1929 Settlement Act.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the “Greek Loan of 1929 Settlement Act”.

SEC. 2. The Secretary of the Treasury is hereby authorized to accept a bond from the Kingdom of Greece (hereinafter referred to as “Greece”) in the principal amount of \$13,155,921 in settlement of the indebtedness of Greece to the United States under part II of the agreement of May 10, 1929, and under paragraph 1(b) of the agreement of May 24, 1932. The terms and conditions of such bond shall be those set forth in the agreement between the United States and Greece of May 28, 1964. Upon the delivery of said bond by Greece to the United States, the Secretary of the Treasury is hereby authorized to surrender to Greece all the bonds issued pursuant to part II of the agreement of May 10, 1929, and discharge Greece of its obligations under paragraph 1(b) of the agreement of May 24, 1932.

SEC. 3. The sums paid by Greece to the United States as interest on or in retirement of the principal of the bond issued as provided in section 2 shall be deposited in the Treasury of the United States. Amounts equivalent to the sums so deposited are hereby authorized to be appropriated for use in financing educational and cultural exchange programs authorized by the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451-2458), in relation to Greece and the people of Greece.

75 Stat. 527.

Approved November 5, 1966.

Public Law 89-767

AN ACT

November 5, 1966  
[S. 3148]

To provide for the conveyance of all right, title, and interest of the United States reserved or retained in certain lands heretofore conveyed to the city of El Paso, Texas.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Army is authorized and directed to convey to the city of El Paso, Texas, all of the right, title, and interest of the United States reserved or retained in approximately 148 acres of land described in section 2 of this Act, said land being a portion of certain lands conveyed by the United States to the city of El Paso, Texas, by quitclaim deed dated June 27, 1957, pursuant to authority contained in the Act of August 2, 1956 (70 Stat. 950; Public Law 929, Eighty-fourth Congress).

El Paso, Tex.  
Land conveyance.

SEC. 2. The land referred to in section 1 is located in El Paso County, Texas, and is more particularly described as follows: Beginning at a point which bears north 81 degrees 10 minutes east a distance of 875.23 feet from a point which is the intersection of the west line of section 40, block 80, township 2, and the northerly ROW line of United States Highway 62:

Description.

- thence north 46 degrees 02 minutes west a distance of 560.43 feet;
- thence north 1 degree 01 minutes 50 seconds west a distance of 1,249.44 feet;
- thence south 86 degrees 43 minutes 15 seconds east a distance of 6,422.58 feet;
- thence south 08 degrees 50 minutes east a distance of 336.26 feet;
- thence south 81 degrees 10 minutes west along the north ROW line of United States Highway 62 a distance of 6,110.0 feet to the point of beginning: Containing approximately 148 acres.

SEC. 3. The conveyance authorized herein shall be subject to the following conditions:

Conditions.

(a) That the city, in accepting the conveyance, agrees for itself, its grantees, successors, and assigns to forgo (1) any use of the property which will be noxious by the emission of smoke, noise, odor, or dust, and (2) the erection on the premises of any structure exceeding 60 feet in height above the ground.

(b) That the city shall pay to the United States the fair market value, as determined by the Secretary of the Army, of the property interest conveyed under the first section of this Act.

Approved November 5, 1966.

Public Law 89-768

JOINT RESOLUTION

Designating February, 1967 as American History Month.

November 5, 1966  
[S. J. Res. 133]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That February, 1967 is hereby designated as American History Month, and the President of the United States is requested and authorized to issue a proclamation inviting the people of the United States to observe such month in schools and other suitable places with appropriate ceremonies and activities.

American History Month.

Approved November 5, 1966.

## Public Law 89-769

## AN ACT

To provide additional assistance for areas suffering a major disaster.

November 6, 1966  
[S.1861]

Disaster Relief  
Act of 1966.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Disaster Relief Act of 1966".

## DEFINITION

SEC. 2. As used in this Act, the term "major disaster" means a major disaster as determined by the President pursuant to the Act entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes", approved September 30, 1950, as amended (42 U.S.C. 1855-1855g).

64 Stat. 1109.

## FEDERAL LOAN ADJUSTMENTS

SEC. 3. (a) Where such action is found to be necessary because of loss, destruction, or damage of the property, or impairment of the economic feasibility of the system, of borrowers under programs administered by the Rural Electrification Administration, resulting from a major disaster, the Secretary of Agriculture is authorized to adjust and to readjust the schedules for payment of principal and interest on loans to such borrowers, and to extend the maturity dates of such loans to a period not beyond forty years from the dates of such loans. The authority herein conferred is in addition to the loan extension authority provided in section 12 of the Rural Electrification Act.

49 Stat. 1366.  
7 USC 912.

(b) The Secretary of Housing and Urban Development is authorized to refinance any note or other obligation which is held by him in connection with any loan made by the Department of Housing and Urban Development or its predecessor in interest, or which is included within the revolving fund for liquidating programs established by the Independent Offices Appropriation Act of 1955, where he finds such refinancing necessary because of the loss, destruction, or damage to property or facilities securing such obligations as a result of a major disaster. The interest rate on any note or other obligation refinanced under this subsection may be reduced to a rate not less than (i) a rate determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturity of such note or other obligation, adjusted to the nearest one-eighth of 1 per centum, less (ii) not to exceed 2 per centum per annum, and the term thereof may be extended for such period as will provide a maturity of not to exceed forty years. The Secretary may authorize a suspension in the payment of principal and interest charges on, and an additional extension in the maturity of, any such loan for a period not to exceed five years if he determines that such action is necessary to avoid severe financial hardship.

68 Stat. 295.  
12 USC 1701g-5.

(c) Section 1820 of title 38, United States Code, is amended by adding at the end thereof the following new subsection:

72 Stat. 1213;  
78 Stat. 800.

"(f) The Administrator is authorized to refinance any loan made or acquired by the Veterans' Administration when he finds such refinancing necessary because of the loss, destruction, or damage to property securing such loan as the result of a major disaster as determined by the President pursuant to the Act entitled "An Act to

authorize Federal assistance to States and local governments in major disasters, and for other purposes", approved September 30, 1950, as amended (42 U.S.C. 1855-1855g). The interest rate on any loan refinanced under this subsection may be reduced to a rate not less than (i) a rate determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturity of such loan, adjusted to the nearest one-eighth of 1 per centum, less (ii) not to exceed 2 per centum per annum, and the term thereof may be extended for such period as will provide a maturity of not to exceed forty years; except that the Administrator may authorize a suspension in the payment of principal and interest charges on, and an additional extension in the maturity of, any such loan for a period not to exceed five years if he determines that such action is necessary to avoid severe financial hardship."

64 Stat. 1109.

#### FEDERAL HOUSING ADMINISTRATION—INSURED DISASTER LOANS

SEC. 4. (a) Section 221 of the National Housing Act is amended by striking out "family displaced from an urban renewal area or as a result of governmental action", "families displaced from urban renewal areas or as a result of governmental action", and "families displaced by urban renewal or other governmental action" each place they appear in subsections (a), (d) (2), (d) (3) (iii), (d) (6), and (f), and inserting in lieu thereof, as appropriate, "displaced family" or "displaced families".

68 Stat. 599.  
12 USC 1715l.

(b) Section 221(f) of such Act is further amended by adding the following sentence at the end thereof: "As used in this section the terms 'displaced family' and 'displaced families' shall mean a family or families displaced from an urban renewal area, or as a result of governmental action, or as a result of a major disaster as determined by the President pursuant to the Act entitled 'An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes', approved September 30, 1950, as amended (42 U.S.C. 1855-1855g)."

#### DISASTER WARNINGS

SEC. 5. The Secretary of Defense is authorized to utilize or to make available to other agencies the facilities of the civil defense communications system established and maintained pursuant to section 201(c) of the Federal Civil Defense Act of 1950, as amended (50 U.S.C. App. 2281(c)), for the purpose of providing needed warning to governmental authorities and the civilian population in areas endangered by imminent natural disasters.

64 Stat. 1248.

#### ASSISTANCE TO UNINCORPORATED COMMUNITIES

SEC. 6. (a) The Act entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes", approved September 30, 1950, as amended (42 U.S.C. 1855), is amended by inserting before the semicolon at the end of section 2(e) a comma and the following: "and includes any rural community or unincorporated town or village for which an application for assistance is made by a State or local government or governmental agency".

75 Stat. 308;  
79 Stat. 931.

(b) Section 306 of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1926), is amended by adding at the end thereof the following new subsection:

“(c) In areas which have suffered major disasters the Secretary is authorized, without regard to the annual grant limitation in subsection (a) (2), to make or insure loans to associations, including corporations not operated for profit and public and quasi-public agencies, for the acquisition, construction, improvement, replacement, or extension of waste disposal systems and other public facilities damaged or destroyed as a result of a major disaster providing for community services in rural areas, when the Secretary determines that such action is necessary for the rebuilding of a community or a portion thereof damaged by a disaster, and to make grants not to exceed 50 per centum of the cost of repair, reconstruction, or replacement of waste disposal systems, water systems, and other public facilities damaged or destroyed as a result of a major disaster providing for community services in these areas in any case in which repayment of a loan for such purposes from income would require a charge for such service which the Secretary determines to be beyond the ability of a majority of the users who might be served thereby to pay such charges and if such charge would exceed cost of such services in comparable communities in the State.”

#### HIGHER EDUCATION FACILITIES ASSISTANCE IN DISASTER AREAS

77 Stat. 363.

SEC. 7. (a) The Higher Education Facilities Act of 1963 (20 U.S.C. 701-757) is amended by inserting immediately after the last section of such Act the following new section:

#### “HIGHER EDUCATION FACILITIES CONSTRUCTION ASSISTANCE IN MAJOR DISASTER AREAS

64 Stat. 1109.

“SEC. 408. (a) If the Director of the Office of Emergency Planning determines that a public institution of higher education is located in whole or in part within an area which, before July 1, 1967, has suffered a disaster which is a ‘major disaster’ as defined in section 2(a) of the Act of September 30, 1950 (42 U.S.C. 1855a(a)), and if the Commissioner determines with respect to such public institution of higher education that—

“(1) the academic facilities of the institution have been destroyed or seriously damaged as a result of the disaster;

“(2) the institution is exercising due diligence in availing itself of State and other financial assistance available for the restoration or replacement of the facilities; and

“(3) the institution does not have sufficient funds available to it from other sources, including the proceeds of insurance on the facilities, to provide for the restoration or replacement of the academic facilities so destroyed or seriously damaged,

the Commissioner may provide the additional assistance necessary to enable the institution to carry out construction necessary to restore or replace the facilities, upon such terms and in such amounts (subject to the provisions of this section) as the Commissioner may consider to be in the public interest; but such additional assistance, plus the amount which he determines to be available to the institution from other sources, including the proceeds of insurance on the facilities, may not exceed the cost of construction incident to the restoration or

replacement of the academic facilities destroyed or seriously damaged as a result of the disaster.

“(b) In addition to and apart from the assistance provided to a public institution of higher education under subsection (a), the Commissioner may provide funds to such institution in an amount which he considers necessary to replace equipment, maintenance supplies, and instructional supplies (including books, and curricular and program materials) destroyed or seriously damaged as a result of the disaster, or to lease or otherwise provide (other than by acquisition of land or construction of academic facilities) such facilities needed to replace temporarily those academic facilities which have been made unavailable as a result of the disaster, or both.

“(c) In any case deemed appropriate by the Commissioner, disaster assistance provided under subsection (a) or (b) may be in the form of a repayable advance subject to such terms and conditions as he considers to be in the public interest.

“(d) There are hereby authorized to be appropriated for each fiscal year such amounts as may be necessary to carry out the provisions of this section.

“(e) No payment may be made to a public institution of higher education for academic facilities under subsection (a) or for assistance under subsection (b) unless an application therefor is submitted through the appropriate State commission and is filed with the Commissioner in accordance with regulations prescribed by him. In determining the order in which such applications shall be approved, the Commissioner shall consider the relative educational and financial needs of the institutions which have submitted approvable applications. No payment may be made under subsection (a) unless the Commissioner finds, after consultation with the State commission, that the project or projects with respect to which it is made are not inconsistent with overall State plans, submitted under section 105(a), for the construction of academic facilities. All determinations made by the Commissioner under this section shall be made only after consultation with the appropriate State commission.

77 Stat. 367.  
20 USC 715.

“(f) Amounts paid by the Commissioner to a public institution of higher education under subsection (a) or (b) may be paid in advance or by way of reimbursement and in such installments as the Commissioner may determine. Any funds paid to an institution which are not expended or otherwise used for the purposes for which paid shall be repaid to the Treasury of the United States.

“(g) For the purposes of this section an institution of higher education is deemed to be a ‘public institution of higher education’ if the institution is under public supervision and control.”

(b) Section 7 of the Small Business Act, as amended (15 U.S.C. 636), is amended by adding thereto the following new subsection:

72 Stat. 387;  
Ante, p. 133.

“(e) In the administration of the disaster loan program under subsection (b)(1) of this section, in the case of property loss or damage as a result of a disaster which is a ‘major disaster’ as defined in section 2(a) of the Act of September 30, 1950 (42 U.S.C. 1855a(a)), the Small Business Administration, to the extent such loss or damage is not compensated for by insurance or otherwise, may lend to a privately owned college or university without regard to whether the required financial assistance is otherwise available from private sources, and may waive interest payments and defer principal payments on such a loan for the first three years of the term of the loan.”

64 Stat. 1109.

PRIORITY TO CERTAIN APPLICATIONS FOR PUBLIC FACILITY AND PUBLIC HOUSING ASSISTANCE

SEC. 8. In the processing of applications for assistance—

(1) under title II of the Housing Amendments of 1955, or any other Act providing assistance for the repair, construction, or extension of public facilities;

(2) under the United States Housing Act of 1937 for the provision of low-rent housing;

(3) under section 702 of the Housing Act of 1954 for assistance in public works planning;

(4) under section 702 of the Housing and Urban Development Act of 1965 providing for grants for public facilities; or

(5) under section 306 of the Consolidated Farmers Home Administration Act

priority and immediate consideration shall be given, during such period as the President shall by proclamation prescribe, to applications from public bodies situated in major disaster areas.

RESTORATION OF PUBLIC FACILITIES

SEC. 9. There is hereby authorized to be appropriated such sums as may be necessary to reimburse not more than 50 per centum of eligible costs incurred to repair, restore, or reconstruct any project of a State, county, municipal, or other local government agency for flood control, navigation, irrigation, reclamation, public power, sewage treatment, water treatment, watershed development, or airport construction which was damaged or destroyed as a result of a major disaster, and of the resulting additional eligible costs incurred to complete any such facility which was in the process of construction when damaged or destroyed as a result of such major disaster. Eligible costs are defined to mean those costs determined by the Director of the Office of Emergency Planning as incurred or to be incurred in (1) restoring a public facility to substantially the same condition as existed prior to the damage resulting from the major disaster, and (2) completing construction not performed prior to the major disaster to the extent the increase of such costs over original construction costs is attributable to changed conditions resulting from the major disaster. Reimbursement under this section shall be made to the State, county, municipal, or other local governmental agency which is constructing the public facility or for which it is being constructed, except that if the economic burden of the eligible costs of repair, restoration, reconstruction or completion is incurred by an individual, partnership, corporation, agency, or other entity (other than an organization engaged in the business of insurance), the State, county, municipality, or other local governmental agency shall reimburse such individual, partnership, corporation, agency, or other entity not to exceed 50 per centum of those costs. Eligible costs shall not include any costs for which reimbursement is received pursuant to insurance contracts or otherwise by the party incurring the economic burden of such costs.

DUPLICATION OF BENEFITS

SEC. 10. The head of each department or agency of the Federal government administering any program providing financial assistance to persons, business concerns, or other entities suffering losses as the result of a major disaster shall administer such program in a manner which will assure that no such person, concern, or other entity will receive such assistance with respect to any part of such loss as to which he has received financial assistance under any other such program.

69 Stat. 642.  
42 USC 1491-  
1497.

50 Stat. 888.  
42 USC 1430.

69 Stat. 641.  
40 USC 462.

79 Stat. 490.  
42 USC 3102.

Ante, p. 1318.

## EXTENSIONS OF TIME IN PUBLIC LAND MATTERS

SEC. 11. The Secretary of the Interior, upon application therefor, is authorized to grant an extension of time to the holder of any lease, license, permit, contract or entry issued by him in connection with any lands administered by him through the Bureau of Land Management where the Secretary finds that a major disaster has impeded timely fulfillment of requirements and such relief will not prejudice the rights of another party.

## COORDINATION OF EFFORT

SEC. 12. The President, acting through the Office of Emergency Planning, shall plan and coordinate all Federal programs providing assistance to persons, business concerns, or other entities suffering losses as the result of a major disaster, and shall conduct periodic reviews (at least annually) of the activities of State and Federal departments or agencies to assure maximum coordination of such programs, and to evaluate progress being made in the development of State and local organizations and plans to cope with major disasters. Nothing in this section shall be deemed to relieve the head of any department or agency of any function, duty, or responsibility vested in him by any provision of law.

## DISASTER ASSISTANCE STUDY

SEC. 13. The Director of the Office of Emergency Planning is authorized and directed to make, in cooperation with the Secretary of Agriculture, the Secretary of the Interior, and other affected Federal and State agencies, a full and complete study and investigation for the purpose of determining what additional or improved air operation facilities are needed to provide immediate effective action to prevent or minimize loss of publicly or privately owned property and personal injury or death which could result from forest fires or grass fires which are or threaten to become major disasters. The study and investigation shall include but not be limited to—

(1) the need for new or improved airports, heliports, or helispots at specific locations where present transportation facilities are inadequate to provide for immediate and effective action in case of forest fires or grass fires;

(2) the need for additional or improved material, equipment (including aircraft) and personnel at specific locations to provide for immediate and effective action in case of forest fires or grass fires; and

(3) the estimated cost of providing such new or improved air operation facilities (including additional or improved material, equipment, and personnel) at each specific location.

Not later than six months after the enactment of this Act the Director of the Office of Emergency Planning shall report the findings of the study and investigation to the Congress together with his recommendations for an action program, including an equitable plan for the sharing of the cost of the program by the Federal, State and local governments and private persons and organizations.

Report to  
Congress.

## EFFECTIVE DATE

SEC. 14. This Act and the amendments made by this Act shall apply with respect to any major disaster occurring after October 3, 1964.

Approved November 6, 1966.

## Public Law 89-770

## AN ACT

To amend section 301(a)(7) of the Immigration and Nationality Act.

November 6, 1966  
[S. 2829]

Immigration and  
Nationality Act,  
amendment.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the proviso to section 301(a)(7) of the Immigration and Nationality Act (66 Stat. 235; 8 U.S.C. 1401) be amended to read as follows: "*Provided*, That any periods of honorable service in the Armed Forces of the United States, or periods of employment with the United States Government or with an international organization as that term is defined in section 1 of the International Organizations Immunities Act (59 Stat. 669; 22 U.S.C. 288) by such citizen parent, or any periods during which such citizen parent is physically present abroad as the dependent unmarried son or daughter and a member of the household of a person (A) honorably serving with the Armed Forces of the United States, or (B) employed by the United States Government or an international organization as defined in section 1 of the International Organizations Immunities Act, may be included in order to satisfy the physical-presence requirement of this paragraph. This proviso shall be applicable to persons born on or after December 24, 1952, to the same extent as if it had become effective in its present form on that date."

Applicability.

Approved November 6, 1966.

## Public Law 89-771

## AN ACT

To extend coverage of the State Technical Services Act of 1965 to the territory of Guam.

November 6, 1966  
[S. 2979]

15 USC 1352.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 2(f) of the State Technical Services Act of 1965 (79 Stat. 680) be amended by inserting "Guam," immediately after "Puerto Rico,"

Approved November 6, 1966.

## Public Law 89-772

## AN ACT

To authorize the Board of Regents of the Smithsonian Institution to negotiate cooperative agreements granting concessions at the National Zoological Park to certain nonprofit organizations and to accept voluntary services of such organizations or of individuals, and for other purposes.

November 6, 1966  
[S. 3230]

National Zoo-  
logical Park.  
Concessions.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) the Board of Regents of the Smithsonian Institution, in furtherance of the mission of the National Zoological Park to provide for the advancement of science and instruction and recreation of the people, is authorized to negotiate agreements granting concessions at the National Zoological Park to nonprofit scientific, educational, or historic organizations. The net proceeds of such organizations gained from such concessions granted under this subsection shall be used exclusively for research and educational work for the benefit of the National Zoological Park.

Voluntary serv-  
ices.

(b) The Smithsonian Institution is authorized to accept the voluntary services of such organizations, and the voluntary services of individuals, for the benefit of the National Zoological Park.

Approved November 6, 1966.

Public Law 89-773

AN ACT

November 6, 1966  
[S. 3254]

To amend sections 2072 and 2112 of title 28, United States Code, with respect to the scope of the Federal Rules of Civil Procedure and to repeal inconsistent legislation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the catchline and first paragraph of section 2072 of title 28 of the United States Code are amended so as to read as follows:

Federal Rules of Civil Procedure.

“§ 2072. Rules of civil procedure

District courts and U.S. courts of appeals.  
62 Stat. 961.

“The Supreme Court shall have the power to prescribe by general rules, the forms of process, writs, pleadings, and motions, and the practice and procedure of the district courts and courts of appeals of the United States in civil actions, including admiralty and maritime cases, and appeals therein, and the practice and procedure in proceedings for the review by the courts of appeals of decisions of the Tax Court of the United States and for the judicial review or enforcement of orders of administrative agencies, boards, commissions, and officers.”

SEC. 2. Sections 2073 and 2074 of title 28 of the United States Code are repealed, but their repeal shall not operate to invalidate or repeal rules adopted under the authority of one of those sections prior to the enactment of this Act, which rules shall remain in effect until superseded by rules prescribed under the authority of section 2072 of title 28 of the United States Code as amended by this Act.

Repeal.

SEC. 3. Item 2072 in the analysis of chapter 131 of title 28 of the United States Code, appearing immediately preceding section 2071 thereof, is amended so as to read as follows:

“Sec. 2072. Rules of civil procedure.”,

and items 2073 and 2074 are stricken from such analysis.

SEC. 4. Section 2352 of title 28 of the United States Code and item 2352 in the analysis of chapter 158 of title 28 of the United States Code, are repealed, but its repeal shall not operate to invalidate or repeal rules adopted under the authority of that section prior to the enactment of this Act, which rules shall remain in effect until superseded by rules prescribed under the authority of section 2072 of title 28 of the United States Code as amended by this Act.

Repeal.  
Ante, p. 624.

SEC. 5. (a) The first sentence of subsection (a) of section 2112 of title 28 of the United States Code is amended to read as follows: “The rules prescribed under the authority of section 2072 of this title may provide for the time and manner of filing and the contents of the record in all proceedings instituted in the courts of appeals to enjoin, set aside, suspend, modify, or otherwise review or enforce orders of administrative agencies, boards, commissions, and officers.”

Agency orders.  
72 Stat. 941.  
Record on review and enforcement.

(b) The first sentence of subsection (b) of section 2112 of title 28 of the United States Code is amended by striking out the phrase “the said rules of the court of appeals” and striking out the phrase “the rules of such court” and inserting in lieu of each of such phrases the phrase “the rules prescribed under the authority of section 2072 of this title”.

(c) The amendments of section 2112 of title 28 of the United States Code made by this Act shall not operate to invalidate or repeal rules adopted under the authority of that section prior to the enactment of this Act, which rules shall remain in effect until superseded by rules prescribed under the authority of section 2072 of title 28 of the United States Code as amended by this Act.

Approved November 6, 1966.

## Public Law 89-774

November 6, 1966  
[S. 3488]

## AN ACT

To grant the consent of Congress for the States of Virginia and Maryland and the District of Columbia to amend the Washington Metropolitan Area Transit Regulation Compact to establish an organization empowered to provide transit facilities in the National Capital Region and for other purposes and to enact said amendment for the District of Columbia.

40 USC 651 note. Whereas Congress heretofore has declared in the National Capital  
40 USC 681 note. Transportation Act of 1960 (Public Law 86-669, 74 Stat. 537) and in the National Capital Transportation Act of 1965 (Public Law 89-173, 79 Stat. 663) that a coordinated system of rail rapid transit, bus transportation service, and highways is essential in the National Capital Region for the satisfactory movement of people and goods, the alleviation of present and future traffic congestion, the economic welfare and vitality of all parts of the Region, the effective performance of the functions of the United States Government located within the Region, the orderly growth and development of the Region, the comfort and convenience of the residents and visitors to the Region, and the preservation of the beauty and dignity of the Nation's Capital and that such a system should be developed cooperatively by the Federal, State, and local governments of the National Capital Region, with the costs of the necessary facilities financed, as far as possible, by persons using or benefiting from such facilities and the remaining costs shared equitably among the Federal, State, and local governments;

Whereas in furtherance of this policy, Congress, in title III of the National Capital Transportation Act of 1960, authorized the District of Columbia, the Commonwealth of Virginia, and the State of Maryland to negotiate a Compact for the establishment of an organization, empowered, inter alia, to provide regional transportation facilities;

40 USC 71 note. Whereas, it is the sense of the Congress that the Mass Transit Plan authorized by the Compact and this Act shall conform to the fullest extent practicable with the Comprehensive Plan for the National Capital and the general plan for the development of the National Capital Region prepared pursuant to the National Capital Planning Act of 1952 (Public Law 82-592, 66 Stat. 781); and

Whereas, the District of Columbia, the Commonwealth of Virginia and the State of Maryland, with a representative of the United States appointed by the President, have negotiated such a Compact, known as the Washington Metropolitan Area Transit Authority Transit Regulation Compact, which amends the Washington Metropolitan Area Transit Regulation Compact, heretofore consented to by the Congress (Public Law 86-794, 74 Stat. 1031, as amended by Public Law 87-767, 76 Stat. 764), by adding thereto a title III and said Compact has been enacted by Maryland (Ch. 869, Acts of General Assembly 1965) and in substantially the same language by Virginia (Ch. 2, 1966 Acts of Assembly): Now, therefore,

D.C. Code 1-1410 to 1-1416.  
D.C. Code 1-1410a and note.

Washington Metropolitan Area Transit Regulation Compact, amendment.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby consents to, adopts and enacts for the District of Columbia an amendment to the Washington Metropolitan Area Transit Regulation Compact, for which Congress heretofore has granted its consent (Public Law 86-794, 74 Stat. 1031, as amended by Public Law 87-767, 76 Stat. 764) by adding thereto title III, known as the Washington*

Metropolitan Area Transit Authority Compact (herein referred to as title III), substantially as follows:

“TITLE III

“ARTICLE I

“DEFINITIONS

“1. As used in this Title, the following words and terms shall have the following meanings, unless the context clearly requires a different meaning:

“(a) ‘Board’ means the Board of Directors of the Washington Metropolitan Area Transit Authority;

“(b) ‘Director’ means a member of the Board of Directors of the Washington Metropolitan Area Transit Authority;

“(c) ‘Private transit companies’ and ‘private carriers’ means corporations, persons, firms or associations rendering transit service within the Zone pursuant to a certificate of public convenience and necessity issued by the Washington Metropolitan Area Transit Commission or by a franchise granted by the United States or any signatory party to this Title;

“(d) ‘Signatory’ means the State of Maryland, the Commonwealth of Virginia and the District of Columbia;

“(e) ‘State’ includes District of Columbia;

“(f) ‘Transit facilities’ means all real and personal property located in the Zone, necessary or useful in rendering transit service between points within the Zone, by means of rail, bus, water or air and any other mode of travel, including without limitation, tracks, rights of way, bridges, tunnels, subways, rolling stock for rail, motor vehicle, marine and air transportation, stations, terminals and ports, areas for parking and all equipment, fixtures, buildings and structures and services incidental to or required in connection with the performance of transit service;

“(g) ‘Transit services’ means the transportation of persons and their packages and baggage by means of transit facilities between points within the Zone and includes the transportation of newspapers, express and mail between such points but does not include taxicab, sightseeing or charter service; and

“(h) ‘WMATC’ means Washington Metropolitan Area Transit Commission.

“ARTICLE II

“PURPOSE AND FUNCTIONS

“Purpose

“2. The purpose of this Title is to create a regional instrumentality, as a common agency of each signatory party, empowered, in the manner hereinafter set forth, (1) to plan, develop, finance and cause to be operated improved transit facilities, in coordination with transportation and general development planning for the Zone, as part of a balanced regional system of transportation, utilizing to their best advantage the various modes of transportation, (2) to coordinate the operation of the public and privately owned or controlled transit facilities, to the fullest extent practicable, into a unified regional transit system without unnecessary duplicating service, and (3) to serve such other regional purposes and to perform such other regional functions as the signatories may authorize by appropriate legislation.

## "ARTICLE III

## "ORGANIZATION AND AREA

## "Washington Metropolitan Area Transit Zone

"3. There is hereby created the Washington Metropolitan Area Transit Zone which shall embrace the District of Columbia, the cities of Alexandria, Falls Church and Fairfax and the counties of Arlington and Fairfax and political subdivisions of the Commonwealth of Virginia located within those counties, and the counties of Montgomery and Prince George's in the State of Maryland and political subdivisions of the State of Maryland located in said counties.

## "Washington Metropolitan Area Transit Authority

"4. There is hereby created, as an instrumentality and agency of each of the signatory parties hereto, the Washington Metropolitan Area Transit Authority which shall be a body corporate and politic, and which shall have the powers and duties granted herein and such additional powers as may hereafter be conferred upon it pursuant to law.

## "Board Membership

"5. (a) The Authority shall be governed by a Board of six Directors consisting of two Directors for each signatory. For Virginia, the Directors shall be appointed by the Northern Virginia Transportation Commission; for the District of Columbia, by the Commissioners of the District of Columbia; and for Maryland, by the Washington Suburban Transit Commission. In each instance the Director shall be appointed from among the members of the appointing body and shall serve for a term coincident with his term on the body by which he was appointed. A Director may be removed or suspended from office only as provided by the law of the signatory from which he was appointed. The appointing authorities shall also appoint an alternate for each Director, who may act only in the absence of the Director for whom he has been appointed an alternate, and each alternate shall serve at the pleasure of the appointing authority. In the event of a vacancy in the Office of Director or alternate, it shall be filled in the same manner as an original appointment.

"(b) Before entering upon the duties of his office each Director and alternate director shall take and subscribe to the following oath (or affirmation) of office or any such other oath or affirmation, if any, as the Constitution or laws of the signatory he represents shall provide:

"I, -----, hereby solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution and Laws of the state or political jurisdiction from which I was appointed as a director (alternate director) of the Board of Washington Metropolitan Area Transit Authority and will faithfully discharge the duties of the office upon which I am about to enter."

## "Compensation of Directors and Alternates

"6. Members of the Board and alternates shall serve without compensation but may be reimbursed for necessary expenses incurred as an incident to the performance of their duties.

### “Organization and Procedure

“7. The Board shall provide for its own organization and procedure. It shall organize annually by the election of a Chairman and Vice-Chairman from among its members. Meetings of the Board shall be held as frequently as the Board deems that the proper performance of its duties requires and the Board shall keep minutes of its meetings. The Board shall adopt rules and regulations governing its meeting, minutes and transactions.

### “Quorum and Actions by the Board

“8. (a) Four Directors or alternates consisting of at least one Director or alternate appointed from each Signatory, shall constitute a quorum and no action by the Board shall be effective unless a majority of the Board, which majority shall include at least one Director or alternate from each Signatory, concur therein; provided, however, that a plan of financing may be adopted or a mass transit plan adopted, altered, revised or amended by the unanimous vote of the Directors representing any two Signatories.

“(b) The actions of the Board shall be expressed by motion or resolution. Actions dealing solely with internal management of the Authority shall become effective when directed by the Board, but no other action shall become effective prior to the expiration of thirty days following its adoption; provided, however, that the Board may provide for the acceleration of any action upon a finding that such acceleration is required for the proper and timely performance of its functions.

### “Officers

“9. (a) The officers of the Authority, none of whom shall be members of the Board, shall consist of a general manager, a secretary, a treasurer, a comptroller and a general counsel and such other officers as the Board may provide. Except for the office of general manager and comptroller, the Board may consolidate any of such other offices in one person. All such officers shall be appointed and may be removed by the Board, shall serve at the pleasure of the Board and shall perform such duties and functions as the Board shall specify. The Board shall fix and determine the compensation to be paid to all officers and, except for the general manager who shall be a full-time employee, all other officers may be hired on a full-time or part-time basis and may be compensated on a salary or fee basis, as the Board may determine. All employees and such officers as the Board may designate shall be appointed and removed by the general manager under such rules of procedure and standards as the Board may determine.

“(b) The general manager shall be the chief administrative officer of the Authority and, subject to policy direction by the Board, shall be responsible for all activities of the Authority.

“(c) The treasurer shall be the custodian of the funds of the Authority, shall keep an account of all receipts and disbursements and shall make payments only upon warrants duly and regularly signed by the Chairman or Vice-Chairman of the Board, or other person authorized by the Board to do so, and by the secretary or general manager; provided, however, that the Board may provide that warrants not exceeding such amounts or for such purposes as may from time to time be specified by the Board may be signed by the general manager or by persons designated by him.

“(d) An oath of office in the form set out in Section 5(b) of this Article shall be taken, subscribed and filed with the Board by all appointed officers.

“(e) Each Director, officer and employees specified by the Board shall give such bond in such form and amount as the Board may require, the premium for which shall be paid by the Authority.

#### “Conflict of Interests

“10. (a) No Director, officer or employee shall :

“(1) be financially interested, either directly or indirectly, in any contract, sale, purchase, lease or transfer of real or personal property to which the Board or the Authority is a party ;

“(2) in connection with services performed within the scope of his official duties, solicit or accept money or any other thing of value in addition to the compensation or expenses paid to him by the Authority ;

“(3) offer money or any thing of value for or in consideration of obtaining an appointment, promotion or privilege in his employment with the Authority.

“(b) Any Director, officer or employee who shall willfully violate any provision of this section shall, in the discretion of the Board, forfeit his office or employment.

“(c) Any contract or agreement made in contravention of this section may be declared void by the Board.

“(d) Nothing in this section shall be construed to abrogate or limit the applicability of any federal or state law which may be violated by any action prescribed by this section.

### “ARTICLE IV

#### “PLEDGE OF COOPERATION

“11. Each Signatory pledges to each other faithful cooperation in the achievement of the purposes and objects of this Title.

### “ARTICLE V

#### “GENERAL POWERS

##### “Enumeration

“12. In addition to the powers and duties elsewhere described in this Title, and except as limited in this Title, the Authority may :

“(a) Sue and be sued ;

“(b) Adopt and use a corporate seal and alter the same at pleasure ;

“(c) Adopt, amend, and repeal rules and regulations respecting the exercise of the powers conferred by this Title ;

“(d) Construct, acquire, own, operate, maintain, control, sell and convey real and personal property and any interest therein by contract, purchase, condemnation, lease, license, mortgage or otherwise but all of said property shall be located in the Zone and shall be necessary or useful in rendering transit service or in activities incidental thereto ;

“(e) Receive and accept such payments, appropriations, grants, gifts, loans, advances and other funds, properties and services as may be transferred or made available to it by any signatory party, any political subdivision or agency thereof, by the United States, or by any agency thereof, or by any other public or private corporation or individual, and enter into agreements to make reimbursement for all or any part thereof ;

“(f) Enter into and perform contracts, leases and agreements with any person, firm or corporation or with any political subdivision or agency of any signatory party or with the federal government, or any agency thereof, including, but not limited to, contracts or agreements to furnish transit facilities and service;

“(g) Create and abolish offices, employments and positions (other than those specifically provided for herein) as it deems necessary for the purposes of the Authority, and fix and provide for the qualification, appointment, removal, term, tenure, compensation, pension and retirement rights of its officers and employees without regard to the laws of any of the signatories;

“(h) Establish, in its discretion, a personnel system based on merit and fitness and, subject to eligibility, participate in the pension and retirement plans of any signatory, or political subdivision or agency thereof, upon terms and conditions mutually acceptable;

“(i) Contract for or employ any professional services;

“(j) Control and regulate the use of facilities owned or controlled by the Authority, the service to be rendered and the fares and charges to be made therefor;

“(k) Hold public hearings and conduct investigations relating to any matter affecting transportation in the Zone with which the Authority is concerned and, in connection therewith, subpoena witnesses, papers, records and documents; or delegate such authority to any officer. Each director may administer oaths or affirmations in any proceeding or investigation;

“(l) Make or participate in studies of all phases and forms of transportation, including transportation vehicle research and development techniques and methods for determining traffic projections, demand motivations, and fiscal research and publicize and make available the results of such studies and other information relating to transportation; and

“(m) Exercise, subject to the limitations and restrictions herein imposed, all powers reasonably necessary or essential to the declared objects and purposes of this Title.

## “ARTICLE VI

### “PLANNING

#### “Mass Transit Plan

“13. (a) The Board shall develop and adopt, and may from time to time review and revise, a mass transit plan for the immediate and long-range needs of the Zone. The mass transit plan shall include one or more plans designating (1) the transit facilities to be provided by the Authority, including the locations of terminals, stations, platforms, parking facilities and the character and nature thereof; (2) the design and location of such facilities; (3) whether such facilities are to be constructed or acquired by lease, purchase or condemnation; (4) a timetable for the provision of such facilities; (5) the anticipated capital costs; (6) estimated operating expenses and revenues relating thereto; and (7) the various other factors and considerations, which, in the opinion of the Board, justify and require the projects therein proposed. Such plan shall specify the type of equipment to be utilized, the areas to be served, the routes and schedules of service expected to be provided and the probable fares and charges therefor.

“(b) In preparing the mass transit plan, and in any review of revision thereof, the Board shall make full utilization of all data, studies, reports and information available from the National Capital Trans-

portation Agency and from any other agencies of the federal government, and from signatories and the political subdivisions thereof.

#### “Planning Process

“14. (a) The mass transit plan, and any revisions, alterations or amendments thereof, shall be coordinated, through the procedures hereinafter set forth, with

“ (1) other plans and programs affecting transportation in the Zone in order to achieve a balanced system of transportation, utilizing each mode to its best advantage;

“ (2) the general plan or plans for the development of the Zone; and

“ (3) the development plans of the various political subdivisions embraced within the Zone.

“(b) It shall be the duty and responsibility of each member of the Board to serve as liaison between the Board and the body which appointed him to the Board. To provide a framework for regional participation in the planning process, the Board shall create technical committees concerned with planning and collection and analyses of data relative to decision-making in the transportation planning process and the Commissioners of the District of Columbia, the component governments of the Northern Virginia Transportation District and the Washington Suburban Transit District shall appoint representatives to such technical committees and otherwise cooperate with the Board in the formulation of a mass transit plan, or in revisions, alterations or amendments thereof.

“(c) The Board, in the preparation, revision, alteration or amendment of a mass transit plan, shall

“ (1) consider data with respect to current and prospective conditions in the Zone, including, without limitation, land use, population, economic factors affecting development plans, goals or objectives for the development of the Zone and the separate political subdivisions, transit demands to be generated by such development, travel patterns, existing and proposed transportation and transit facilities, impact of transit plans on the dislocation of families and businesses, preservation of the beauty and dignity of the Nation’s Capital, factors affecting environmental amenities and aesthetics and financial resources;

“ (2) cooperate with and participate in any continuous, comprehensive transportation planning process cooperatively established by the highway agencies of the signatories and the local political subdivisions in the Zone to meet the planning standards now or hereafter prescribed by the Federal-Aid Highway Acts; and

“ (3) to the extent not inconsistent with or duplicative of the planning process specified in subparagraph (2) of this paragraph (c), cooperate with the National Capital Planning Commission, the National Capital Regional Planning Council, the Washington Metropolitan Council of Governments, the Washington Metropolitan Area Transit Commission, the highway agencies of the Signatories, the Maryland-National Capital Park and Planning Commission, the Northern Virginia Regional Planning and Economic Development Commission, the Maryland State Planning Department and the Commission of Fine Arts. Such cooperation shall include the creation, as necessary, of technical committees composed of personnel, appointed by such agencies, concerned with planning and collection and analysis of data relative to decisionmaking in the transportation planning process.

### “Adoption of Mass Transit Plan

“15. (a) Before a mass transit plan is adopted, altered, revised or amended, the Board shall transmit such proposed plan, alteration, revision or amendment for comment to the following and to such other agencies as the Board shall determine:

“(1) the Commissioners of the District of Columbia, the Northern Virginia Transportation Commission and the Washington Suburban Transit Commission;

“(2) the governing bodies of the Counties and Cities embraced within the Zone;

“(3) the highway agencies of the Signatories;

“(4) the Washington Metropolitan Area Transit Commission;

“(5) the Washington Metropolitan Council of Governments;

“(6) the National Capital Planning Commission;

“(7) The National Capital Regional Planning Council;

“(8) the Maryland-National Capital Park and Planning Commission;

“(9) the Northern Virginia Regional Planning and Economic Development Commission;

“(10) the Maryland State Planning Department; and

“(11) the private transit companies operating in the Zone and the Labor Unions representing the employees of such companies and employees of contractors providing service under operating contracts.

“Information with respect thereto shall be released to the public. A copy of the proposed mass transit plan, amendment or revision, shall be kept at the office of the Board and shall be available for public inspection. After thirty days' notice published once a week for two successive weeks in one or more newspapers of general circulation within the Zone, a public hearing shall be held with respect to the proposed plan, alteration, revision or amendment. The thirty days' notice shall begin to run on the first day the notice appears in any such newspaper. The Board shall consider the evidence submitted and statements and comments made at such hearing and may make any changes in the proposed plan, amendment or revision which it deems appropriate and such changes may be made without further hearing.

## “ARTICLE VII

### “FINANCING

#### “Policy

“16. With due regard for the policy of Congress for financing a mass transit plan for the Zone set forth in Section 204(g) of the National Capital Transportation Act of 1960 (74 Stat. 537), it is hereby declared to be the policy of this Title that, as far as possible, the payment of all costs shall be borne by the persons using or benefiting from the Authority's facilities and services and any remaining costs shall be equitably shared among the federal, District of Columbia and participating local governments in the Zone. The allocation among such governments of such remaining costs shall be determined by agreement among them and shall be provided in the manner hereinafter specified.

40 USC 664.

#### “Plan of Financing

“17. (a) The Authority, in conformance with said policy, shall prepare and adopt a plan for financing the construction, acquisition, and

operation of facilities specified in a mass transit plan adopted pursuant to Article VI hereof, or in any alteration, revision or amendment thereof. Such plan of financing shall specify the facilities to be constructed or acquired, the cost thereof, the principal amount of revenue bonds, equipment trust certificates, and other evidences of debt proposed to be issued, the principal terms and provisions of all loans and underlying agreements and indentures, estimated operating expenses and revenues, and the proposed allocation among the federal, District of Columbia, and participating local governments of the remaining costs and deficits, if any, and such other information as the Commission may consider appropriate.

“(b) Such plan of financing shall constitute a proposal to the interested governments for financial participation and shall not impose any obligation on any government and such obligations shall be created only as provided in Section 18 of this Article VII.

#### “Commitments for Financial Participation

“18. (a) Commitments on behalf of the portion of the Zone located in Virginia shall be by contract or agreement by the Authority with the Northern Virginia Transportation District, or its component governments, as authorized in the Transportation District Act of 1964 (Ch. 631, 1964 Acts of Virginia Assembly), to contribute to the capital required for the construction and/or acquisition of facilities specified in a mass transit plan adopted as provided in Article VI, or any alteration, revision or amendment thereof, and for meeting expenses and obligations in the operation of such facilities. No such contract or agreement, however, shall be entered into by the Authority with the Northern Virginia Transportation District unless said District has entered into the contracts or agreements with its member governments, as contemplated by Section 1(b)(4) of Article 4 of said Act, which contracts or agreements expressly provide that such contracts or agreements shall inure to the benefit of the Authority and shall be enforceable by the Authority in accordance with the provisions of Section 2, Article 5 of said Act, and such contracts or agreements are acceptable to the Board. The General Assembly of Virginia hereby authorizes and designates the Authority as the agency to plan for and provide transit facilities and services for the area of Virginia encompassed within the Zone within the contemplation of Article 1, Section 3(c) of said Act.

“(b) Commitments on behalf of the portion of the Zone located in Maryland shall be by contract or agreement by the Authority with the Washington Suburban Transit District, pursuant to which the Authority undertakes to provide transit facilities and service in consideration for the agreement by said District to contribute to the capital required for the construction and/or acquisition of facilities specified in a mass transit plan adopted as provided in Article VI, or in any alteration, revision or amendment thereof, and for meeting expenses and obligations incurred in the operation of such facilities.

“(c) With respect to the District of Columbia and the federal government, the commitment or obligation to render financial assistance shall be created by appropriation or in such other manner, or by such other legislation, as the Congress shall determine. If prior to making such commitment by or on behalf of the District of Columbia, legislation is enacted by the Congress granting the governing body of the District of Columbia plenary power to create obligations and levy taxes, the commitment by the District of Columbia shall be by contract or agreement between the governing body of

the District of Columbia and the Authority, pursuant to which the Authority undertakes, subject to the provisions of Section 20 hereof, to provide transit facilities and service in consideration for the undertaking by the District of Columbia to contribute to the capital required for the construction and/or acquisition of facilities specified in a mass transit plan adopted as provided in Article VI, or in any alteration, revision or amendment thereof, and for meeting expenses and obligations incurred in the operation of such facilities.

#### “Administrative Expenses

“19. Prior to the time the Authority has receipts from appropriations and contracts or agreements as provided in Section 18 of this Article VII, the expenses of the Authority for administration and for preparation of a mass transit and financing plan, including all engineering, financial, legal and other services required in connection therewith, shall, to the extent funds for such expenses are not provided through grants by the federal government, be borne by the District of Columbia, by the Washington Suburban Transit District and the component governments of the Northern Virginia Transportation District. Such expenses shall be allocated among such governments on the basis of population as reflected by the latest available population statistics of the Bureau of the Census; provided, however, that upon the request of any Director the Board shall make the allocation upon estimates of population acceptable to the Board. The allocations shall be made by the Board and shall be included in the annual current expense budget prepared by the Board.

#### “Acquisition of Facilities from Federal or Other Agencies

“20. (a) The Authority is authorized to acquire by purchase, lease or grant or in any manner other than condemnation, from the federal government, or any agency thereof, from the District of Columbia, Maryland or Virginia, or any political subdivision or agency thereof, any transit and related facilities, including real and personal property and all other assets, located within the Zone, whether in operation or under construction. Such acquisition shall be made upon such terms and conditions as may be agreed upon and subject to such authorization or approval by the Congress and the governing body of the District of Columbia, as may be required; provided, however, that if such acquisition imposes or may impose any further or additional obligation or liability upon the Washington Suburban Transit District, the Northern Virginia Transportation District, or any component government thereof, under any contract with the Authority, the Authority shall not make such acquisition until any such affected contract has been appropriately amended.

“(b) For such purpose, the Authority is authorized to assume all liabilities and contracts relating thereto, to assume responsibility as primary obligor, endorser or guarantor on any outstanding revenue bonds, equipment trust certificates or other form of indebtedness authorized in this Act issued by such predecessor agency or agencies and, in connection therewith, to become a party to, and assume the obligations of, any indenture or loan agreement underlying or issued in connection with any outstanding securities or debts.

#### “Temporary Borrowing

“21. The Board may borrow, in anticipation of receipts, from any signatory, the Washington Suburban Transit District, the Northern

Virginia Transportation District, or any component government thereof, or from any lending institution for any purposes of this Title, including administrative expenses. Such loans shall be for a term not to exceed two years and at a rate of interest not to exceed six percent per annum. The signatories and any such political subdivision or agency may, in its discretion, make such loans from any available money.

#### “Funding

“22. The Board shall not construct or acquire any of the transit facilities specified in a mass transit plan adopted pursuant to the provisions of Article VI of this Title, or in any alteration, revision or amendment thereof, nor make any commitments or incur any obligations with respect thereto until funds are available therefor.

### “ARTICLE VIII

#### “BUDGET

##### “Capital Budget

“23. The Board shall annually adopt a capital budget, including all capital projects it proposes to undertake or continue during the budget period, containing a statement of the estimated cost of each project and the method of financing thereof.

##### “Current Expense Budget

“24. The Board shall annually adopt a current expense budget for each fiscal year. Such budget shall include the Board's estimated expenditures for administration, operation, maintenance and repairs, debt service requirements and payments to be made into any funds required to be maintained. The total of such expenses shall be balanced by the Board's estimated revenues and receipts from all sources, excluding funds included in the capital budget or otherwise earmarked for other purposes.

#### “Adoption and Distribution of Budgets

“25. (a) Following the adoption by the Board of annual capital and current expense budgets, the general manager shall transmit certified copies of such budgets to the principal budget officer of the federal government, the District of Columbia, the Washington Suburban Transit District and of the component governments of the Northern Virginia Transportation Commission at such time and in such manner as may be required under their respective budgetary procedures.

“(b) Each budget shall indicate the amounts, if any, required from the federal government, the Government of the District of Columbia, the Washington Suburban Transit District and the component governments of the Northern Virginia Transportation District, determined in accordance with the commitments made pursuant to Article VII, Section 18 of this Title, to balance each of said budgets.

#### “Payments

“26. Subject to such review and approval as may be required by their budgetary or other applicable processes, the federal government, the Government of the District of Columbia, the Washington Sub-

urban Transit District and the component governments of the Northern Virginia Transportation District shall include in their respective budgets next to be adopted and appropriate or otherwise provide the amounts certified to each of them as set forth in the budgets.

## “ARTICLE IX

### “REVENUE BONDS

#### “Borrowing Power

“27. The Authority may borrow money for any of the purposes of this Title, may issue its negotiable bonds and other evidences of indebtedness in respect thereto and may mortgage or pledge its properties, revenues and contracts as security therefor.

“All such bonds and evidences of indebtedness shall be payable solely out of the properties and revenues of the Authority. The bonds and other obligations of the Authority, except as may be otherwise provided in the indenture under which they were issued, shall be direct and general obligations of the Authority and the full faith and credit of the Authority are hereby pledged for the prompt payment of the debt service thereon and for the fulfillment of all other undertakings of the Authority assumed by it to or for the benefit of the holders thereof.

#### “Funds and Expenses

“28. The purposes of this Title shall include, without limitation, all costs of any project or facility or any part thereof, including interest during a period of construction and for a period not to exceed two years thereafter and any incidental expenses (legal, engineering, fiscal, financial, consultant and other expenses) connected with issuing and disposing of the bonds; all amounts required for the creation of an operating fund, construction fund, reserve fund, sinking fund, or other special fund; all other expenses connected with administration, the planning, design, acquisition, construction, completion, improvement or reconstruction of any facility or any part thereof; and reimbursement of advances by the Board or by others for such purposes and for working capital.

#### “Credit Excluded; Officers, State, Political Subdivisions and Agencies

“29. The Board shall have no power to pledge the credit of any signatory party, political subdivision or agency thereof, or to impose any obligation for payment of the bonds upon any signatory party, political subdivision or agency thereof, but may pledge the contracts of such governments and agencies; provided, however, that the bonds may be underwritten in whole or in part as to principal and interest by the United States, or by any political subdivision or agency of any signatory; provided, further, that any bonds underwritten in whole or in part as to principal and interest by the United States shall not be issued without approval of the Secretary of the Treasury. Neither the Directors nor any person executing the bonds shall be liable personally on the bonds of the Authority or be subject to any personal liability or accountability by reason of the issuance thereof.

#### “Funding and Refunding

“30. Whenever the Board deems it expedient, it may fund and refund the bonds and other obligations of the Authority whether or

not such bonds and obligations have matured. It may provide for the issuance, sale or exchange of refunding bonds for the purpose of redeeming or retiring any bonds (including the payment of any premium, duplicate interest or cash adjustment required in connection therewith) issued by the Authority or issued by any other issuing body, the proceeds of the sale of which have been applied to any facility acquired by the Authority or which are payable out of the revenues of any facility acquired by the Authority. Bonds may be issued partly to refund bonds and other obligations then outstanding, and partly for any other purpose of the Authority. All provisions of this Title applicable to the issuance of bonds are applicable to refunding bonds and to the issuance, sale or exchange thereof.

#### “Bonds; Authorization Generally

“31. Bonds and other indebtedness of the Authority shall be authorized by resolution of the Board. The validity of the authorization and issuance of any bonds by the Authority shall not be dependent upon nor affected in any way by: (i) the disposition of bond proceeds by the Board or by contract, commitment or action taken with respect to such proceeds; or (ii) the failure to complete any part of the project for which bonds are authorized to be issued. The Authority may issue bonds in one or more series and may provide for one or more consolidated bond issues, in such principal amounts and with such terms and provisions as the Board may deem necessary. The bonds may be secured by a pledge of all or any part of the property, revenues and franchises under its control. Bonds may be issued by the Authority in such amount, with such maturities and in such denominations and form or forms, whether coupon or registered, as to principal alone or as to both principal and interest, as may be determined by the Board. The Board may provide for redemption of bonds prior to maturity on such notice and at such time or times and with such redemption provisions, including premiums, as the Board may determine.

#### “Bonds; Resolutions and Indentures Generally

“32. The Board may determine and enter into indentures or adopt resolutions providing for the principal amount, date or dates, maturities, interest rate, or rates, denominations, form, registration, transfer, interchange and other provisions of the bonds and coupons and the terms and conditions upon which the same shall be executed, issued, secured, sold, paid, redeemed, funded and refunded. The resolution of the Board authorizing any bond or any indenture so authorized under which the bonds are issued may include all such covenants and other provisions not inconsistent with the provisions of this Title, other than any restriction on the regulatory powers vested in the Board by this Title, as the Board may deem necessary or desirable for the issue, payment, security, protection or marketing of the bonds, including without limitation covenants and other provisions as to the rates or amounts of fees, rents and other charges to be charged or made for use of the facilities; the use, pledge, custody, securing, application and disposition of such revenues, of the proceeds of the bonds, and of any other moneys or contracts of the Authority; the operation, maintenance, repair and reconstruction of the facilities and the amounts which may be expended therefor; the sale, lease or other disposition of the facilities; the insuring of the facilities and of the revenues derived therefrom; the construction or other acquisition of other facilities; the issuance of additional bonds or other indebtedness; the rights of the bondholders and of any trustee for the bondholders upon

default by the Authority or otherwise; and the modification of the provisions of the indenture and of the bonds. Reference on the face of the bonds to such resolution or indenture by its date of adoption or the apparent date on the face thereof is sufficient to incorporate all of the provisions thereof and of this Title into the body of the bonds and their appurtenant coupons. Each taker and subsequent holder of the bonds or coupons, whether the coupons are attached to or detached from the bonds, has recourse to all of the provisions of the indenture and of this Title and is bound thereby.

#### “Maximum Maturity

“33. No bond or its terms shall mature in more than fifty years from its own date and in the event any authorized issue is divided into two or more series or divisions, the maximum maturity date herein authorized shall be calculated from the date on the face of each bond separately, irrespective of the fact that different dates may be prescribed for the bonds of each separate series or division of any authorized issue.

#### “Tax Exemption

“34. All bonds and all other evidences of debt issued by the Authority under the provisions of this Title and the interest thereon shall at all times be free and exempt from all taxation by or under authority of any signatory parties, except for transfer, inheritance and estate taxes.

#### “Interest

“35. Bonds shall bear interest at a rate of not to exceed six percent per annum, payable annually or semiannually.

#### “Place of Payment

“36. The Board may provide for the payment of the principal and interest of bonds at any place or places within or without the signatory states, and in any specified lawful coin or currency of the United States of America.

#### “Execution

“37. The Board may provide for the execution and authentication of bonds by the manual, lithographed or printed facsimile signature of members of the Board, and by additional authentication by a trustee or fiscal agent appointed by the Board; provided, however, that one of such signatures shall be manual. If any of the members whose signatures or countersignatures appear upon the bonds or coupons cease to be members before the delivery of the bonds or coupons, their signatures or countersignatures are nevertheless valid and of the same force and effect as if the members had remained in office until the delivery of the bonds and coupons.

#### “Holding Own Bonds

“38. The Board shall have power out of any funds available therefor to purchase its bonds and may hold, cancel or resell such bonds.

#### “Sale

“39. The Board may fix terms and conditions for the sale or other disposition of any authorized issue of bonds. The Board may sell

bonds at less than their par or face value but no issue of bonds may be sold at an aggregate price below the par or face value thereof if such sale would result in a net interest cost to the Authority calculated upon the entire issue so sold of more than six percent per annum payable semiannually, according to standard tables of bond values. All bonds issued and sold pursuant to this Title may be sold in such manner, either at public or private sale, as the Board shall determine.

#### “Negotiability

“40. All bonds issued under the provisions of this Title are negotiable instruments.

#### “Bonds Eligible for Investment and Deposit

“41. Bonds issued under the provisions of this Title are hereby made securities in which all public officers and public agencies of the signatories and their political subdivisions and all banks, trust companies, savings and loan associations, investment companies and others carrying on a banking business, all insurance companies and insurance associations and others carrying on an insurance business, all administrators, executors, guardians, trustees and other fiduciaries, and all other persons may legally and properly invest funds, including capital in their control or belonging to them. Such bonds are hereby made securities which may properly and legally be deposited with and received by any officer of any signatory, or of any agency or political subdivision of any signatory, for any purpose for which the deposit of bonds or other obligations of such signatory is now or may hereafter be authorized by law.

#### “Validation Proceedings

“42. Prior to the issuance of any bonds, the Board may institute a special proceeding to determine the legality of proceedings to issue the bonds and their validity under the laws of any of the signatory parties. Such proceeding shall be instituted and prosecuted in rem and the final judgment rendered therein shall be conclusive against all persons whomsoever and against each of the signatory parties.

#### “Recording

“43. No indenture need be recorded or filed in any public office, other than the office of the Board. The pledge of revenues provided in any indenture shall take effect forthwith as provided therein and irrespective of the date of receipt of such revenues by the Board of the indenture trustee. Such pledge shall be effective as provided in the indenture without physical delivery of the revenues to the Board or to the indenture trustee.

#### “Pledged Revenues

“44. Bond redemption and interest payments shall, to the extent provided in the resolution or indenture, constitute a first, direct and exclusive charge and lien on all revenues received from the use and operation of the facility, and on any sinking or other funds created therefrom. All such revenues, together with interest thereon, shall constitute a trust fund for the security and payment of such bonds and except as and to the extent provided in the indenture with re-

spect to the payment therefrom of expenses for other purposes including administration, operation, maintenance, improvements or extensions of the facilities or other purposes shall not be used or pledged for any other purpose so long as such bonds, or any of them, are outstanding and unpaid.

#### “Remedies

“45. The holder of any bond may for the equal benefit and protection of all holders of bonds similarly situated: (1) by mandamus or other appropriate proceedings require and compel the performance of any of the duties imposed upon the Board or assumed by it, its officers, agents or employees under the provisions of any indenture, in connection with the acquisition, construction, operation, maintenance, repair, reconstruction or insurance of the facilities, or in connection with the collection, deposit, investment, application and disbursement of the revenues derived from the operation and use of the facilities, or in connection with the deposit, investment and disbursement of the proceeds received from the sale of bonds; or (2) by action or suit in a court of competent jurisdiction of any signatory party require the Authority to account as if it were the trustee of an express trust, or enjoin any acts or things which may be unlawful or in violation of the rights of the holders of the bonds. The enumeration of such rights and remedies does not, however, exclude the exercise or prosecution of any other rights or remedies available to the holders of bonds.

### “ARTICLE X

#### “EQUIPMENT TRUST CERTIFICATES

##### “Power

“46. The Board shall have power to execute agreements, leases and equipment trust certificates with respect to the purchase of facilities or equipment such as cars, trolley buses and motor buses, or other craft, in the form customarily used in such cases and appropriate to effect such purchase, and may dispose of such equipment trust certificates in such manner as it may determine to be for the best interests of the Authority. Each vehicle covered by an equipment trust certificate shall have the name of the owner or lessor plainly marked upon both sides thereof, followed by the words ‘Owner and Lessor’.

##### “Payments

“47. All monies required to be paid by the Authority under the provisions of such agreements, leases and equipment trust certificates shall be payable solely from the revenue to be derived from the operation of the transit system or from such grants, loans, appropriations or other revenues, as may be available to the Board under the provisions of this Title. Payment for such facilities or equipment, or rentals thereof, may be made in installments, and the deferred installments may be evidenced by equipment trust certificates as aforesaid, and title to such facilities or equipment may not vest in the Authority until the equipment trust certificates are paid.

##### “Procedure

“48. The agreement to purchase facilities or equipment by the Board may direct the vendor to sell and assign the equipment to a bank or

trust company, duly authorized to transact business in any of the signatory States, or to the Housing and Home Finance Administrator, as trustee, lessor or vendor, for the benefit and security of the equipment trust certificates and may direct the trustee to deliver the facilities and equipment to one or more designated officers of the Board and may authorize the trustee simultaneously therewith to execute and deliver a lease of the facilities or equipment to the Board.

#### "Agreements and Leases

"49. The agreements and leases shall be duly acknowledged before some person authorized by law to take acknowledgements of deeds and in the form required for acknowledgement of deeds and such agreements, leases, and equipment trust certificates shall be authorized by resolution of the Board and shall contain such covenants, conditions and provisions as may be deemed necessary or appropriate to insure the payment of the equipment trust certificates from the revenues to be derived from the operation of the transit system and other funds.

"The covenants, conditions and provisions of the agreements, leases and equipment trust certificates shall not conflict with any of the provisions of any resolution or trust agreement securing the payment of bonds or other obligations of the Authority then outstanding or conflict with or be in derogation of the rights of the holders of any such bonds or other obligations.

#### "Law Governing

"50. The equipment trust certificates issued hereunder shall be governed by Laws of the District of Columbia and for this purpose the chief place of business of the Authority shall be considered to be the District of Columbia. The filing of any documents required or permitted to be filed shall be governed by the Laws of the District of Columbia.

### "ARTICLE XI

#### "OPERATION OF FACILITIES

##### "Operation by Contract or Lease

"51. The Authority shall not perform transit service, nor any of the functions, such as maintenance of equipment and right of way normally associated with the providing of such service, with any transit facilities owned or controlled by it but shall provide for the performance of transit service with such facilities by contract or contracts with private transit companies, private railroads, or other persons. Any facilities and properties owned or controlled by the Authority, other than those utilized in performing transit service, may be operated by the Authority or by others pursuant to contract or lease as the Board may determine. All operations of such facilities and properties by the Authority and by its Contractor and lessees shall be within the Zone.

##### "The Operating Contract

"52. Without limitation upon the right of the Board to prescribe such additional terms and provisions as it may deem necessary and appropriate, the operating contract shall;

"(a) specify the services and functions to be performed by the Contractor;

“(b) provide that the Contractor shall hire, supervise and control all personnel required to perform the services and functions assumed by it under the operating contract and that all such personnel shall be employees of the Contractor and not of the Authority;

“(c) require the Contractor to assume the obligations of the labor contract or contracts of any transit company which may be acquired by the Authority and assume the pension obligations of any such transit company;

“(d) require the Contractor to comply in all respects with the labor policy set forth in Article XIV of this Title;

“(e) provide that no transfer of ownership of the capital stock, securities or interests in any Contractor, whose principal business is the operating contract, shall be made without written approval of the Board and the certificates or other instruments representing such stock, securities or interests shall contain a statement of this restriction;

“(f) provide that the Board shall have the sole authority to determine the rates or fares to be charged, the routes to be operated and the service to be furnished;

“(g) specify the obligations and liabilities which are to be assumed by the Contractor and those which are to be the responsibility of the Authority;

“(h) provide for an annual audit of the books and accounts of the Contractor by an independent certified public accountant to be selected by the Board and for such other audits, examinations and investigations of the books and records, procedures and affairs of the Contractor at such times and in such manner as the Board shall require, the cost of such audits, examinations and investigations to be borne as agreed by the parties in the operating contract; and

“(i) provide that no operating contract shall be entered into for a term in excess of five years; provided, that any such contract may be renewed for successive terms, each of which shall not exceed five years. Any such operating contract shall be subject to termination by the Board for cause only.

#### “Compensation for Contractor

“53. Compensation to the Contractor under the operating contract may, in the discretion of the Board, be in the form of (1) a fee paid by the Board to the Contractor for services, (2) a payment by the Contractor to the Board for the right to operate the system, or (3) such other arrangement as the Board may prescribe; provided, however, that the compensation shall bear a reasonable relationship to the benefits to the Authority and to the estimated costs the Authority would incur in directly performing the functions and duties delegated under the operating contract; and provided, further, that no such contract shall create any right in the Contractor (1) to make or change any rate or fare or alter or change the service specified in the contract to be provided or (2) to seek judicial relief by any form of original action, review or other proceedings from any rate or fare or service prescribed by the Board. Any assertion, or attempted assertion, by the Contractor of the right to make or change any rate or fare or service prescribed by the Board shall constitute cause for termination of the operating contract. The operating contract may provide incentives for efficient and economical management.

#### “Selection of Contractor

“54. The Board shall enter into an operating contract only after formal advertisement and negotiations with all interested and quali-

fied parties, including private transit companies rendering transit service within the Zone; provided, however, that, if the Authority acquires transit facilities from any agency of the federal or District of Columbia governments, in accordance with the provisions of Article VII, Section 20 of this Title, the Authority shall assume the obligations of any operating contract which the transferor agency may have entered into.

## “ARTICLE XII

### “COORDINATION OF PRIVATE AND PUBLIC FACILITIES

#### “Declaration of Policy

“55. It is hereby declared that the interest of the public in efficient and economical transit service and in the financial well-being of the Authority and of the private transit companies requires that the public and private segments of the regional transit system be operated, to the fullest extent possible, as a coordinated system without unnecessary duplicating service.

#### “Implementation of Policy

“56. In order to carry out the legislative policy set forth in Section 55 of this Article XII

“(a) The Authority—

“(1) except as herein provided, shall not, directly or through a Contractor, perform transit service by bus or similar motor vehicles;

“(2) shall, in cooperation with the private carriers and WMATC, coordinate to the fullest extent practicable, the schedules for service performed by its facilities with the schedules for service performed by private carriers; and

“(3) shall enter into agreements with the private carriers to establish and maintain, subject to approval by WMATC, through routes and joint fares and provide for the division thereof, or, in the absence of such agreements, establish and maintain through routes and joint fares in accordance with orders issued by WMATC directed to the private carriers when the terms and conditions for such through service and joint fares are acceptable to it.

“(b) The WMATC, upon application, complaint, or upon its own motion, shall—

“(1) direct private carriers to coordinate their schedules for service with the schedules for service performed by facilities owned or controlled by the Authority;

“(2) direct private carriers to improve or extend any existing services or provide additional service over additional routes;

“(3) authorize a private carrier, pursuant to agreement between said carrier and the Authority, to establish and maintain through routes and joint fares for transportation to be rendered with facilities owned or controlled by the Authority if, after hearing held upon reasonable notice, WMATC finds that such through routes and joint fares are required by the public interest; and

“(4) in the absence of such an agreement with the Authority, direct a private carrier to establish and maintain through routes and joint fares with the Authority, if, after hearing held upon reasonable notice, WMATC finds that such through service and joint

fares are required by the public interest; provided, however, that no such order, rule or regulation of WMATC shall be construed to require the Authority to establish and maintain any through route and joint fare.

“(c) WMATC shall not authorize or require a private carrier to render any service, including the establishment or continuation of a joint fare for a through route service with the Authority which is based on a division thereof between the Authority and private carrier which does not provide a reasonable return to the private carrier, unless the carrier is currently earning a reasonable return on its operation as a whole in performing transportation subject to the jurisdiction of WMATC. In determining the issue of reasonable return, WMATC shall take into account any income attributable to the carrier, or to any corporation, firm or association owned in whole or in part by the carrier, from the Authority whether by way of payment for services or otherwise.

“(d) If the WMATC is unable, through the exercise of its regulatory powers over the private carriers granted in paragraph (b) hereof or otherwise, to bring about the requisite coordination of operations and service between the private carriers and the Authority, the Authority may in the situations specified in paragraph (b) hereof, cause such transit service to be rendered by its Contractor by bus or other motor vehicle, as it shall deem necessary to effectuate the policy set forth in Section 55 hereof. In any such situation, the Authority, in order to encourage private carriers to render bus service to the fullest extent practicable, may, pursuant to agreement, make reasonable subsidy payments to any private carrier.

#### “Rights of Private Carriers Unaffected

“57. Nothing in this Title shall restrict or limit such rights and remedies, if any, that any private carrier may have against the Authority arising out of acts done or actions taken by the Authority hereunder. In the event any court of competent jurisdiction shall determine that the Authority has unlawfully infringed any rights of any private carrier or otherwise caused or permitted any private carrier to suffer legally cognizable injury, damages or harm and shall award a judgment therefor, such judgment shall constitute a lien against any and all of the assets and properties of the Authority.

#### “Financial Assistance to Private Carriers

“58. (a) The Board may accept grants from and enter into loan agreements with the Housing and Home Finance Administrator, pursuant to the provisions of the Urban Mass Transportation Act of 1964 (78 Stat. 302), or with any successor agency or under any law of similar purport, for the purpose of rendering financial assistance to private carriers.

“(b) An application by the Board for any such grant or loan shall be based on and supported by a report from WMATC setting forth for each private carrier to be assisted (1) the equipment and facilities to be acquired, constructed, reconstructed, or improved, (2) the service proposed to be rendered by such equipment and facilities, (3) the improvement in service expected from such facilities and equipment, (4) how the use of such facilities and equipment will be coordinated with the transit facilities owned by the Authority, (5) the

49 USC 1601  
note.

ability of the affected private carrier to repay any such loans or grants and (6) recommend terms for any such loans or grants.

“(c) Any equipment or facilities acquired, constructed, reconstructed or improved with the proceeds of such grants or loans shall be owned by the Authority and may be made available to private carriers only by lease or other agreement which contain provisions acceptable to the Housing and Home Finance Administrator assuring that the Authority will have satisfactory continuing control over the use of such facilities and equipment.

### “ARTICLE XIII

#### “JURISDICTION; RATES AND SERVICE

##### “Washington Metropolitan Area Transit Commission

“59. Except as provided herein, this Title shall not affect the functions and jurisdiction of WMATC, as granted by Titles I and II of this Compact, over the transportation therein specified and the persons engaged therein and the Authority shall have no jurisdiction with respect thereto.

##### “Public Facilities

“60. Service performed by transit facilities owned or controlled by the Authority, and the rates and fares to be charged for such service, shall be subject to the sole and exclusive jurisdiction of the Board and, notwithstanding any other provision in this Compact contained, WMATC shall have no authority with respect thereto, or with respect to any contractor in connection with the operation by it of transit facilities owned or controlled by the Authority. The determinations of the Board with respect to such matters shall not be subject to judicial review nor to the processes of any court.

##### “Standards

“61. Insofar as practicable, and consistent with the provision of adequate service at reasonable fares, the rates and fares and service shall be fixed by the Board so as to result in revenues which will:

“(a) pay the operating expenses and provide for repairs, maintenance and depreciation of the transit system owned or controlled by the Authority;

“(b) provide for payment of all principal and interest on outstanding revenue bonds and other obligations and for payment of all amounts to sinking funds and other funds as may be required by the terms of any indenture or loan agreement;

“(c) provide for the purchase, lease or acquisition of rolling stock, including provisions for interest, sinking funds, reserve funds, or other funds required for payment of any obligations incurred by the Authority for the acquisition of rolling stock; and

“(d) provide funds for any purpose the Board deems necessary and desirable to carry out the purposes of this Title.

##### “Hearings

“62. (a) The Board shall not make or change any fare or rate, nor establish or abandon any service except after holding a public hearing with respect thereto.

“(b) Any signatory, any political subdivision thereof, any agency of the federal government and any person, firm or association served by or using the transit facilities of the Authority and any private carrier may file a request with the Board for a hearing with respect to any rates or charges made by the Board or any service rendered with the facilities owned or controlled by the Authority. Such request shall be in writing, shall state the matter on which a hearing is requested and shall set forth clearly the matters and things on which the request relies. As promptly as possible after such a request is filed, the Board, or such officer or employee as it may designate, shall confer with the protestant with respect to the matters complained of. After such conference, the Board, if it deems the matter meritorious and of general significance, may call a hearing with respect to such request.

“(c) The Board shall give at least thirty days' notice for all hearings. The notice shall be given by publication in a newspaper of daily circulation throughout the Zone and such notice shall be published once a week for two successive weeks. The notice shall start with the day of first publication. In addition, the Board shall post notices of the hearing in its offices, all stations and terminals, and in all of its vehicles and rolling stock in revenue service.

“(d) Prior to calling a hearing on any matter specified in this section, the Board shall prepare and file at its main office and keep open for public inspection its report relating to the proposed action to be considered at such hearing. Upon receipt by the Board of any report submitted by WMATC, in connection with a matter set for hearing, pursuant to the provisions of Section 63 of this Article XIII, the Board shall file such report at its main office and make it available for public inspection. For hearings called by the Board pursuant to paragraph (b), above, the Board also shall cause to be lodged and kept open for public inspection the written request upon which the hearing is granted and all documents filed in support thereof.

#### “Reference of Matters to WMATC

“63. To facilitate the attainment of the public policy objectives for operation of the publicly and privately owned or controlled transit facilities as stated in Article XII, Section 55, prior to the hearings provided for by Section 62 hereof—

“(a) The Board shall refer to WMATC for its consideration and recommendations, any matter which the Board considers may affect the operation of the publicly and privately owned or controlled transit facilities as a coordinated regional transit system and any matter for which the Board has called a hearing, pursuant to Section 62 of this Article XIII, except that temporary or emergency changes in matters affecting service shall not be referred; and

“(b) WMATC, upon such reference of any matter to it, shall give the referred matter preference over any other matters pending before it and shall, as expeditiously as practicable, prepare and transmit its report thereon to the Board. The Board may request WMATC to reconsider any part of its report or to make any supplemental reports it deems necessary. All of such reports shall be advisory only.

“(c) Any report submitted by WMATC to the Board shall consider, without limitation, the probable effect of the matter or proposal upon the operation of the publicly and privately owned or controlled transit facilities as a coordinated regional system, passenger movements, fare structures, service and the impact on the revenues of both the public and private facilities.

## "ARTICLE XIV

## "LABOR POLICY

## "Construction

"64. The Board shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors in the construction, alteration or repair, including painting and decorating, of projects, buildings and works which are undertaken by the Authority or are financially assisted by it, shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5), and every such employee shall receive compensation at a rate not less than one and one-half times his basic rate of pay for all hours worked in any workweek in excess of eight hours in any workday or forty hours in any workweek, as the case may be. A provision stating the minimum wages thus determined and the requirement that overtime be paid as above provided shall be set out in each project advertisement for bids and in each bid proposal form and shall be made a part of the contract covering the project, which contract shall be deemed to be a contract of the character specified in Section 103 of the Contract Work Hours Standards Act (76 Stat. 357), as now or as may hereafter be in effect. The Secretary of Labor shall have, with respect to the administration and enforcement of the labor standards specified in this provision, the supervisory, investigatory and other authority and functions set forth in Reorganization Plan Number 14 of 1950 (15 F.R. 3176, 64 Stat. 1267, 5 U.S.C. 133z-15), and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948, as amended; 40 U.S.C. 276(c)). The requirements of this section shall also be applicable with respect to the employment of laborers and mechanics in the construction, alteration or repair, including painting and decorating, of the transit facilities owned or controlled by the Authority where such activities are performed by a Contractor pursuant to agreement with the operator of such facilities.

## "Equipment and Supplies

"65. Contracts for the manufacture or furnishing of materials, supplies, articles and equipment shall be subject to the provisions of the Walsh-Healey Public Contracts Act (41 U.S.C. 35 et seq.), as now or as may hereafter be in effect.

## "Operations

"66. It shall be a condition of the operation of the transit facilities owned or controlled by the Authority that the provisions of section 10(c) of the Urban Mass Transportation Act of 1964 (49 U.S.C. 1609(c)) shall be applicable to any contract or other arrangement for the operation of such facilities.

## "ARTICLE XV

## "RELOCATION ASSISTANCE

## "Relocation Program and Payments

"67. Section 7 of the Urban Mass Transportation Act of 1964, and as the same may from time to time be amended, and all regulations promulgated thereunder, are hereby made applicable to individuals,

49 Stat. 1011.

40 USC 327 note.

63 Stat. 108.  
40 USC 276c.

49 Stat. 2036.

78 Stat. 307;  
Ante, p. 715.

49 USC 1606.

families, business concerns and nonprofit organizations displaced from real property by actions of the Authority without regard to whether financial assistance is sought by or extended to the Authority under any provision of that Act; provided, however, that in the event real property is acquired for the Authority by an agency of the federal government, or by a State or local agency or instrumentality, the Authority is authorized to reimburse the acquiring agency for relocation payments made by it.

#### “Relocation of Public or Public Utility Facilities

“68. Notwithstanding the provisions of Section 67 of this article XV, any highway or other public facility or any facilities of a public utility company which will be dislocated by reason of a project deemed necessary by the Board to effectuate the authorized purposes of this Title shall be relocated if such facilities are devoted to a public use, and the reasonable cost of relocation, if substitute facilities are necessary, shall be paid by the Board from any of its monies.

### “ARTICLE XVI

#### “GENERAL PROVISIONS

#### “Creation and Administration of Funds

“69. (a) The Board may provide for the creation and administration of such funds as may be required. The funds shall be disbursed in accordance with rules established by the Board and all payments from any fund shall be reported to the Board. Monies in such funds and other monies of the Authority shall be deposited, as directed by the Board, in any state or national bank located in the Zone having a total paid-in capital of at least one million dollars (\$1,000,000). The trust department of any such state or national bank may be designated as a depository to receive any securities acquired or owned by the Authority. The restriction with respect to paid-in capital may be waived for any such bank which agrees to pledge federal securities to protect the funds and securities of the Authority in such amounts and pursuant to such arrangements as may be acceptable to the Board.

“(b) Any monies of the Authority may, in the discretion of the Board and subject to any agreement or covenant between the Authority and the holders of any of its obligations limiting or restricting classes of investments, be invested in bonds or other obligations of, or guaranteed as to interest and principal by, the United States, Maryland, Virginia or the political subdivisions or agencies thereof.

#### “Annual Independent Audit

“70. (a) As soon as practical after the closing of the fiscal year, an audit shall be made of the financial accounts of the Authority. The audit shall be made by qualified certified public accountants selected by the Board, who shall have no personal interest direct or indirect in the financial affairs of the Authority or any of its officers or employees. The report of audit shall be prepared in accordance with generally accepted auditing principles and shall be filed with the Chairman and other officers as the Board shall direct. Copies of the report shall be distributed to each Director, to the Congress, to the Board of Commissioners of the District of Columbia, to the Governors of Virginia and Maryland, to the Washington Suburban Transit Commission, to

the Northern Virginia Transportation Commission and to the governing bodies of the political subdivisions located within the Zone which are parties to commitments for participation in the financing of the Authority and shall be made available for public distribution.

“(b) The financial transactions of the Board shall be subject to audit by the United States General Accounting Office in accordance with the principles and procedures applicable to commercial corporate transactions and under such rules and regulations as may be prescribed by the Comptroller General of the United States. The audit shall be conducted at the place or places where the accounts of the Board are kept.

“(c) Any Director, officer or employee who shall refuse to give all required assistance and information to the accountants selected by the Board or who shall refuse to submit to them for examination such books, documents, records, files, accounts, papers, things or property as may be requested shall, in the discretion of the Board forfeit his office.

#### “Reports

“71. The Board shall make and publish an annual report on its programs, operations and finances, which shall be distributed in the same manner provided by Section 70 of this Article XVI for the report of annual audit. It may also prepare, publish and distribute such other public reports and informational materials as it may deem necessary or desirable.

#### “Insurance

“72. The Board may self-insure or purchase insurance and pay the premiums therefore against loss or damage to any of its properties; against liability for injury to persons or property; and against loss of revenue from any cause whatsoever. Such insurance coverage shall be in such form and amount as the Board may determine, subject to the requirements of any agreement arising out of issuance of bonds or other obligations by the Authority.

#### “Purchasing

“73. Contracts for the construction, reconstruction or improvement of any facility when the expenditure required exceeds ten thousand dollars (\$10,000) and contracts for the purchase of supplies, equipment and materials when the expenditure required exceeds two thousand five hundred dollars (\$2,500) shall be advertised and let upon sealed bids to the lowest responsible bidder. Notice requesting such bids shall be published in a manner reasonably likely to attract prospective bidders, which publication shall be made at least ten days before bids are received and in at least two newspapers of general circulation in the Zone. The Board may reject any and all bids and readvertise in its discretion. If after rejecting bids the Board determines and resolves that, in its opinion, the supplies, equipment and materials may be purchased at a lower price in the open market, the Board may give each responsible bidder an opportunity to negotiate a price and may proceed to purchase the supplies, equipment and materials in the open market at a negotiated price which is lower than the lowest rejected bid of a responsible bidder, without further observance of the provisions requiring bids or notice. The Board shall adopt rules and regulations to provide for purchasing from the lowest responsible bidder when sealed bids, notice and publication are not

required by this section. The Board may suspend and waive the provisions of this section requiring competitive bids whenever:

“(a) the purchase is to be made from or the contract is to be made with the federal or any State government or any agency or political subdivision thereof or pursuant to any open end bulk purchase contract of any of them;

“(b) the public exigency requires the immediate delivery of the articles;

“(c) only one source of supply is available; or

“(d) the equipment to be purchased is of a technical nature and the procurement thereof without advertising is necessary in order to assure standardization of equipment and interchangeability of parts in the public interest.

#### “Rights of Way

“74. The Board is authorized to locate, construct and maintain any of its transit and related facilities in, upon, over, under or across any streets, highways, freeways, bridges and any other vehicular facilities, subject to the applicable laws governing such use of such facilities by public agencies. In the absence of such laws, such use of such facilities by the Board shall be subject to such reasonable conditions as the highway department or other affected agency of a signatory party may require; provided, however, that the Board shall not construct or operate transit or related facilities upon, over, or across any parkways or park lands without the consent of, and except upon the terms and conditions required by, the agency having jurisdiction with respect to such parkways and park lands, but may construct or operate such facilities in a subway under such parkways or park lands upon such reasonable terms and conditions as may be specified by the agency having jurisdiction with respect thereto.

#### “Compliance with Laws, Regulations and Ordinances

“75. The Board shall comply with all laws, ordinances and regulations of the signatories and political subdivisions and agencies thereof with respect to use of streets, highways and all other vehicular facilities, traffic control and regulation, zoning, signs and buildings.

#### “Police

“76. The Board is authorized to employ watchmen, guards and investigators as it may deem necessary for the protection of its properties, personnel and passengers and such employees, when authorized by any jurisdiction within the Zone, may serve as special police officers in any such jurisdiction. Nothing contained herein shall relieve any signatory or political subdivision or agency thereof from its duty to provide police service and protection or to limit, restrict or interfere with the jurisdiction of or performance of duties by the existing police and law enforcement agencies.

#### “Exemption from Regulation

“77. Except as otherwise provided in this Title, any transit service rendered by transit facilities owned or controlled by the Authority and the Authority or any corporation, firm or association performing such transit service pursuant to an operating contract with the Authority, shall, in connection with the performance of such service, be exempt from all laws, rules, regulations and orders of the signatories

and of the United States otherwise applicable to such transit service and persons, except that laws, rules, regulations and orders relating to inspection of equipment and facilities, safety and testing shall remain in force and effect; provided, however, that the Board may promulgate regulations for the safety of the public and employees not inconsistent with the applicable laws, rules, regulations or orders of the signatories and of the United States.

#### “Tax Exemption

“78. It is hereby declared that the creation of the Authority and the carrying out of the corporate purposes of the Authority is in all respects for the benefit of the people of the signatory states and is for a public purpose and that the Authority and the Board will be performing an essential governmental function, including, without limitation, proprietary, governmental and other functions, in the exercise of the powers conferred by this Title. Accordingly, the Authority and the Board shall not be required to pay taxes or assessments upon any of the property acquired by it or under its jurisdiction, control, possession or supervision or upon its activities in the operation and maintenance of any transit facilities or upon any revenues therefrom and the property and income derived therefrom shall be exempt from all federal, State, District of Columbia, municipal and local taxation. This exemption shall include, without limitation, all motor vehicle license fees, sales taxes and motor fuel taxes.

#### “Free Transportation and School Fares

“79. All laws of the signatories with respect to free transportation and school fares shall be applicable to transit service rendered by facilities owned or controlled by the Authority.

#### “Liability for Contracts and Torts

“80. The Authority shall be liable for its contracts and for its torts and those of its Directors, officers, employees and agent committed in the conduct of any proprietary function, in accordance with the law of the applicable signatory (including rules on conflict of laws), but shall not be liable for any torts occurring in the performance of a governmental function. The exclusive remedy for such breach of contracts and torts for which the Authority shall be liable, as herein provided, shall be by suit against the Authority. Nothing contained in this Title shall be construed as a waiver by the District of Columbia, Maryland, Virginia and the counties and cities within the Zone of any immunity from suit.

#### “Jurisdiction of Courts

“81. The United States District Courts shall have original jurisdiction, concurrent with the Courts of Maryland and Virginia, of all actions brought by or against the Authority and to enforce subpoenas issued under this Title. Any such action initiated in a State Court shall be removable to the appropriate United States District Court in the manner provided by Act of June 25, 1948, as amended (28 U.S.C. 1446).

#### “Condemnation

“82. (a) The Authority shall have the power to acquire by condemnation, whenever in its opinion it is necessary or advantageous to the Authority to do so, any real or personal property, or any in-

terest therein, necessary or useful for the transit system authorized herein, except property owned by the United States, by a signatory, or any political subdivision thereof, or by a private transit company.

“(b) Proceedings for the condemnation of property in the District of Columbia shall be instituted and maintained under the Act of December 23, 1963 (77 Stat. 577-581, D. C. Code 1961, Supp. IV, Sections 1351-1368). Proceedings for the condemnation of property located elsewhere within the Zone shall be instituted and maintained, if applicable, pursuant to the provisions of the Act of August 1, 1888, as amended (25 Stat. 357, 40 U.S.C. 257) and the Act of June 25, 1948 (62 Stat. 935 and 937, 28 U.S.C. 1358 and 1403) or any other applicable Act; provided, however, that if there is no applicable Federal law, condemnation proceedings shall be in accordance with the provisions of the State law of the signatory in which the property is located governing condemnation by the highway agency of such state. Whenever the words ‘real property,’ ‘realty,’ ‘land,’ ‘easement,’ ‘right-of-way,’ or words of similar meaning are used in any applicable federal or state law relating to procedure, jurisdiction and venue, they shall be deemed, for the purposes of this Title, to include any personal property authorized to be acquired hereunder.

62 Stat. 986.

“(c) Any award or compensation for the taking of property pursuant to this Title shall be paid by the Authority, and none of the signatory parties nor any other agency, instrumentality or political subdivision thereof shall be liable for such award or compensation.

#### “Enlargement and Withdrawal; Duration

“83. (a) When advised in writing by the Northern Virginia Transportation Commission or the Washington Suburban Transit Commission that the geographical area embraced therein has been enlarged, the Board, upon such terms and conditions as it may deem appropriate, shall by resolution enlarge the Zone to embrace the additional area.

“(b) The duration of this Title shall be perpetual but any signatory thereto may withdraw therefrom upon two years’ written notice to the Board.

“(c) The withdrawal of any signatory shall not relieve such signatory, any transportation district, county or city or other political subdivision thereof from any obligation to the Authority, or inuring to the benefit of the Authority, created by contract or otherwise.

#### “Amendments and Supplements

“84. Amendments and supplements to this Title to implement the purposes thereof may be adopted by legislative action of any of the signatory parties concurred in by all of the others.

#### “Construction and Severability

“85. The provisions of this Title and of the agreements thereunder shall be severable and if any phrase, clause, sentence or provision of this Title or any such agreement is declared to be unconstitutional or the applicability thereof to any signatory party, political subdivision or agency thereof is held invalid, the constitutionality of the remainder of this Title or any such agreement and the applicability thereof to any other signatory party, political subdivision or agency thereof

or circumstance shall not be affected thereby. It is the legislative intent that the provisions of this Title be reasonably and liberally construed.

“Effective Date; Execution

“86. This Title shall be adopted by the signatories in the manner provided by law therefor and shall be signed and sealed in four duplicate original copies. One such copy shall be filed with the Secretary of State of each of the signatory parties or in accordance with laws of the State in which the filing is made, and one copy shall be filed and retained in the archives of the Authority upon its organization. This Title shall become effective ninety days after the enactment of concurring legislation by or on behalf of the District of Columbia, Maryland and Virginia and consent thereto by the Congress and all other acts or actions have been taken, including the signing and execution of the Title by the Governors of Maryland and Virginia and the Commissioners of the District of Columbia.”

Section 2. The Commissioners of the District of Columbia are authorized and directed to enter into and execute an amendment to the Compact substantially as set forth above with the States of Virginia and Maryland and are further authorized and directed to carry out and effectuate the terms and provisions of said Title III, and there are hereby authorized to be appropriated out of District of Columbia funds such amounts as are necessary to carry out the obligations of the District of Columbia in accordance with the terms of the said Title III.

Section 3. (a) To assure uninterrupted progress in the development of the facilities authorized by the National Capital Transportation Act of 1965, the transfer of the functions and duties of the National Capital Transportation Agency (herein referred to as the Agency) to the Washington Metropolitan Area Transit Authority (herein referred to as the Authority) as required by Section 301(b) of the National Capital Transportation Act of 1960 shall take place on September 30, 1967.

(b) Upon the effective date of the transfer of functions and duties authorized by subsection (a) of this section, the President is authorized to transfer to the Authority such real and personal property, studies, reports, records, and other assets and liabilities as are appropriate in order that the Authority may assume the functions and duties of the Agency and, further, the President shall make provision for the transfer to the Authority of the unexpended balance of the appropriations, and of other funds, of the Agency for use by the Authority but such unexpended balances so transferred shall be used only for the purpose for which such appropriations were originally made. Subsequent to said effective date, there is authorized to be appropriated to the Department of Housing and Urban Development, for payment to the Authority, any unappropriated portion of the authorization specified in Section 5(a)(1) of the National Capital Transportation Act of 1965. There is also authorized to be appropriated to the District of Columbia out of the general fund of the District of Columbia, for payment to the Authority, any unappropriated portion of the authorization specified in section 5(a)(2) of such Act. Any such appropriations shall be used only for the purposes for which such authorizations were originally made.

(c) Pending the assumption by the Authority of the functions and duties of the Agency, the Agency is authorized and directed, in the manner herein set forth, fully to cooperate with and assist the Authority, the Northern Virginia Transportation Commission and the Washington Suburban Transit Commission in the development of

National Capital  
Transportation  
Agency.

Transfer of  
functions; ef-  
fective date.

79 Stat. 663.  
40 USC 681 note.

74 Stat. 544.  
40 USC 671.

Transfer of  
property, rec-  
ords, etc.

79 Stat. 665.  
40 USC 684.

Functions and  
duties pending  
transfer.

plans for the extensions, new lines and related facilities required to expand the basic system authorized by the National Capital Transportation Act of 1965 into a regional system, but, pending such transfer of functions and duties, nothing in this Act shall be construed to impair the performance by the Agency of the functions and duties imposed by the National Capital Transportation Act of 1965.

79 Stat. 663.  
40 USC 681 note.

(d) In order to provide the cooperation and assistance specified in subsection (c) of this section, the Agency is authorized to perform, on a reimbursable basis, planning, engineering and such other services for the Authority, as the Authority may request, or to obtain such services by contract, but all such assistance and services shall be rendered in accordance with policy determinations made by the Authority and shall be advisory only.

Planning and  
engineering  
services.

(e) Amounts received by the Agency from the Authority as provided in subsection (d) of this section shall be available for expenditure by the Agency in performing services for the Authority.

Section 4. The United States District Courts shall have original jurisdiction, concurrent with the Courts of Maryland and Virginia, of all actions brought by or against the Authority and to enforce subpoenas issued pursuant to the provisions of Title III. Any such action initiated in a State court shall be removable to the appropriate United States District Court in the manner provided by the Act of June 25, 1948, as amended (28 U.S.C. 1446).

Jurisdiction  
of courts.

Section 5. (a) All laws or parts of laws of the United States and of the District of Columbia inconsistent with the provisions of Title III of this Act are hereby amended for the purpose of this Act to the extent necessary to eliminate such inconsistencies and to carry out the provisions of this Act and Title III and all laws or parts of laws and all reorganization plans of the United States are hereby amended and made applicable for the purpose of this Act to the extent necessary to carry out the provisions of this Act and Title III.

62 Stat. 939;  
63 Stat. 101.

(b) Section 202 of the National Capital Transportation Act of 1960 (Public Law 86-669, 74 Stat. 537), as amended by Section 7 of the National Capital Transportation Act of 1965 (Public Law 89-173, 79 Stat. 666) is hereby repealed.

Advisory Board,  
Repeal.

40 USC 662.

Section 6. (a) The right to alter, amend or repeal this Act is hereby expressly reserved.

(b) The Authority shall submit to Congress and the President copies of all annual and special reports made to the Governors, the Commissioners of the District of Columbia and/or the legislatures of the compacting States.

Reports to  
Congress.

(c) The President and the Congress or any committee thereof shall have the right to require the disclosure and furnishing of such information by the Authority as they may deem appropriate. Further, the President and Congress or any of its committees shall have access to all books, records and papers of the Authority as well as the right of inspection of any facility used, owned, leased, regulated or under the control of said Authority.

Information,  
availability.

(d) In carrying out the audits provided for in section 70(b) of the Compact the representatives of the General Accounting Office shall have access to all books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the Board and necessary to facilitate the audit, and they shall be afforded full facilities for verifying transactions with the balances or securities held by depositories, agents, and custodians.

GAO audits,  
Ante, p. 1348.

Approved November 6, 1966.

## Public Law 89-775

November 6, 1966  
[H. R. 10304]

## AN ACT

To provide for the mandatory reporting by physicians and institutions in the District of Columbia of certain physical abuse of children.

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

District of  
Columbia.  
Child abuse,  
reporting re-  
quirement.

## PURPOSE

SECTION 1. The purpose of this Act is to provide for the protection of children who have had physical injury inflicted upon them or who have suffered physical harm due to neglect. Physicians who become aware of such cases should report them to the Metropolitan Police Department of the District of Columbia thereby causing the protective services of the District of Columbia to be brought to bear in an effort to protect the health and welfare of these children to prevent further abuses, and preserve family life whenever possible.

## REPORTS BY PHYSICIANS AND INSTITUTIONS

77 Stat. 519.

SEC. 2. Notwithstanding section 14-307 of the District of Columbia Code, any physician in the District of Columbia, including persons licensed under the Healing Arts Practice Act, District of Columbia, 1929 (45 Stat. 1326; secs. 2-101 et seq., D.C. Code, 1961 edition), as amended, having reasonable cause to believe that a child under the age of eighteen brought to him or coming before him for examination, care, or treatment has in his opinion had serious physical injury or injuries inflicted upon him other than by accidental means, or has suffered serious physical harm due to neglect, shall report or cause reports to be made in accordance with this Act: *Provided*, That when a physician in the performance of service as a member of the staff of a hospital or similar institution attends a child, he shall notify the person in charge of the hospital or institution or his designated agent who shall report or cause reports to be made in accordance with this Act.

## NATURE AND CONTENT OF REPORT; TO WHOM MADE

SEC. 3. An oral report shall be made immediately by telephone or otherwise, and followed as soon thereafter as practicable by a report in writing, to the Metropolitan Police Department of the District of Columbia. Such reports shall contain the names and addresses of the child and his parents or other persons responsible for his care, if known, the child's age, nature and extent of the child's injuries (including any evidence of previous injuries), and may furnish any other information which the physician or other person required to make the report believes might be helpful in establishing the cause of the injuries and the identity of the perpetrator.

## IMMUNITY FROM LIABILITY

SEC. 4. Any person, hospital, or institution participating in good faith in the making of a report pursuant to this Act shall have immunity from liability, civil or criminal, that might otherwise be incurred or imposed with respect to the making of such report. Any such participant shall have the same immunity with respect to participation in any judicial proceeding involving such report.

## EVIDENCE NOT PRIVILEGED

SEC. 5. Notwithstanding the provisions of the District of Columbia Code, sections 14-306 and 14-307, neither the physician-patient privilege nor the husband-wife privilege shall be a ground for excluding evidence in any proceeding in the Juvenile Court of the District of Columbia concerning the welfare of such child, provided that the Juvenile Court determines such privilege should be waived in the interest of public justice.

77 Stat. 519.

SEC. 6. Notwithstanding any other provision of this Act, no child who in good faith is under treatment solely by spiritual means through prayer in accordance with the tenets and practices of a recognized church or religious denomination by a duly accredited practitioner thereof shall, for that reason alone, be considered to have been neglected within the purview of this Act.

Approved November 6, 1966.

## Public Law 89-776

## AN ACT

November 6, 1966

To provide for the mandatory reporting by physicians and hospitals or similar institutions in the District of Columbia of injuries caused by firearms or other dangerous weapons.

[H. R. 9985]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any physician in the District of Columbia, including persons licensed under the "Healing Arts Practice Act, District of Columbia, 1929" (45 Stat. 1326; sec. 2-101, et seq., D.C. Code), as amended, having reasonable cause to believe that a person brought to him or coming before him for examination, care or treatment has suffered injury caused by a firearm, whether self-inflicted, accidental or occurring during the commission of a crime, or has suffered injury caused by any dangerous weapon in the commission of a crime, shall report or cause reports to be made in accordance with this Act: *Provided*, That when a physician in the performance of service as a member of the staff of a hospital or similar institution attends any person so injured, he shall notify the person in charge of the hospital or institution or his designated agent who shall report or cause reports to be made in accordance with this Act.

D. C.  
Reporting of  
injuries caused  
by firearms.

SEC. 2. An oral report shall be made immediately by telephone or otherwise, and followed as soon thereafter as possible by a report in writing, to the Metropolitan Police Department of the District of Columbia. Such reports shall contain, if readily available, the name, address, and age of the injured person, and shall also contain the nature and extent of the person's injuries, and any other information which the physician or other person required to make the report believes might be helpful in establishing the cause of the injuries and the identity of the person who caused the injuries.

Report.

SEC. 3. Any person, hospital, or institution participating in good faith in the making of a report pursuant to this Act shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed with respect to the making of such report. Any such participant shall have the same immunity with respect to participation in any judicial proceeding resulting from such report.

Liability im-  
munity.

Approved November 6, 1966.

## Public Law 89-777

## AN ACT

November 6, 1966  
[H. R. 10327]

To require evidence of adequate financial responsibility to pay judgments for personal injury or death, or to repay fares in the event of nonperformance of voyages, to establish minimum standards for passenger vessels and to require disclosure of construction details on passenger vessels, and for other purposes.

Vessels.  
Safety stand-  
ards.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 4400 of the Revised Statutes, as amended (46 U.S.C. 362) is hereby further amended by designating the existing section as subsection (a) and by adding new subsections (b) and (c) as follows:

Promulgation  
of regulations.

“(b) Owners, operators, agents, or any persons selling passage on a foreign or domestic passenger vessel of one hundred gross tons or over having berth or stateroom accommodations for fifty or more passengers and embarking passengers at United States ports for a coastwise or an international voyage shall notify each prospective passenger of the safety standards with which the vessel complies or does not comply in a manner prescribed by regulations promulgated in accordance with this subsection. In addition, all promotional literature or advertising in or over any medium of communication within the United States offering passage or soliciting passengers for ocean voyages anywhere in the world shall include similar information as a part of the advertisement or description of the voyage in a manner prescribed by the same regulations. The Secretary of the Department in which the Coast Guard is operating is authorized to promulgate regulations to implement the provisions of this subsection. For each violation of regulations so promulgated, the owner, operator, agent, or other person involved shall be subject to a civil penalty of not more than \$10,000 for which the vessel on which passage is to be or is sold shall be liable. If tickets are sold, the owner, operator, agent, or any other person involved in each violation of regulations so promulgated shall also be subject to a civil penalty of \$500 for each ticket sold for which the vessel on which passage is sold shall be liable.

16 UST 185.

“(c) Notwithstanding the provisions of subsection (a) of this section, any foreign or domestic vessel of over 100 gross tons having berth or stateroom accommodations for 50 or more passengers, shall not depart a United States port with passengers who are United States nationals, and who embarked at that port, if the Secretary of the Department in which the Coast Guard is operating finds that such vessel does not comply with the standards set forth in the International Convention for the Safety of Life at Sea, 1960, as modified by the amendments proposed by the thirteenth session of the Maritime Safety Committee of the Inter-governmental Maritime Consultative Organization contained in Annexes I through IV of the Note Verbale of the Secretary General of the Organization dated 17 May 1966, No. A1/C/3.07 (NV.1).”

Death or injury  
to passengers.  
Financial re-  
sponsibility of  
owners, etc.

SEC. 2. (a) Each owner or charterer of an American or foreign vessel having berth or stateroom accommodations for fifty or more passengers, and embarking passengers at United States ports, shall establish, under regulations prescribed by the Federal Maritime Commission, his financial responsibility to meet any liability he may incur for death or injury to passengers or other persons on voyages to or from United States ports, in an amount based upon the number of passenger accommodations aboard the vessel, calculated as follows:

\$20,000 for each passenger accommodation up to and including five hundred; plus

\$15,000 for each additional passenger accommodation between five hundred and one and one thousand; plus

\$10,000 for each additional passenger accommodation between one thousand and one and one thousand five hundred; plus \$5,000 for each passenger accommodation in excess of one thousand five hundred:

*Provided, however,* That if such owner or charterer is operating more than one vessel subject to this section, the foregoing amount shall be based upon the number of passenger accommodations on the vessel being so operated which has the largest number of passenger accommodations. This amount shall be available to pay any judgment for damages, whether in amount less than or more than \$20,000 for death or injury occurring on such voyages to any passenger or other person. Such financial responsibility may be established by any one of, or a combination of, the following methods which is acceptable to the Commission: (1) policies of insurance, (2) surety bonds, (3) qualifications as a self-insurer, or (4) other evidence of financial responsibility.

(b) If a bond is filed with the Commission, then such bond shall be issued by a bonding company authorized to do business in the United States or any State thereof or the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, or any territory or possession of the United States.

(c) Any person who shall violate this section shall be subject to a civil penalty of not more than \$5,000 in addition to a civil penalty of \$200 for each passage sold, such penalties to be assessed by the Federal Maritime Commission. These penalties may be remitted or mitigated by the Federal Maritime Commission upon such terms as they in their discretion shall deem proper.

(d) The Federal Maritime Commission is authorized to prescribe such regulations as may be necessary to carry out the provisions of this section. The provisions of the Shipping Act, 1916, shall apply with respect to proceedings conducted by the Commission under this section.

(e) The collector of customs at the port or place of departure from the United States of any vessel described in subsection (a) of this section shall refuse the clearance required by section 4197 of the Revised Statutes (46 U.S.C. 91) to any such vessel which does not have evidence furnished by the Federal Maritime Commission that the provisions of this section have been complied with.

SEC. 3. (a) No person in the United States shall arrange, offer, advertise, or provide passage on a vessel having berth or stateroom accommodations for fifty or more passengers and which is to embark passengers at United States ports without there first having been filed with the Federal Maritime Commission such information as the Commission may deem necessary to establish the financial responsibility of the person arranging, offering, advertising, or providing such transportation, or in lieu thereof a copy of a bond or other security, in such form as the Commission, by rule or regulation, may require and accept, for indemnification of passengers for nonperformance of the transportation.

(b) If a bond is filed with the Commission, such bond shall be issued by a bonding company authorized to do business in the United States or any State thereof, or the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands or any territory or possession of the United States and such bond or other security shall be in an amount paid equal to the estimated total revenue for the particular transportation.

(c) Any person who shall violate this section shall be subject to a civil penalty of not more than \$5,000 in addition to a civil penalty of \$200 for each passage sold, such penalties to be assessed by the

Filing of bonds.

Penalties.

39 Stat. 728.  
46 USC 842.Refusal of  
clearance.Nonperformance  
of transportation.  
Indemnification  
of passengers.

Penalties.

Federal Maritime Commission. These penalties may be remitted or mitigated by the Federal Maritime Commission upon such terms as they in their discretion shall deem proper.

(d) The Federal Maritime Commission is authorized to prescribe such regulations as may be necessary to carry out the provisions of this section. The provisions of the Shipping Act, 1916, shall apply with respect to proceedings conducted by the Commission under this section.

(e) The collector of customs at the port or place of departure from the United States of any vessel described in subsection (a) of this section shall refuse the clearance required by section 4197 of the Revised Statutes (46 U.S.C. 91) to any such vessel which does not have evidence furnished by the Federal Maritime Commission that the provisions of this section have been complied with.

SEC. 4. Subsection (b) of section 5 of the Act of May 27, 1936 (49 Stat. 1384; 46 U.S.C. 369), is amended by adding at the end thereof the following: "After November 1, 1968, no passenger vessel of the United States of one hundred gross tons or over, having berth or stateroom accommodations for fifty or more passengers, shall be granted a certificate of inspection by the Coast Guard unless the vessel is constructed of fire-retardant material. The structural fire protection provided on these vessels shall conform to the requirements set forth in regulations for a vessel contracted for on or after May 28, 1936."

SEC. 5. The new subsection (b) of section 4400 of the Revised Statutes and section 3 of this Act shall become effective one hundred and eighty days after enactment of this Act. The new subsection (c) of section 4400 of the Revised Statutes shall become effective on the date when the recommended amendments to the International Convention for the Safety of Life at Sea, 1960, come into force, but in any case not later than November 2, 1968. Section 2 of this Act shall become effective nine months after enactment of this Act. Section 4 of this Act shall become effective on November 2, 1968.

Approved November 6, 1966.

## Public Law 89-778

### AN ACT

To amend the Shipping Act, 1916, as amended, to authorize exemption from the provisions of the Act.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Shipping Act, 1916 (46 U.S.C. 801 et seq.), is amended by adding thereto the following new section:

"SEC. 35. The Federal Maritime Commission, upon application or on its own motion, may by order or rule exempt for the future any class of agreements between persons subject to this Act or any specified activity of such persons from any requirement of the Shipping Act, 1916, or Intercoastal Shipping Act, 1933, where it finds that such exemption will not substantially impair effective regulation by the Federal Maritime Commission, be unjustly discriminatory, or be detrimental to commerce.

"The Commission may attach conditions to any such exemptions and may, by order, revoke any such exemption.

"No order or rule of exemption or revocation of exemption shall be issued unless opportunity for hearing has been afforded interested persons."

Approved November 6, 1966.

39 Stat. 728.  
46 USC 842.

U.S. passenger  
vessels.  
Construction  
with fire-retardant  
material.

Effective dates.

November 6, 1966  
[S. 3391]

Shipping Act,  
1916, amendment.  
39 Stat. 728.

47 Stat. 1425.  
46 USC 848.

## Public Law 89-779

## AN ACT

November 6, 1966  
[H. R. 18021]

To amend the Small Business Investment Act of 1958, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Small Business Investment Act Amendments of 1966".*

SEC. 2. Section 201 of the Small Business Investment Act of 1958 is amended to read as follows:

Small Business  
Investment Act  
Amendments of  
1966.  
72 Stat. 690.  
15 USC 671.

## "ESTABLISHMENT OF SMALL BUSINESS INVESTMENT DIVISION

"SEC. 201. There is hereby established in the Small Business Administration a division to be known as the Small Business Investment Division. The Division shall be headed by an Associate Administrator who shall be appointed by the Administrator, and shall receive compensation at the rate provided by law for other Associate Administrators of the Small Business Administration."

SEC. 3. Section 308 of the Small Business Investment Act of 1958 is amended—

15 USC 687.

(1) by striking out the last two sentences of subsection (c); and

(2) by inserting after subsection (e) the following new subsections:

"(f) In the performance of, and with respect to the functions, powers, and duties vested by this Act, the Administrator and the Administration shall (in addition to any authority otherwise vested by this Act) have the functions, powers, and duties set forth in the Small Business Act, and the provisions of sections 13 and 16 of that Act, insofar as applicable, are extended to the functions of the Administrator and the Administration under this Act.

72 Stat. 384.  
15 USC 631 note.

"(g) The Administration shall include in its annual report, made pursuant to section 10(a) of the Small Business Act, a full and detailed account of its operations under this Act. Such report shall set forth the amount of losses sustained by the Government as a result of such operations during the preceding fiscal year, together with an estimate of the total losses which the Government can reasonably expect to incur as a result of such operations during the then current fiscal year."

75 Stat. 666.  
15 USC 639.

SEC. 4. (a) Section 309 of the Small Business Investment Act of 1958 is amended by striking out the section heading and inserting in lieu thereof the following:

75 Stat. 753.  
15 USC 687a.

## "REVOCATION AND SUSPENSION OF LICENSES; CEASE AND DESIST ORDERS".

(b) Section 309(a) of such Act is amended—

(1) by inserting "revoked or" before "suspended";

(2) by striking out in paragraph (1) "Administration, for the purpose of obtaining the license" and inserting in lieu thereof "Administration"; and

(3) by striking out in paragraph (2) "for the purpose of obtaining the license."

(c) Section 309(b) of such Act is amended to read as follows:

"(b) Where a licensee or any other person has not complied with any provision of this Act, or of any regulation issued pursuant thereto by the Administration, or is engaging or is about to engage in any acts or practices which constitute or will constitute a violation of such Act or regulation, the Administration may order such licensee or other person to cease and desist from such action or failure to act. The

Administration may further order such licensee or other person to take such action or to refrain from such action as the Administration deems necessary to insure compliance with the Act and the regulations. The Administration may also suspend the license of a licensee, against whom an order has been issued, until such licensee complies with such order."

75 Stat. 753.  
15 USC 687a.

(d) Section 309(c) of such Act is amended—

(1) by inserting after "licensee", the first place it appears, the following: "and any other person";

(2) by striking out "inform the licensee" and inserting in lieu thereof the following: "set forth";

(3) by inserting after "licensee", the last place it appears, the following: "and any other person involved"; and

(4) by inserting before "suspending", each place it appears, the following: "revoking or".

(e) Section 309(e) of such Act is amended by inserting after "licensee", the first place it appears, the following: ", or other person against whom an order is issued,".

(f) Section 309(f) of such Act is amended—

(1) by striking out the first sentence and inserting in lieu thereof the following: "If any licensee or other person against which or against whom an order is issued under this section fails to obey the order, the Administration may apply to the United States court of appeals, within the circuit where the licensee has its principal place of business, for the enforcement of the order, and shall file a transcript of the record upon which the order complained of was entered."; and

(2) by inserting "or other person" before the period at the end of the second sentence.

15 USC 687b.

SEC. 5. Section 310 of the Small Business Investment Act of 1958 is amended—

(1) by striking out the section heading and inserting in lieu thereof "EXAMINATIONS AND INVESTIGATIONS"; and

(2) by inserting "(a)" after "SEC. 310.", and by adding at the end thereof a new subsection as follows:

"(b) Each small business investment company shall be subject to examinations made by direction of the Administration by examiners selected or approved by the Administration, and the cost of such examinations, including the compensation of the examiners, may in the discretion of the Administration be assessed against the company examined and when so assessed shall be paid by such company. Every such company shall make such reports to the Administration at such times and in such form as the Administration may require; except that the Administration is authorized to exempt from making such reports any such company which is registered under the Investment Company Act of 1940 to the extent necessary to avoid duplication in reporting requirements."

54 Stat. 789.  
15 USC 80a-51.

75 Stat. 755.  
15 USC 687c.

SEC. 6. Section 311 of the Small Business Investment Act of 1958 is amended by adding at the end thereof the following new subsection:

"(c) The Administration shall have authority to act as trustee or receiver of the licensee. Upon request by the Administration, the court may appoint the Administration to act in such capacity unless the court deems such appointment inequitable or otherwise inappropriate by reason of the special circumstances involved."

72 Stat. 691.  
15 USC 681-  
687d.

SEC. 7. Title III of the Small Business Investment Act of 1958 is further amended by adding at the end thereof the following new sections:

## "REMOVAL OR SUSPENSION OF DIRECTORS AND OFFICERS OF LICENSEES

"SEC. 313. (a) The Administration may serve upon any director or officer of a licensee a written notice of its intention to remove him from office whenever, in the opinion of the Administration, such director or officer—

"(1) has willfully and knowingly committed any substantial violation of—

"(A) this Act,

"(B) any regulation issued under this Act, or

"(C) a cease-and-desist order which has become final, or

"(2) has willfully and knowingly committed or engaged in any act, omission, or practice which constitutes a substantial breach of his fiduciary duty as such director or officer, and that such violation or such breach of fiduciary duty is one involving personal dishonesty on the part of such director or officer.

"(b) In respect to any director or officer referred to in subsection (a), the Administration may, if it deems it necessary for the protection of the licensee or the interests of the Administration, by written notice to such effect served upon such director or officer, suspend him from office and/or prohibit him from further participation in any manner in the conduct of the affairs of the licensee. Such suspension and/or prohibition shall become effective upon service of such notice and, unless stayed by a court in proceedings authorized by subsection (d), shall remain in effect pending the completion of the administrative proceedings pursuant to the notice served under subsection (a) and until such time as the Administration shall dismiss the charges specified in such notice, or, if an order of removal and/or prohibition is issued against the director or officer, until the effective date of any such order. Copies of any such notice shall also be served upon the interested licensee.

"(c) A notice of intention to remove a director or officer, as provided in subsection (a), shall contain a statement of the facts constituting grounds therefor, and shall fix a time and place at which a hearing will be held thereon. Such hearing shall be fixed for a date not earlier than thirty days nor later than sixty days after the date of service of such notice, unless an earlier or a later date is set by the Administration at the request of (1) such director or officer and for good cause shown, or (2) the Attorney General of the United States. Unless such director or officer shall appear at the hearing in person or by a duly authorized representative, he shall be deemed to have consented to the issuance of an order of such removal. In the event of such consent, or if upon the record made at any such hearing the Administration shall find that any of the grounds specified in such notice has been established, the Administration may issue such orders of removal from office as it deems appropriate. Any such order shall become effective at the expiration of thirty days after service upon such licensee and the director or officer concerned (except in the case of an order issued upon consent, which shall become effective at the time specified therein). Such order shall remain effective and enforceable except to such extent as it is stayed, modified, terminated, or set aside by action of the Administration or a reviewing court.

"(d) Within ten days after any director or officer has been suspended from office and/or prohibited from participation in the conduct of the affairs of a licensee under subsection (b), such director or officer may apply to the United States district court for the judicial district in which the home office of the licensee is located, or the United States District Court for the District of Columbia, for a stay of such suspension and/or prohibition pending the completion of the administrative proceedings pursuant to the notice served upon such director

or officer under subsection (a), and such court shall have jurisdiction to stay such suspension and/or prohibition.

“(e) Whenever any director or officer of a licensee is charged in any information, indictment, or complaint authorized by a United States attorney, with the commission of or participation in a felony involving dishonesty or breach of trust, the Administration may, by written notice served upon such director or officer, suspend him from office and/or prohibit him from further participation in any manner in the conduct of the affairs of the licensee. A copy of such notice shall also be served upon the licensee. Such suspension and/or prohibition shall remain in effect until such information, indictment, or complaint is finally disposed of or until terminated by the Administration. In the event that a judgment of conviction with respect to such offense is entered against such director or officer, and at such time as such judgment is not subject to further appellate review, the Administration may issue and serve upon such director or officer an order removing him from office. A copy of such order shall be served upon such licensee, whereupon such director or officer shall cease to be a director or officer of such licensee. A finding of not guilty or other disposition of the charge shall not preclude the Administration from thereafter instituting proceedings to suspend or remove such director or officer from office and/or to prohibit him from further participation in licensee affairs, pursuant to subsection (a) or (b).

Hearing and judicial review.

“(f) (1) Any hearing provided for in this section shall be held in the Federal judicial district or in the territory in which the principal office of the licensee is located unless the party afforded the hearing consents to another place, and shall be conducted in accordance with the provisions of chapter 5 of title 5 of the United States Code. After such hearing, and within ninety days after the Administration has notified the parties that the case has been submitted to it for final decision, the Administration shall render its decision (which shall include findings of fact upon which its decision is predicated) and shall issue and cause to be served upon each party to the proceeding an order or orders consistent with the provisions of this section. Judicial review of any such order shall be exclusively as provided in this subsection. Unless a petition for review is timely filed in a court of appeals of the United States, as hereinafter provided in paragraph (2) of this subsection, and thereafter until the record in the proceeding has been filed as so provided, the Administration may at any time, upon such notice and in such manner as it shall deem proper, modify, terminate, or set aside any such order. Upon such filing of the record, the Administration may modify, terminate, or set aside any such order with permission of the court.

Ante, p. 380.

“(2) Any party to such proceeding may obtain a review of any order served pursuant to paragraph (1) of this subsection (other than an order issued with the consent of the director or officer concerned, or an order issued under subsection (e) of this section), by filing in the court of appeals of the United States for the circuit in which the principal office of the licensee is located, or in the United States Court of Appeals for the District of Columbia Circuit, within thirty days after the date of service of such order, a written petition praying that the order of the Administration be modified, terminated, or set aside. A copy of such petition shall be forthwith transmitted by the clerk of the court to the Administration, and thereupon the

Administration shall file in the court the record in the proceeding, as provided in section 2112 of title 28 of the United States Code. Upon the filing of such petition, such court shall have jurisdiction, which upon the filing of the record shall, except as provided in the last sentence of said paragraph (1), be exclusive, to affirm, modify, terminate, or set aside, in whole or in part, the order of the Administration. Review of such proceedings shall be had as provided in chapter 7 of title 5 of the United States Code. The judgment and decree of the court shall be final, except that the same shall be subject to review by the Supreme Court upon certiorari as provided in section 1254 of title 28 of the United States Code.

72 Stat. 941.

Ante, p. 392.

62 Stat. 928.

“(3) The commencement of proceedings for judicial review under paragraph (2) of this subsection shall not, unless specifically ordered by the court, operate as a stay of any order issued by the Administration.

“UNLAWFUL ACTS AND OMISSIONS BY OFFICERS, DIRECTORS, EMPLOYEES,  
OR AGENTS; BREACH OF FIDUCIARY DUTY

“SEC. 314. (a) Wherever a licensee violates any provision of this Act or regulation issued thereunder by reason of its failure to comply with the terms thereof or by reason of its engaging in any act or practice which constitutes or will constitute a violation thereof, such violation shall be deemed to be also a violation and an unlawful act on the part of any person who, directly or indirectly, authorizes, orders, participates in, or causes, brings about, counsels, aids, or abets in the commission of any acts, practices, or transactions which constitute or will constitute, in whole or in part, such violation.

“(b) It shall be unlawful for any officer, director, employee, agent, or other participant in the management or conduct of the affairs of a licensee to engage in any act or practice, or to omit any act, in breach of his fiduciary duty as such officer, director, employee, agent, or participant, if, as a result thereof, the licensee has suffered or is in imminent danger of suffering financial loss or other damage.

“(c) Except with the written consent of the Administration, it shall be unlawful—

“(1) for any person hereafter to take office as an officer, director, or employee of a licensee, or to become an agent or participant in the conduct of the affairs or management of a licensee, if—

“(A) he has been convicted of a felony, or any other criminal offense involving dishonesty or breach of trust, or

“(B) he has been found civilly liable in damages, or has been permanently or temporarily enjoined by an order, judgment, or decree of a court of competent jurisdiction, by reason of any act or practice involving fraud or breach of trust; or

“(2) for any person to continue to serve in any of the above-described capacities, if—

“(A) he is hereafter convicted of a felony, or any other criminal offense involving dishonesty or breach of trust, or

“(B) he is hereafter found civilly liable in damages, or is permanently or temporarily enjoined by an order, judgment, or decree of a court of competent jurisdiction, by reason of any act or practice involving fraud or breach of trust.

## "PENALTIES AND FORFEITURES

"SEC. 315. (a) Except as provided in subsection (b) of this section, a licensee which violates any regulation or written directive issued by the Administrator, requiring the filing of any regular or special report pursuant to section 310(b) of this Act, shall forfeit and pay to the United States a civil penalty of not more than \$100 for each and every day of the continuance of the licensee's failure to file such report, unless it is shown that such failure is due to reasonable cause and not due to willful neglect. The civil penalties provided for in this section shall accrue to the United States and may be recovered in a civil action brought by the Administration.

"(b) The Administration may by rules and regulations, or upon application of an interested party, at any time previous to such failure, by order, after notice and opportunity for hearing, exempt in whole or in part, any small business investment company from the provisions of subsection (a) of this section, upon such terms and conditions and for such period of time as it deems necessary and appropriate, if the Administration finds that such action is not inconsistent with the public interest or the protection of the Administration. The Administration may for the purposes of this section make any alternative requirements appropriate to the situation.

## "JURISDICTION AND SERVICE OF PROCESS

"SEC. 316. Any suit or action brought under section 308, 309, 311, 313, or 315 by the Administration at law or in equity to enforce any liability or duty created by, or to enjoin any violation of, this Act, or any rule, regulation, or order promulgated thereunder, shall be brought in the district wherein the licensee maintains its principal office, and process in such cases may be served in any district in which the defendant maintains its principal office or transacts business, or wherever the defendant may be found."

SEC. 8. (a) Section 4(b) of the Small Business Act is amended by striking out "three Deputy Administrators" and inserting in lieu thereof "a Deputy Administrator and three Associate Administrators (including the Associate Administrator specified in section 201 of the Small Business Investment Act of 1958)".

(b) Such section is further amended by adding at the end thereof the following: "The Deputy Administrator shall be Acting Administrator of the Administration during the absence or disability of the Administrator or in the event of a vacancy in the office of the Administrator."

(c) (1) Section 5315 of title 5 of the United States Code is amended by adding at the end thereof the following:

"(78) Deputy Administrator of the Small Business Administration."

(2) Section 5316(11) of such title is amended by changing "Deputy Administrators of the Small Business Administration (4)" to read "Associate Administrators of the Small Business Administration (3)".

SEC. 9. (a) The table of contents of the Small Business Investment Act of 1958 is amended—

(1) by striking out the items describing the contents of sections 309 and 310 and inserting in lieu thereof the following:

"Sec. 309. Revocation and suspension of licenses; cease and desist orders.

"Sec. 310. Examinations and investigations.";

and

Ante, p. 1360.

72 Stat. 694;  
75 Stat. 753.  
15 USC 687,  
687a, 687c.  
Ante, p. 1361.

SBA Administra-  
tors.  
72 Stat. 384.  
15 USC 633.

Ante, p. 1359.

Ante, p. 461.

(2) by inserting at the end of that part which describes the contents of title III the following new items:

"Sec. 313. Removal or suspension of directors and officers of licensees.

"Sec. 314. Unlawful acts and omissions by officers, directors, employees, or agents; breach of fiduciary duty.

"Sec. 315. Penalties and forfeitures.

"Sec. 316. Jurisdiction and service of process."

Approved November 6, 1966.

Public Law 89-780

AN ACT

November 6, 1966  
[S. 3675]

To amend title V of the International Claims Settlement Act of 1949 to provide for the determination of the amounts of claims of nationals of the United States against the Chinese Communist regime.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 501 of the International Claims Settlement Act of 1949 (22 U.S.C. 1643) is amended as follows:

(1) After "the Government of Cuba" at each place it appears in such section insert ", or the Chinese Communist regime,"; and

(2) After "since January 1, 1959," insert "in the case of claims against the Government of Cuba, or since October 1, 1949, in the case of claims against the Chinese Communist regime,".

SEC. 2. Section 502 of such Act (22 U.S.C. 1643a) is amended as follows:

(1) In paragraph (3), after "the Government of Cuba" at each place it appears insert "or the Chinese Communist regime"; and

(2) Add the following new paragraph at the end thereof:

"(5) The term 'Chinese Communist regime' means the so-called Peoples Republic of China, including any political subdivision, agency, or instrumentality thereof."

SEC. 3. Section 503 of such Act (22 U.S.C. 1643b) is amended as follows:

(1) After "the Government of Cuba" at each place it appears in subsections (a) and (b) thereof insert ", or the Chinese Communist regime,";

(2) After "since January 1, 1959," at each place it appears in subsections (a) and (b) thereof insert "in the case of claims against the Government of Cuba, or since October 1, 1949, in the case of claims against the Chinese Communist regime,";

(3) After "within sixty days after the enactment of this title" insert "or sixty days after the enactment of the amendments made thereto with respect to claims against the Chinese Communist regime,"; and

(4) After "carrying out its functions" insert "with respect to each respective claims program authorized,".

SEC. 4. Section 505(a) of such Act (22 U.S.C. 1643d) is amended by inserting before the period at the end thereof a comma and the following: "or the Chinese Communist regime".

SEC. 5. Section 510 of such Act (22 U.S.C. 1643i) is amended by inserting "with respect to each respective claims program authorized" after "carrying out its functions".

Approved November 6, 1966.

Communist  
China.  
Claims of U.S.  
nationals.  
78 Stat. 1110;  
79 Stat. 988.

Chinese Communist  
regime.

## Public Law 89-781

November 6, 1966  
[H. R. 6103]

## AN ACT

For the relief of the city of Umatilla, Oregon.

Umatilla, Oreg.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the city of Umatilla, Oregon, the sum of \$50,000. Payment of such sum represents the amount to which such city is equitably entitled in order to avert damage to its fiscal system as a result of the loss by such city of certain revenues by reason of the inundation of, or other adverse effects upon, certain facilities and properties within such city in connection with the John Day lock and dam project of the Department of the Army.

SEC. 2. No part of the amount appropriated in this Act 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 this 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 November 6, 1966.

## Public Law 89-782

November 6, 1966  
[H. R. 14615]

## AN ACT

For the relief of certain members and former members of the Army on whose behalf erroneous payments were made for storage of household goods.

Army.  
Household goods,  
storage charges.  
Relief of certain  
members.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That members and former members of the Army are relieved of all liability to refund to the United States the amounts, which were otherwise correct, erroneously paid on their behalf prior to January 21, 1964, as payments for nontemporary storage of household goods during periods such members were delayed by reason of permissive temporary duty en route to attend civilian colleges to fulfill requirements for degrees. Any member or former member of the Army who has at any time made repayment to the United States of any amount paid on his behalf prior to January 21, 1964, for nontemporary storage of household goods during the period such member was delayed by permissive temporary duty en route to attend a civilian college to fulfill requirements for a degree is entitled to have refunded to him the amount so repaid. If, for any reason, refund is not made to such member or former member within one year after enactment of this Act, such refund may, nevertheless, be made if application therefor is filed with the Secretary of the Army within two years after the enactment of this Act.

SEC. 2. In the audit and settlement of the accounts of any disbursing officer or agent of the Army, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 3. Appropriations available for permanent change-of-station travel of members of the Army are available for refunds under this Act.

Approved November 6, 1966.

Public Law 89-783

AN ACT

November 6, 1966  
[H. R. 17658]

To provide for the striking of medals in commemoration of the United States Naval Construction Battalions (SEABEES) twenty-fifth anniversary and the United States Navy Civil Engineers Corps (CEC) one hundredth anniversary.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury (hereinafter referred to as the "Secretary") shall strike and furnish for the United States Naval Facilities Engineering Command (hereinafter referred to as the "command") for the celebration of the twenty-fifth anniversary of the United States Naval Construction Battalions (SEABEES) and the one-hundredth anniversary of the United States Navy Civil Engineer Corps (CEC), national medals in commemoration of such anniversaries.

Medals.  
Seabees and  
U. S. Naval Civil  
Engineers Corps,  
anniversaries.

SEC. 2. Such medals shall be of such sizes, materials, and designs, and shall be so inscribed as the command may determine with the approval of the Secretary.

SEC. 3. Not more than one hundred thousand of such medals may be produced. Production shall be in such quantities, not less than two thousand, as may be ordered by the command, but no work may be commenced on any order unless the Secretary has received security satisfactory to him for the payment of the cost of the production of such order. Such cost shall include labor, materials, dies, use of machinery, and overhead expenses, as determined by the Secretary. No medals may be produced pursuant to this Act after December 31, 1968.

SEC. 4. Upon receipt of payment for such medals in the amount of the cost thereof as determined pursuant to Section 3, the Secretary shall deliver the medals as the command may request.

Approved November 6, 1966.

Public Law 89-784

AN ACT

November 6, 1966  
[S. 3466]

To change the name of the Rolla Jewel Bearing Plant at Rolla, North Dakota, to the William Langer Jewel Bearing Plant.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Jewel Bearing Plant operated and maintained by the General Services Administration at Rolla, North Dakota, shall hereafter be known as the William Langer Jewel Bearing Plant, and any law, regulation, document, or record of the United States in which such plant is designated or referred to shall be held to refer to such plant under and by the name of the William Langer Jewel Bearing Plant.

William Langer  
Jewel Bearing  
Plant.  
Designation.

Approved November 6, 1966.

## Public Law 89-785

## AN ACT

November 7, 1966  
[H. R. 11631]

To amend title 38 of the United States Code to clarify, improve, and add additional programs relating to the Department of Medicine and Surgery of the Veterans' Administration, and for other purposes.

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

Veterans Hospitalization and Medical Services Modernization Amendments of 1966.

SECTION 1. That this Act may be cited as the "Veterans Hospitalization and Medical Services Modernization Amendments of 1966".

**TITLE I—AMENDMENTS TO CHAPTER 73 OF TITLE 38,  
UNITED STATES CODE—DEPARTMENT OF MEDICINE  
AND SURGERY**

**TRAINING AND EDUCATION OF HEALTH SERVICE PERSONNEL**

72 Stat. 1243.

SEC. 101. Section 4101 of title 38, United States Code, is amended by inserting "(a)" immediately before the first sentence and by adding at the end thereof the following new subsection:

"(b) In order to more effectively carry out the functions imposed on the Department of Medicine and Surgery by subsection (a) of this section, the Administrator shall carry out a program of training and education of health service personnel, acting in cooperation with schools of medicine, dentistry, osteopathy, and nursing; other institutions of higher learning; medical centers; hospitals; and such other public or nonprofit agencies, institutions, or organizations as the Administrator deems appropriate."

**DEPARTMENTAL DIVISIONS**

SEC. 102. Section 4102 of title 38, United States Code, is amended by deleting "Medical Service, Dental Service, Nursing Service, and Auxiliary Service" and inserting in lieu thereof the following: "a Medical Service, a Dental Service, a Nursing Service, and such other professional and auxiliary services as the Administrator may find to be necessary to carry out the functions of the Department".

**ASSOCIATE DEPUTY CHIEF MEDICAL DIRECTOR; ADDITIONAL ASSISTANT  
CHIEF MEDICAL DIRECTOR**

78 Stat. 409.

SEC. 103. (a) (1) Section 4103(a) of title 38, United States Code, is amended by redesignating paragraphs (3), (4), (5), (6), and (7) as paragraphs (4), (5), (6), (7), and (8), respectively, and inserting a new paragraph (3) to read as follows:

"(3) The Associate Deputy Chief Medical Director, who shall be an assistant to the Chief Medical Director and the Deputy Chief Medical Director. He shall be a qualified doctor of medicine, appointed by the Administrator."

(2) Such section 4103(a) is further amended by deleting "five", immediately preceding "Assistant Chief Medical Directors," in the first sentence of redesignated paragraph (4), and substituting therefor, "six".

(b) Such section 4103 is further amended by amending subsection (b) thereof to read as follows:

"(b) Except as provided in subsection (c) of this section—

"(1) any appointment under this section shall be for a period of four years, with reappointment permissible for successive like periods,

“(2) any such appointment or reappointment may be extended by the Administrator for a period not in excess of three years, and  
 “(3) any person so appointed or reappointed shall be subject to removal by the Administrator for cause.”

(c) The compensation of the Associate Deputy Chief Medical Director of the Department of Medicine and Surgery of the Veterans' Administration shall be the same as that of an Assistant Chief Medical Director in such Department.

#### DELETION OF OBSOLETE LANGUAGE

SEC. 104. Section 4104 of title 38, United States Code, is amended by deleting “(2) Managers, pharmacists” and inserting in lieu thereof “(2) Pharmacists”, and by deleting “pathologists,” in subparagraph (2).

72 Stat. 1244.

#### CITIZENSHIP REQUIREMENTS APPLICABLE TO PHYSICIANS, DENTISTS, AND NURSES

SEC. 105. Section 4105 of title 38, United States Code, is amended to read as follows:

##### “§ 4105. Qualifications of appointees

“(a) Any person to be eligible for appointment to the following positions in the Department of Medicine and Surgery must have the applicable qualifications:

“(1) Physician—

“hold the degree of doctor of medicine or of doctor of osteopathy from a college or university approved by the Administrator, have completed an internship satisfactory to the Administrator, and be licensed to practice medicine, surgery, or osteopathy in a State;

“(2) Dentist—

“hold the degree of doctor of dental surgery or dental medicine from a college or university approved by the Administrator, and be licensed to practice dentistry in a State;

“(3) Nurse—

“have successfully completed a full course of nursing in a recognized school of nursing, approved by the Administrator, and be registered as a graduate nurse in a State;

“(4) Director of a hospital, domiciliary, center or outpatient clinic—

“have such business and administrative experience and qualifications as the Administrator shall prescribe;

“(5) Optometrist—

“be licensed to practice optometry in a State;

“(6) Pharmacist—

“hold the degree of bachelor of science in pharmacy, or its equivalent, from a school of pharmacy, approved by the Administrator, and be registered as a pharmacist in a State;

“(7) Physical therapists, occupational therapists, dietitians, and other employees shall have such scientific or technical qualifications as the Administrator shall prescribe.

“(b) Except as provided in section 4114 of this title, no person may be appointed in the Department of Medicine and Surgery as a physician, dentist, or nurse unless he is a citizen of the United States.”

Post, p. 1371.

#### GRADE AND SALARY ADJUSTMENTS

SEC. 106. Section 4106 of title 38, United States Code, is amended by—

(a) deleting the words "Automatic promotions" in the second sentence of subsection (c) and inserting in lieu thereof the word "Advancement", and

(b) adding at the end thereof the following new subsection (e) :

"(e) In accordance with regulations prescribed by the Administrator, the grade level and salary of a physician, dentist, or nurse changed from a level of assignment where the grade level is based on both the nature of the assignment and personal qualifications, may be adjusted to the grade and salary otherwise appropriate."

#### PAY GRADE—HOSPITAL, DOMICILIARY AND CLINIC DIRECTORS

*Ante*, p. 291.

SEC. 107. (a) Section 4107 of title 38, United States Code, is amended by—

(1) deleting "and Deputy Chief Medical Director" in the first sentence of subsection (a), and substituting therefor, "Deputy Chief Medical Director and Associate Deputy Chief Medical Director,"

(2) deleting "or the position of clinic director at an outpatient clinic," in the second sentence of paragraph (2) of subsection (b), and

(3) adding at the end thereof the following new subsection (c) :

"(c) Notwithstanding any other provision of law, the per annum salary rate of each individual serving as a director of a hospital, domiciliary, or center who is not a physician shall not be less than the salary rate which he would receive under this section if his service as a director of a hospital, domiciliary, or center had been service as a physician in the director grade. The position of the director of a hospital, domiciliary, or center shall not be subject to the provisions of the Classification Act of 1949 as amended."

(b) Any physician or dentist in the executive grade on the date of enactment of this Act by virtue of his holding the position of clinic director at an outpatient clinic may be continued in such grade so long as he continues to hold the same position, notwithstanding the amendment made in section 4107(b) of title 38, United States Code, by section 106(b) of this Act.

63 Stat. 954,  
5 USC 1071  
note.

#### TECHNICAL AMENDMENT—DELETION OF OBSOLETE LANGUAGE

SEC. 108. Section 4111 of title 38, United States Code, is amended by deleting "(a)" in the first line and subsection (b) in its entirety.

72 Stat. 1247;  
76 Stat. 861.

#### SPECIAL MEDICAL ADVISORY GROUP; OTHER ADVISORY BODIES

SEC. 109. (a) Section 4112 of title 38, United States Code, is amended (1) by amending the catchline thereof to read "**§ 4112. Special Medical Advisory Group and Other Advisory Bodies**", (2) by inserting "(a)" immediately before the first sentence thereof, (3) by deleting "conduct regular calendar quarterly meetings." in the second sentence thereof, and substituting therefor, "meet on a regular basis as prescribed by the Administrator.", and (4) by adding at the end thereof the following new subsection :

"(b) In each case where the Administrator has a contract or agreement with any school, institution of higher learning, medical center, hospital, or other public or nonprofit agency, institution, or organization, for the training or education of health service personnel, he shall establish an advisory committee (that is, deans committee, medical advisory committee or the like). Such advisory committee shall advise the Administrator and the Chief Medical Director with respect

to policy matters arising in connection with, and the operation of, the program with respect to which it was appointed and may be established on an institutionwide, multidisciplinary basis or on a regional basis whenever such is found to be feasible. Members of each such advisory committee shall be appointed by the Administrator and shall include personnel of the Veterans' Administration and of the entity with which the Administrator has entered into such contract or agreement. The number of members and terms of members of each advisory committee shall be prescribed by the Administrator."

(b) The analysis at the head of chapter 73 of title 38, United States Code, is amended by deleting:

"4112. Medical advisory group."

and inserting in lieu thereof:

"4112. Special Medical Advisory Group; other advisory bodies."

#### TRAVEL EXPENSES FOR PART-TIME EMPLOYEES

SEC. 110. Section 4113 of title 38, United States Code, is amended by deleting "and paragraph (1) of section 4104" and inserting in lieu thereof " , paragraph (1) of section 4104 and physicians, dentists, and nurses appointed on a temporary full-time or part-time basis under section 4114".

72 Stat. 1247.

#### WAIVING LICENSURE REQUIREMENTS FOR PART-TIME EMPLOYEES

SEC. 111. (a) Section 4114 of title 38, United States Code, is amended by deleting the words "or part-time" in paragraph (a)(1)(A) and inserting in lieu thereof " , part-time, or without compensation".

76 Stat. 309.

(b) Such section 4114 is further amended by adding at the end thereof the following new subsection:

"(d) The Chief Medical Director may waive for the purpose of appointments under this section the requirements of section 4105(a) of this title that the licensure of a physician or dentist, or the registration of a nurse must be in a 'State', if—

Ante, p. 1369.

"(1) in the case of a physician, he is to be used on a research or an academic post or where there is no direct responsibility for the care of patients; or

"(2) in any case, where the individual is to serve in a country other than the United States and his licensure or registration is in the country in which he is to serve."

(c) The catchline of such section 4114 is amended to read "Temporary full-time, part-time, and without compensation appointments; residencies or internships".

(d) The analysis at the head of chapter 73 of title 38, United States Code, is amended by deleting:

"4114. Temporary and part-time appointments; residencies and internships."

and inserting in lieu thereof:

"4114. Temporary full-time, part-time, and without compensation appointments; residencies or internships."

#### CONTRACTING FOR SCARCE MEDICAL SERVICES

SEC. 112. (a) Chapter 73 of title 38, United States Code, is amended by adding at the end thereof the following new section:

38 USC 4101-4116.

**“§ 4117. Contracts for scarce medical specialist services**

“The Administrator may enter into contracts with medical schools and clinics to provide scarce medical specialist services at Veterans’ Administration facilities (including, but not limited to, services of radiologists, pathologists, and psychiatrists).”

(b) The analysis of such chapter 73 is amended by adding at the end thereof the following:

“4117. Contracts for scarce medical specialist services.”

**TITLE II—AMENDMENTS TO CHAPTER 81 OF TITLE 38,  
UNITED STATES CODE—ACQUISITION AND OPERA-  
TION OF HOSPITAL AND DOMICILIARY FACILITIES;  
PROCUREMENT AND SUPPLY**

**ACQUISITION, MAINTENANCE, AND CHARGE FOR PARKING FACILITIES**

72 Stat. 1252.

SEC. 201. (a) Section 5004 of title 38, United States Code, is amended to read as follows:

**“§ 5004. Garages and parking facilities**

“(a) The Administrator may construct and maintain on reservations of Veterans’ Administration hospitals and domiciliaries, garages for the accommodation of privately owned automobiles of employees of such hospitals and domiciliaries. Employees using such garages shall make such reimbursement therefor as the Administrator may deem reasonable.

“(b) (1) The Administrator may establish, operate, and maintain, in conjunction with Veterans’ Administration hospitals and domiciliaries, parking facilities for the accommodation of privately owned vehicles of Federal employees, and vehicles of visitors and other individuals having business at such hospitals and domiciliaries.

“(2) The Administrator may establish and collect (or provide for the collection of) fees, for the use of the parking facilities, authorized by subsection (b) (1) of this section, at such rate or rates which he determines would be reasonable under the particular circumstances; but no fee may be charged for the accommodation of any privately owned vehicle used in connection with the transportation of a veteran to or from such a hospital or domiciliary for the purpose of examination or treatment or in connection with a visit to a patient or member in such hospital or domiciliary.

“(3) The Administrator may contract, by lease or otherwise, with responsible persons, firms or corporations, for the operation of such parking facilities, under such terms and conditions as he may prescribe, and without regard to the laws concerning advertising for competitive bids.

“(c) Money received from the use of the garages and from the parking facilities operations authorized by this section, may be credited to the applicable appropriation charged with the cost of operating and maintaining these facilities. Any amount not needed for the maintenance, operation, and repair of these facilities shall be covered into the Treasury of the United States as miscellaneous receipts.”

(b) The table of sections, appearing at the beginning of chapter 81 of such title 38, is amended by deleting therefrom:

“5004. Garages on hospital and domiciliary reservations.”

and inserting in lieu thereof:

“5004. Garages and parking facilities.”

## NEGOTIATIONS FOR LAUNDRY AND OTHER COMMON SERVICES

SEC. 202. (a) Section 5012 of title 38, United States Code, is amended by adding a new subsection (c) thereto to read as follows:

72 Stat. 1253.

“(c) The Administrator may procure laundry services, and other common services as specifically approved by him from nonprofit, tax-exempt educational, medical or community institutions, without regard to the requirements of section 302(c) of the Federal Property and Administrative Services Act of 1949, as amended (41 U.S.C. 252(c)), whenever such services are not reasonably available from private commercial sources. Notwithstanding this exclusion, the provisions of section 304 of that Act shall apply to procurement authorized by this subsection.”

63 Stat. 393.

(b) The catchline of such section 5012 is amended to read:

**“Authority to procure and dispose of property and to negotiate for common services”.**

(c) The table of sections at the head of chapter 81 of title 38, United States Code, is amended by deleting:

“5012. Authority to procure and dispose of property.”

and inserting in lieu thereof:

“5012. Authority to procure and dispose of property and to negotiate for common services.”

## SHARING OF MEDICAL FACILITIES, EQUIPMENT, AND INFORMATION

SEC. 203. Chapter 81 of title 38, United States Code, is amended by adding at the end thereof a new subchapter as follows:

38 USC 5001-5037.

**“Subchapter IV—Sharing of Medical Facilities, Equipment, and Information**

**“§ 5051. Statement of congressional purpose**

“It is the purpose of this subchapter to improve the quality of hospital care and other medical service provided veterans under this title, by authorizing the Administrator to enter into agreements with medical schools, hospitals, and research centers throughout the country in order to receive from and share with such medical schools, hospitals, and research centers the most advanced medical techniques and information, as well as certain specialized medical resources which otherwise might not be feasibly available or to effectively utilize other medical resources with the surrounding medical community, without diminution of services to veterans. Among other things, it is intended, by these means, to strengthen the medical programs at those Veterans' Administration hospitals which are located in small cities or rural areas and thus are remote from major medical centers.

**“§ 5052. Definitions**

“For the purposes of this subchapter—

“(a) The term ‘research center’ means an institution (or part of an institution), the primary function of which is research, training of specialists, and demonstrations and which, in connection therewith, provides specialized, high quality diagnostic and treatment services for inpatients and outpatients.

“(b) The term ‘specialized medical resources’ means medical resources (whether equipment, space, or personnel) which, because of cost, limited availability, or unusual nature, are either unique in the medical community or are subject to maximum utilization only through mutual use.

“(c) The term ‘hospital’, unless otherwise specified, includes any Federal, State, local, or other public or private hospital.

**“§ 5053. Specialized medical resources**

“(a) To secure certain specialized medical resources which otherwise might not be feasibly available, or to effectively utilize certain other medical resources, the Administrator may, when he determines it to be in the best interest of the prevailing standards of the Veterans’ Administration medical care program, make arrangements, by contract or other form of agreement, as set forth in paragraphs (1) and (2) below, between Veterans’ Administration hospitals and other hospitals (or medical schools or other medical installations having hospital facilities) in the medical community:

“(1) for the exchange of use of specialized medical resources when such an agreement will obviate the need for a similar resource to be provided in a Veterans’ Administration facility; or

“(2) for the mutual use, or exchange of use, of specialized medical resources in a Veterans’ Administration facility, which have been justified on the basis of veterans’ care, but which are not utilized to their maximum effective capacity.

The Administrator may determine the geographical limitations of a medical community as used in this section.

“(b) Arrangements entered into under this section shall provide for reciprocal reimbursement based on a charge which covers the full cost of services rendered, supplies used, and including normal depreciation and amortization costs of equipment. Any proceeds to the Government received therefrom shall be credited to the applicable Veterans’ Administration medical appropriation.

“(c) Eligibility for hospital care and medical services furnished any veteran pursuant to this section shall be subject to the same terms as though provided in a Veterans’ Administration facility, and provisions of this title applicable to persons receiving hospital care or medical services in a Veterans’ Administration facility shall apply to veterans treated hereunder.

**“§ 5054. Exchange of medical information**

“(a) The Administrator is authorized to enter into agreements with medical schools, hospitals, research centers, and individual members of the medical profession under which medical information and techniques will be freely exchanged and the medical information services of all parties to the agreement will be available for use by any party to the agreement under conditions specified in the agreement. In carrying out the purposes of this section, the Administrator shall utilize recent developments in electronic equipment to provide a close educational, scientific, and professional link between Veterans’ Administration hospitals and major medical centers. Such agreements shall be utilized by the Administrator to the maximum extent practicable to create, at each Veterans’ Administration hospital which is a part of any such agreement, an environment of academic medicine which will help such hospital attract and retain highly trained and qualified members of the medical profession.

“(b) In order to bring about utilization of all medical information in the surrounding medical community, particularly in remote areas, and to foster and encourage the widest possible cooperation and consultation among all members of the medical profession in such community, the educational facilities and programs established at Veterans’ Administration hospitals and the electronic link to medical centers shall be made available for use by surrounding medical community. The Administrator may charge a fee for such services (on

annual or like basis) at rates which he determines, after appropriate study, to be fair and equitable. The financial status of any user of such services shall be taken into consideration by the Administrator in establishing the amount of the fee to be paid.

**“§ 5055. Pilot programs; grants to medical schools**

“(a) The Administrator may establish an Advisory Subcommittee on Programs for Exchange of Medical Information, of the Special Medical Advisory Group, established under section 4112 of this title, to advise him on matters regarding the administration of this section and to coordinate these functions with other research and education programs in the Department of Medicine and Surgery. The Assistant Chief Medical Director for Research and Education in Medicine shall be an ex officio member of this Subcommittee.

72 Stat. 1247;  
Ante, p. 1370.

“(b) The Administrator, upon the recommendation of the Subcommittee, is authorized to make grants to medical schools, hospitals, and research centers to assist such medical schools, hospitals, and research centers in planning and carrying out agreements authorized by section 5054 of this title. Such grants may be used for the employment of personnel, the construction of facilities, the purchasing of equipment when necessary to implement such programs, and for such other purposes as will facilitate the administration of this section.

“(c) (1) There is hereby authorized to be appropriated an amount not to exceed \$3,000,000 for each of the first four fiscal years following the fiscal year in which this subchapter is enacted for the purpose of developing and carrying out medical information programs under this section on a pilot program basis and for the grants authority in subsection (b) of this section. Pilot programs authorized by this subsection shall be carried out at Veterans' Administration hospitals in geographically dispersed areas of the United States.

“(2) Funds authorized under this section shall not be available to pay the cost of hospital, medical, or other care of patients except to the extent that such cost is determined by the Administrator to be incident to research, training, or demonstration activities carried out under this section.

“(d) The Administrator, after consultation with the Subcommittee shall prescribe regulations covering the terms and conditions for making grants under this section.

“(e) Each recipient of a grant under this section shall keep such records as the Administrator may prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such grant, the total cost of the project or undertaking in connection with which such grant is made or used, and the amount of that portion of the cost of the project or undertaking supplied by other sources, and such records as will facilitate an effective audit.

Recordkeeping  
requirements.

“(f) The Administrator and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access, for the purpose of audit and examination, to any books, documents, papers, and records of the recipient of any grant under this section which are pertinent to any such grant.

**“§ 5056. Coordination with programs carried out under the Heart Disease, Cancer, and Stroke Amendments of 1965**

“The Administrator and the Secretary of Health, Education, and Welfare shall, to the maximum extent practicable, coordinate programs carried out under this subchapter and programs carried out under title IX of the Public Health Service Act.

79 Stat. 926.  
42 USC 299-299i.

**§ 5057. Reports to Congress**

"The Administrator shall submit to the Congress not more than sixty days after the end of each fiscal year separate reports on the activities carried out under sections 5053 and 5054 of this subchapter, each report to include (1) an appraisal of the effectiveness of the programs authorized herein and the degree of cooperation from other sources, financial and otherwise, and (2) recommendations for the improvement or more effective administration of such programs."

SEC. 2. The section analysis at the beginning of chapter 81 of title 38, United States Code, is amended by adding at the end thereof the following:

**"SUBCHAPTER IV—SHARING OF MEDICAL FACILITIES, EQUIPMENT,  
AND INFORMATION**

"5051. Statement of congressional purpose.

"5052. Definitions.

"5053. Specialized medical resources.

"5054. Exchange of medical information.

"5055. Pilot programs; grants to medical schools.

"5056. Coordination with programs carried out under the Heart Disease, Cancer, and Stroke Amendments of 1965.

"5075. Reports to Congress."

**TITLE III—MISCELLANEOUS AMENDMENTS**

**CORRECTION OF ADMINISTRATIVE ERROR**

72 Stat. 1114.

SEC. 301. Section 210 of title 38, United States Code, is amended by adding "(1)" immediately after "(c)" and the following new paragraph:

"(2) If the Administrator determines that benefits administered by the Veterans' Administration have not been provided by reason of administrative error on the part of the Federal Government or any of its employees, he is authorized to provide such relief on account of such error as he determines equitable, including the payment of moneys to any person whom he determines equitably entitled thereto."

**LEASE OF MOTOR VEHICLES OR AIRCRAFT**

SEC. 302. Section 213 of title 38, United States Code, is amended by adding the following sentence: "The Administrator may also enter into contracts or agreements with private concerns or public agencies for the hiring of passenger motor vehicles or aircraft for official travel whenever, in his judgment, such arrangements are in the interest of efficiency or economy."

**TRANSPORTATION OF EMPLOYEES IN EMERGENCIES**

SEC. 303. (a) Section 233 of title 38, United States Code, is amended by inserting "(a)" at the beginning thereof, and by adding a new subsection "(b)" to read as follows:

"(b) The Administrator, when he determines that an emergency situation exists and that such action is necessary for the effective conduct of the affairs of the Veterans' Administration, may utilize Government-owned, or leased, vehicles to transport employees to and from their place of employment and the nearest adequate public transportation, or, if such public transportation is either unavailable or not feasible to use, to and from their place of employment and their home. The Administrator shall establish reasonable rates to cover the cost of the service rendered, and all proceeds collected therefrom shall be applied to the applicable appropriation."

(b) The catchline of such section 233 is amended to read :

“§ 233. **Employees’ apparel; school transportation; recreational equipment; visual exhibits; personal property; emergency transportation of employees.**”

(c) The analysis at the head of chapter 3 of title 38, United States Code, is amended by deleting :

“233. Employees’ apparel; school transportation; recreational equipment; visual exhibits; personal property.”

and inserting in lieu thereof :

“233. Employees’ apparel; school transportation; recreational equipment; visual exhibits; personal property; emergency transportation of employees.”

AUTHORIZING TREATMENT OF NON-SERVICE-CONNECTED DISABILITY OF VETERAN HOSPITALIZED FOR SERVICE-CONNECTED CONDITION

SEC. 304. That section 610 of title 38, United States Code, is amended by adding at the end thereof the following new subsection :

72 Stat. 1141.

“(c) While any veteran is receiving hospital care in any Veterans’ Administration facility, the Administrator may, within the limits of Veterans’ Administration facilities, furnish medical services to correct or treat any non-service-connected disability of such veteran, in addition to treatment incident to the disability for which he is hospitalized, if the veteran is willing, and the Administrator determines that the furnishing of such medical services (1) would be in the interest of the veteran, (2) would not prolong the hospitalization of such veteran, and (3) would not interfere with the furnishing of medical services to other veterans under authority other than this subsection.”

Approved November 7, 1966.

Public Law 89-786

AN ACT

To authorize the erection of a memorial in the District of Columbia to General John J. Pershing.

November 7, 1966  
[S. 2338]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the American Battle Monuments Commission is authorized to provide for the erection of a memorial to the late John J. Pershing, General of the Armies of the United States, and to the officers and men under his command, such memorial to be erected—

Gen. John J. Pershing Memorial.

(1) in accordance with a design to be submitted by the American Battle Monuments Commission and approved by the President’s Temporary Commission on Pennsylvania Avenue or its successor in interest; and

(2) on that parcel of federally owned land in the northwest section of the District of Columbia, bounded on the north by Pennsylvania Avenue, on the south by E Street, on the west by Fifteenth Street, and on the east by Fourteenth Street.

SEC. 2. The maintenance and care of the memorial herein authorized to be erected shall, upon completion, be the responsibility of the Secretary of the Interior.

SEC. 3. There is hereby authorized to be appropriated such amounts as may be necessary to carry out the provisions of this Act.

Appropriation.

Approved November 7, 1966.

## Public Law 89-787

November 7, 1966  
[H. R. 14745]

## AN ACT

Making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1967, and for other purposes.

Department of  
Labor, and Health,  
Education, and  
Welfare Appropri-  
ation Act, 1967.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1967, and for other purposes, namely:

## TITLE I—DEPARTMENT OF LABOR

## MANPOWER ADMINISTRATION

## MANPOWER DEVELOPMENT AND TRAINING ACTIVITIES

76 Stat. 23.

For expenses, not otherwise provided for, necessary to carry into effect the Manpower Development and Training Act of 1962, as amended (42 U.S.C. 2571-2620), \$390,044,000, to remain available until June 30, 1968.

## OFFICE OF MANPOWER ADMINISTRATOR, SALARIES AND EXPENSES

For necessary expenses for the Office of the Manpower Administrator, including administering the Manpower Development and Training Act of 1962, as amended, and research under such Act, and for performing the functions of the Secretary in the fields of automation and manpower, \$30,900,000, to remain available until June 30, 1968.

## BUREAU OF APPRENTICESHIP AND TRAINING

## SALARIES AND EXPENSES

37 Stat. 736;  
50 Stat. 664.

For necessary expenses for encouraging apprentice training programs, as authorized by the Acts of March 4, 1913 and August 16, 1937 (5 U.S.C. 611, 29 U.S.C. 50), and for performing functions under the Manpower Development and Training Act of 1962, as amended, \$8,180,000.

## BUREAU OF EMPLOYMENT SECURITY

## LIMITATION ON GRANTS TO STATES FOR UNEMPLOYMENT COMPENSATION AND EMPLOYMENT SERVICE ADMINISTRATION

48 Stat. 113.  
58 Stat. 294;  
72 Stat. 1273.  
49 Stat. 626.

42 USC 1361-  
1371.

For grants in accordance with the provisions of the Act of June 6, 1933, as amended (29 U.S.C. 49-49n), for carrying into effect section 602 of the Servicemen's Readjustment Act of 1944, for grants to the States as authorized in title III of the Social Security Act, as amended (42 U.S.C. 501-503), including, upon the request of any State, the purchase of equipment, and the payment of rental for space made available to such State in lieu of grants for such purpose, and for expenses not otherwise provided for, necessary for carrying out title XV of the Social Security Act, as amended (68 Stat. 1130), \$524,000,000 may be expended from the employment security administration account in the Unemployment trust fund, and of which \$12,000,000 shall be available only to the extent necessary to meet increased costs of administration resulting from changes in a State law or increases in the number of claims filed and claims paid or

increased salary costs resulting from changes in State salary compensation plans embracing employees of the State generally over those upon which the State's basic grant (or the allocation for the District of Columbia) was based, which increased costs of administration cannot be provided for by normal budgetary adjustments: *Provided*, That any portion of the funds granted to a State in the current fiscal year and not obligated by the State in that year shall be returned to the Treasury and credited to the account from which derived: *Provided further*, That such amounts as may be agreed upon by the Department of Labor and the Post Office Department shall be used for the payment, in such manner as said parties may jointly determine, of postage for the transmission of official mail matter in connection with the administration of unemployment compensation systems and employment services by States receiving grants herefrom.

Grants to States, next succeeding fiscal year: For making, after May 31 of the current fiscal year, payments to States under title III of the Social Security Act, as amended, and under the Act of June 6, 1933, as amended, for the first quarter of the next succeeding fiscal year, such sums as may be necessary, the obligations incurred and the expenditures made thereunder for payments under such title and under such Act of June 6, 1933, to be charged to the appropriation therefor for that fiscal year: *Provided*, That the payments made pursuant to this paragraph shall not exceed the amount obligated by the United States for such purposes for the fourth quarter of the current fiscal year.

49 Stat. 626.  
42 USC 501-503.

48 Stat. 113.  
29 USC 49-49n.

#### UNEMPLOYMENT COMPENSATION FOR FEDERAL EMPLOYEES AND EX-SERVICEMEN

For payments to unemployed Federal employees and ex-servicemen, as authorized by title XV of the Social Security Act, as amended, \$90,000,000, of which not to exceed \$5,000,000 shall be available for benefit payments for trade adjustment activities, together with such amount as may be necessary to be charged to the subsequent year appropriation for the payment of benefits for any period subsequent to March 31 of the current year.

58 Stat. 1130.  
42 USC 1361-1371.

Unemployment compensation for Federal employees and ex-servicemen, next succeeding fiscal year: For making, after May 31 of the current fiscal year, payments to States, as authorized by title XV of the Social Security Act, as amended, such amounts as may be required for payment to unemployed Federal employees and ex-servicemen for the first quarter of the next succeeding fiscal year, and the obligations and expenditures thereunder shall be charged to the appropriation therefor for that fiscal year: *Provided*, That the payments made pursuant to this paragraph shall not exceed the amount paid to the States for the first quarter of the current fiscal year.

#### SALARIES AND EXPENSES

For expenses necessary for the general administration of the employment service and unemployment compensation programs; performing functions under the Manpower Development and Training Act of 1962, as amended (42 U.S.C. 2571-2620); and administration of the Farm Labor Contractor Registration Act of 1963 (7 U.S.C. 2041); and activities relating to the admission and employment in agriculture of non-immigrant aliens in connection with the Secretary of Labor's responsibilities under the Immigration and Nationality

76 Stat. 23.

78 Stat. 920.

66 Stat. 163.  
8 USC 1101  
note.

Act (8 U.S.C. 1184); \$2,750,000, together with not to exceed \$17,922,000 which may be expended from the employment security administration account in the Unemployment Trust Fund, of which not to exceed \$1,725,500 shall be available for activities of the farm labor services, and of which \$1,732,000 shall be for carrying into effect the provisions of title IV (except section 602) of the Servicemen's Readjustment Act of 1944.

58 Stat. 293;  
72 Stat. 1273.

#### LABOR-MANAGEMENT RELATIONS

##### LABOR-MANAGEMENT SERVICES ADMINISTRATION, SALARIES AND EXPENSES

72 Stat. 997.  
29 USC 301 note.  
73 Stat. 519.  
29 USC 401 note.

For necessary expenses to carry out the provisions of the Welfare and Pension Plans Disclosure Act and the Labor-Management Reporting and Disclosure Act; expenses of commissions and boards to resolve labor-management disputes and other expenses for improving the climate of labor-management relations; and to render assistance in connection with reemployment under the several provisions of law respecting reemployment after active military service, \$8,510,000.

#### WAGE AND LABOR STANDARDS

##### WAGE AND HOUR DIVISION, SALARIES AND EXPENSES

52 Stat. 1060.  
29 USC 201.  
41 USC 351 note.

49 Stat. 2036.

For expenses necessary for performing the duties imposed by the Fair Labor Standards Act of 1938, as amended, the Service Contract Act of 1965 (79 Stat. 1034), and the Act to provide conditions for the purchase of supplies and the making of contracts by the United States, approved June 30, 1936, as amended (41 U.S.C. 35-45), including reimbursements to State, Federal, and local agencies and their employees for inspection services rendered, \$22,256,000.

##### BUREAU OF LABOR STANDARDS, SALARIES AND EXPENSES

63 Stat. 865.  
33 USC 941.

For expenses necessary for the promotion of industrial safety, employment stabilization, and amicable industrial relations for labor and industry; performance of safety functions of the Secretary under the Federal Employees' Compensation Act, as amended (5 U.S.C. 784(c)) and the Longshoremen's and Harbor Workers' Compensation Act, as amended (72 Stat. 835); and not less than \$451,000 for the work of the President's Committee on Employment of the Handicapped, as authorized by the Act of July 11, 1949 (63 Stat. 409); \$3,389,000: *Provided*, That no part of the appropriation for the President's Committee shall be subject to reduction or transfer to any other department or agency under the provisions of any existing law.

##### WOMEN'S BUREAU, SALARIES AND EXPENSES

41 Stat. 987.

For expenses necessary for the work of the Women's Bureau, as authorized by the Act of June 5, 1920 (29 U.S.C. 11-16), including purchase of reports and material for informational exhibits, \$888,000.

##### BUREAU OF EMPLOYEES' COMPENSATION, SALARIES AND EXPENSES

44 Stat. 1444.

For necessary administrative expenses, \$4,707,000, together with not to exceed \$65,000 to be derived from the fund created by section 44 of the Longshoremen's and Harbor Workers' Compensation Act, as amended (33 U.S.C. 944).

## EMPLOYEES' COMPENSATION CLAIMS AND EXPENSES

For the payment of compensation and other benefits and expenses (except administrative expenses) authorized by law and accruing during the current or any prior fiscal year, including payments to other Federal agencies for medical and hospital services pursuant to agreement approved by the Bureau of Employees' Compensation; continuation of payment of benefits as provided for under the head "Civilian War Benefits" in the Federal Security Agency Appropriation Act, 1947; the advancement of costs for enforcement of recoveries in third-party cases; the furnishing of medical and hospital services and supplies, treatment, and funeral and burial expenses, including transportation and other expenses incidental to such services, treatment, and burial, for such enrollees of the Civilian Conservation Corps as were certified by the Director of such Corps as receiving hospital services and treatment at Government expense on June 30, 1943, and who are not otherwise entitled thereto as civilian employees of the United States, and the limitations and authority of the Act of September 7, 1916, as amended (5 U.S.C. 796), shall apply in providing such services, treatment, and expenses in such cases and for payments pursuant to sections 4(c) and 5(f) of the War Claims Act of 1948 (50 U.S.C. App. 2012); \$44,375,000, together with such amount as may be necessary to be charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to March 31 of the year: *Provided*, That, in the adjudication of claims under section 42 of the said Act of 1916, for benefits payable from this appropriation, authority under section 32 of the Act to make rules and regulations shall be construed to include the nature and extent of the proofs and evidence required to establish the right to such benefits without regard to the date of the injury or death for which claim is made.

60 Stat. 696.

39 Stat. 742;  
48 Stat. 351.62 Stat. 1242.  
50 USC app.  
2003, 2004.5 USC 793.  
5 USC 783;  
*Ante*, p. 255.

## BUREAU OF LABOR STATISTICS

## SALARIES AND EXPENSES

For expenses, not otherwise provided for, necessary for the work of the Bureau of Labor Statistics, including advances or reimbursement to State, Federal, and local agencies and their employees for services rendered, \$20,350,000.

## BUREAU OF INTERNATIONAL LABOR AFFAIRS

## SALARIES AND EXPENSES

For expenses necessary for the conduct of international labor affairs, \$1,230,000.

## SPECIAL FOREIGN CURRENCY PROGRAM

For payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States, for necessary expenses of the Bureau of International Labor Affairs, as authorized by law, \$75,000, to remain available until expended: *Provided*, That this appropriation shall be available, in addition to other appropriations to such agency, for payments in the foregoing currencies.

## OFFICE OF THE SOLICITOR

## SALARIES AND EXPENSES

For expenses necessary for the Office of the Solicitor, \$5,451,000, together with not to exceed \$140,000 to be derived from the Employment Security Administration account, Unemployment Trust Fund.

## OFFICE OF THE SECRETARY

## SALARIES AND EXPENSES

For expenses necessary for the Office of the Secretary of Labor, \$3,685,000, together with not to exceed \$140,000 to be derived from the Employment Security Administration account, Unemployment Trust Fund.

## FEDERAL CONTRACT COMPLIANCE AND CIVIL RIGHTS PROGRAM

For expenses necessary to carry out the functions of the Department of Labor under Executive Order 11246 of September 24, 1965, and title VI of the Civil Rights Act of 1964, \$1,103,000.

## PRESIDENT'S COMMITTEE ON CONSUMER INTERESTS

For necessary expenses of the President's Committee on Consumer Interests, established by Executive Order 11136 of January 3, 1964, \$327,000.

This title may be cited as the "Department of Labor Appropriation Act, 1967".

TITLE II—DEPARTMENT OF HEALTH, EDUCATION,  
AND WELFARE

## FOOD AND DRUG ADMINISTRATION

## SALARIES AND EXPENSES

For necessary expenses not otherwise provided for, of the Food and Drug Administration, including reporting and illustrating the results of investigations; purchase of chemicals, apparatus, and scientific equipment; payment in advance for special tests and analyses and adverse reaction reporting by contract; payment of fees, travel, and per diem in connection with studies of new developments pertinent to food and drug enforcement operations; compensation of informers; not to exceed \$20,000 for miscellaneous and emergency expenses of enforcement activities, to be authorized or approved by the Secretary and to be accounted for solely on his certificate; purchase of not to exceed nine passenger motor vehicles for police-type use which may exceed by \$300 each the general purchase price limitation for the current fiscal year; payment for publication of technical and informational materials in professional and trade journals; and rental of special purpose space in the District of Columbia or elsewhere; \$60,000,000.

## BUILDINGS AND FACILITIES

For construction, alteration, and equipment of facilities, including acquisition of sites, and planning, architectural, and engineering services, \$3,130,000, to remain available until expended.

30 F.R. 12319.  
42 USC 2000e  
note.  
78 Stat. 252.  
42 USC 2000d-  
2000d-4.

3 CFR 1964  
Supp., p. 110.

Citation of title.

## OFFICE OF EDUCATION

## EXPANSION AND IMPROVEMENT OF VOCATIONAL EDUCATION

For carrying out the provisions of titles I, II, and III of the Vocational Education Act of 1946, as amended (20 U.S.C. 15i-15m, 15o-15q, 15aa-15jj, 15aaa-15ggg), section 1 of the Act of March 3, 1931 (20 U.S.C. 30), the Act of March 18, 1950 (20 U.S.C. 31-33), section 9 of the Act of August 1, 1956 (20 U.S.C. 34), section 2 of the Act of September 25, 1962 (48 U.S.C. 1667), sections 3 and 9 of the National Vocational Student Loan Insurance Act of 1965 (74 Stat. 1037, 1041), and the Vocational Education Act of 1963 (20 U.S.C. 35-35n); \$278,016,000, of which \$5,000,000 shall be for practical nurse training under title II of the Vocational Education Act of 1946, \$375,000 shall be for vocational education in the fishery trades and industry including distributive occupations therein under title I of the Vocational Education Act of 1946, \$15,000,000 shall be for area vocational education programs under title III of the Vocational Education Act of 1946, \$10,000,000 shall be for work-study programs under section 13 of the Vocational Education Act of 1963, \$208,225,000 shall be for vocational education programs under section 4 of the Vocational Education Act of 1963, of which \$198,225,000 shall be available for grants to States, and not to exceed \$10,000,000 shall be available for research and special project activities under said section, \$8,000,000 to remain available until expended shall be for area vocational school construction under section 211 of the Appalachian Regional Development Act of 1965, and \$1,800,000 for advances for reserve funds and interest payments on insured loans under the National Vocational Student Loan Insurance Act of 1965 of which \$775,000 for interest payments shall remain available until expended and \$1,025,000 for advances shall remain available until June 30, 1968.

60 Stat. 775;  
70 Stat. 925;  
72 Stat. 1598.  
46 Stat. 1489;  
64 Stat. 27.  
70 Stat. 909.  
76 Stat. 586.  
79 Stat. 1037.  
20 USC 982, 988.  
77 Stat. 403.

79 Stat. 16.  
40 USC app. 11.

## HIGHER EDUCATIONAL ACTIVITIES

For grants, contracts, payments, and advances under titles I, II, IV (except payments under parts C and D), V (except part B) and VI of the Higher Education Act of 1965, and for grants under part C of title I of the Economic Opportunity Act of 1964, as amended, \$383,900,000, of which \$10,000,000 shall be for grants for college and university extension education under title I of the Higher Education Act of 1965, \$3,000,000 shall be for transfer to the Librarian of Congress for the acquisition and cataloging of library materials under part C of title II of that Act, \$114,500,000 shall be for programs under part A of title IV of that Act of which \$112,000,000 shall be for educational opportunity grants and shall remain available through June 30, 1968, \$43,000,000 shall be for loan insurance programs under part B of title IV of that Act of which \$33,000,000 for interest payments shall remain available until expended and \$10,000,000 for advances shall remain available until June 30, 1968, \$30,000,000 shall be for the program under part C of title V of that Act, \$17,000,000 shall be for the purposes of title VI of the Act of which amounts reallocated under part A shall remain available through June 30, 1968, and \$134,100,000 shall be for grants for college work-study programs under part C of title I of the Economic Opportunity Act of 1964 of which amounts reallocated shall remain available through June 30, 1968.

79 Stat. 1219.  
20 USC 1001 et  
seq.  
78 Stat. 513.  
42 USC 2751-  
2756.

## NATIONAL TEACHER CORPS

79 Stat. 1255.  
20 USC 1101-  
1107.

For the National Teacher Corps authorized in part B of title V of the Higher Education Act of 1965, \$7,500,000 for the purposes of section 514 of said Act: *Provided*, That none of these funds may be used to pay in excess of 90 per centum of the salary of any teacher in the National Teacher Corps: *Provided further*, That none of these funds may be spent on behalf of any National Teacher Corps program in any local school system prior to approval of such program by the State educational agency of the State in which the school system is located.

## STUDENT LOAN INSURANCE FUND

20 USC 1081.

20 USC 992.

For the Student Loan Insurance Fund created by section 431 of the Higher Education Act of 1965 (79 Stat. 1245) and the Vocational Student Loan Insurance Fund created by section 13(a) of the National Vocational Student Loan Insurance Act of 1965 (79 Stat. 1046), \$3,200,000, to remain available until expended: *Provided*, That said funds shall be merged into one account.

## FURTHER ENDOWMENT OF COLLEGES OF AGRICULTURE AND THE MECHANIC ARTS

74 Stat. 525.

For carrying out the provisions of section 22 of the Act of June 29, 1935, as amended (7 U.S.C. 329), \$11,950,000.

## PAYMENTS TO SCHOOL DISTRICTS

64 Stat. 1100.  
20 USC 236-244.

For payments to local educational agencies for the maintenance and operation of schools as authorized by the Act of September 30, 1950, as amended (20 U.S.C., ch. 13), \$416,200,000: *Provided*, That this appropriation shall also be available for carrying out the provisions of section 6 of such Act: *Provided further*, That no part of this appropriation shall be available to carry out the provisions of legislation enacted after June 30, 1966.

## ASSISTANCE FOR SCHOOL CONSTRUCTION

72 Stat. 548.  
20 USC 631-645.

For an additional amount for providing school facilities and for grants to local educational agencies in federally affected areas, as authorized by the Act of September 23, 1950, as amended (20 U.S.C., ch. 19), including not to exceed \$620,000 for necessary expenses during the current fiscal year of technical services rendered by other agencies, \$22,937,000, to remain available until expended: *Provided*, That no part of this appropriation shall be available for salaries or other direct expenses of the Department of Health, Education, and Welfare: *Provided further*, That applications filed on or before June 30, 1966, shall receive priority over applications filed after such date.

## DEFENSE EDUCATIONAL ACTIVITIES

72 Stat. 1580.  
20 USC 401 note.

For grants, loans, and payments under the National Defense Education Act of 1958, as amended (20 U.S.C. ch. 17; Public Law 88-665), \$446,357,000, of which \$192,000,000 shall be for capital contributions to student loan funds and loans for non-Federal capital contributions to student loan funds under title II, of which not to exceed \$2,000,000 shall be for such loans for non-Federal contributions, \$88,200,000 shall be for grants to States and loans to nonprofit private schools for equipment and minor remodeling under title III and for grants to States for supervisory and other services under title III: *Provided*, That allotments under sections 302(a) and 305

for equipment and minor remodeling shall be made on the basis of \$79,200,000 for grants to States and on the basis of \$7,390,909 for loans to private nonprofit schools, and allotments under section 302(b) for supervisory and other services shall be made on the basis of \$9,000,000; and \$24,500,000 of the amount appropriated herein shall be for grants to States for testing, guidance, and counseling under title V: *Provided*, That no part of this appropriation shall be available for the purchase of science, mathematics, and modern language teaching equipment, or equipment suitable for use for teaching in such fields of education, which can be identified as originating in or having been exported from a Communist country, unless such equipment is unavailable from any other source: *Provided further*, That no part of this appropriation shall be available for graduate fellowships awarded initially under the provisions of the Act after the date of enactment of the Department of Health, Education, and Welfare Appropriation Act, 1962, which are not found by the Commissioner of Education to be consistent with the purpose of the Act as stated in section 101 thereof

72 Stat. 1588.  
20 USC 442.

20 USC 481.

75 Stat. 594.

20 USC 401.

Loans and payments under the National Defense Education Act, next succeeding fiscal year: For making, after March 31 of the current fiscal year, loans and payments under title II of the National Defense Education Act, for the first quarter of the next succeeding fiscal year such sums as may be necessary, the obligations incurred and the expenditures made thereunder to be charged to the appropriation for the same purpose for that fiscal year: *Provided*, That the payments made pursuant to this paragraph shall not exceed the amount paid for the same purposes for the first quarter of the current fiscal year.

20 USC 421-429.

#### EDUCATIONAL IMPROVEMENT FOR THE HANDICAPPED

For grants for training and research and demonstrations with respect to handicapped children pursuant to the Act of September 6, 1958, as amended (20 U.S.C. 611-617), and section 302 of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (Public Law 88-164), as amended (79 Stat. 429), \$32,600,000.

72 Stat. 1777.

77 Stat. 295.

20 USC 618.

#### RESEARCH AND TRAINING

For research, surveys, training, dissemination of information, and demonstrations in education as authorized by the Act of July 26, 1954 (20 U.S.C. 331-332), as amended by title IV of the Elementary and Secondary Education Act of 1965, \$70,000,000, of which not to exceed \$12,400,000 shall remain available until expended for construction of regional facilities for research and related purposes under section 4 of such Act.

68 Stat. 533.

79 Stat. 44.

20 USC 332a.

#### EDUCATIONAL RESEARCH (SPECIAL FOREIGN CURRENCY PROGRAM)

For payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States, for necessary expenses of the Office of Education, as authorized by law, \$1,000,000, to remain available until expended: *Provided*, That this appropriation shall be available, in addition to other appropriations to such agency, for payments in the foregoing currencies.

#### FOREIGN LANGUAGE TRAINING AND AREA STUDIES

For payments to carry out the provisions of section 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961 (75 Stat. 529), \$3,000,000.

22 USC 2452.

## SALARIES AND EXPENSES

For expenses necessary for the Office of Education, including surveys, studies, investigations, and reports regarding libraries; coordination of library service on the national level with other forms of adult education; development of library service throughout the country; purchase, distribution, and exchange of education documents, motion-picture films, and lantern slides; \$35,150,000, including \$100,000 to be available only for the National Advisory Committee on Education of the Deaf, \$100,000 to be available only for the National Conference on Education of the Deaf, and \$150,000 to be available only for transfer to the appropriation "Office of the Secretary, Salaries and Expenses" for a comprehensive study of training programs financed in whole or in part with Federal funds.

## VOCATIONAL REHABILITATION ADMINISTRATION

## GRANTS FOR REHABILITATION SERVICES AND FACILITIES

For grants for rehabilitation services and facilities in accordance with the Vocational Rehabilitation Act, as amended, \$244,060,000, of which \$221,000,000 is for grants for vocational rehabilitation services under section 2; \$3,000,000 is for grants for innovation projects under section 3; \$9,560,000, of which \$6,310,000 (to remain available through June 30, 1971) shall be for planning, preparing for, and initiating special programs to expand vocational rehabilitation services under section 4(a)(2)(A), and of which \$3,250,000 (to remain available through June 30, 1968) shall be for State planning for the development of comprehensive vocational rehabilitation programs under section 4(a)(2)(B); \$4,500,000, which shall remain available for the period specified in section 12(i), is for grants with respect to workshops and rehabilitation facilities under section 12; and \$6,000,000 is for grants for workshop improvement activities under section 13: *Provided*, That the Secretary shall, within the limits of the allotments and additional allotments for grants under section 2 of such Act, allocate (or from time to time reallocate) among the States, in accordance with regulations, amounts not exceeding in the aggregate \$5,000,000, which may be used only for paying the Federal share of expenditures for the establishment of workshops or rehabilitation facilities where the State funds used for such expenditures are derived from private contributions conditioned on use for a specified workshop or facility, and no part of the allotment or additional allotment to any State for grants under section 2 of said Act other than the allocation or reallocation to such State under this proviso may be so used: *Provided further*, That the allotment to any State under section 3(a)(1) of such Act shall be not less than \$25,000.

Grants to States, next succeeding fiscal year: For making, after May 31, of the current fiscal year, grants to States under sections 2 and 3 of the Vocational Rehabilitation Act, as amended, for the first quarter of the next succeeding fiscal year such sums as may be necessary, the obligations incurred and the expenditures made thereunder to be charged to the appropriation therefor for that fiscal year: *Provided*, That the payments made pursuant to this paragraph shall not exceed the amount paid to the States for the first quarter of the current fiscal year.

68 Stat. 652;  
79 Stat. 1282;  
29 USC 31 note.

## RESEARCH AND TRAINING

For grants and other expenses (except administrative expenses) for research, training, traineeships, and other special projects, pursuant to section 4 of the Vocational Rehabilitation Act, as amended, for carrying out the training functions provided for in section 7 of said Act, for studies, investigations, demonstrations, and reports, and of dissemination of information with respect thereto pursuant to section 7 of said Act, and not to exceed \$100,000 for carrying out the functions of the Vocational Rehabilitation Administration under the International Health Research Act of 1960 (74 Stat. 364), \$60,325,000.

29 USC 34.

29 USC 37.

22 USC 2101  
note.

## RESEARCH AND TRAINING (SPECIAL FOREIGN CURRENCY PROGRAM)

For payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States, for necessary expenses of the Vocational Rehabilitation Administration, as authorized by law, \$3,000,000, to remain available until expended: *Provided*, That this appropriation shall be available, in addition to other appropriations to such agency, for the payments in the foregoing currencies.

## GRANTS FOR CORRECTIONAL REHABILITATION STUDY

For grants under the provisions of section 16 of the Vocational Rehabilitation Act, as amended, for a program of research and study in correctional rehabilitation, \$800,000.

79 Stat. 676,  
1284.  
29 USC 42.

## SALARIES AND EXPENSES

For expenses, not otherwise provided for, necessary for the Vocational Rehabilitation Administration, \$4,869,000, together with not to exceed \$299,000 to be transferred from the Federal Disability Insurance Trust Fund and the Federal Old-Age and Survivors Insurance Trust Fund, as provided in section 222(d)(5) of the Social Security Act, as amended.

79 Stat. 408.  
42 USC 422.

## PUBLIC HEALTH SERVICE

## PREAMBLE

For necessary expenses in carrying out the Public Health Service Act, as amended (42 U.S.C., ch. 6A) (hereinafter referred to as the Act), and other Acts, including expenses for active commissioned officers in the Reserve Corps and for not to exceed two thousand eight hundred commissioned officers in the Regular Corps; expenses incident to the dissemination of health information in foreign countries through exhibits and other appropriate means; expenses of primary and secondary schooling of dependents, in foreign countries, of Public Health Service commissioned officers stationed in foreign countries, at costs for any given area not in excess of those of the Department of Defense for the same area, when it is determined by the Secretary that the schools available in the locality are unable to provide adequately for the education of such dependents, and for the transportation of such dependents between such schools and their places of residence when the schools are not accessible to such dependents by regular means of transportation; rental or lease of living quarters (for periods not exceeding 5 years), and provision of heat, fuel, and light, and maintenance, improvement, and repair of such quarters, and advance

58 Stat. 682.  
42 USC 201 note.

payments therefor, for civilian officers and employees of the Public Health Service who are United States citizens and who have a permanent station in a foreign country; not to exceed \$1,000 for entertainment of visiting scientists when specifically approved by the Surgeon General; purchase, erection, and maintenance of temporary or portable structures; and for the payment of compensation to consultants or individual scientists appointed for limited periods of time pursuant to section 207(f) or section 207(g) of the Act, at rates established by the Surgeon General, or the Secretary where such action is required by statute, not to exceed \$24,500 per annum; as follows:

42 USC 209.

## BUILDINGS AND FACILITIES

For construction, major repair, improvement, extension, and equipment of Public Health Service facilities, not otherwise provided, including plans and specifications and acquisition of sites, \$18,279,000, to remain available until expended.

## INJURY CONTROL

To carry out section 301 of the Act, and for expenses necessary for demonstrations and training personnel for State and local health work pursuant to section 314(c) of the Act, with respect to injury control, \$5,759,000.

42 USC 241.

42 USC 246.

## CHRONIC DISEASES AND HEALTH OF THE AGED

To carry out sections 301, 311, 314(e), 316, 402(g), and 403(a)(1) of the Act, and for expenses necessary for demonstrations and training personnel for State and local health work under section 314(c) of the Act, with respect to chronic diseases and health problems of the aged, for allotments and payments to States under section 314(c) of the Act for establishing and maintaining adequate public health services for the chronically ill and the aged, and for cooperating with State health agencies, and other public and private nonprofit institutions, in the prevention, control, and eradication of cancer, neurological and sensory diseases, and blindness by providing for consultative services, training, demonstrations, and other control activities, directly and through grants-in-aid, \$91,614,000, of which \$12,300,000 shall be available only for such allotments and payments to States under section 314(c) of the Act, and \$2,750,000 shall be available through June 30, 1968, for grants under title XVII of the Social Security Act, as amended.

42 USC 241,  
243, 246, 247a,  
282, 283.77 Stat. 275.  
42 USC 1391-  
1394.

## COMMUNITY HEALTH PRACTICE AND RESEARCH

To carry out, to the extent not otherwise provided, sections 301, 306, 309, 310, 311, 314(c), title VII and title VIII of the Act, Executive Order 11074 of January 8, 1963, \$124,280,000.

Loans, grants, and payments for the next succeeding fiscal year: For making, after March 31 of the current fiscal year, loans, grants, and payments under section 306, parts C and F of title VII, and part B of title VIII of the Act for the first quarter of the next succeeding fiscal year, such sums as may be necessary, and the obligations incurred and expenditures made hereunder shall be charged to the appropriation for that purpose for such fiscal year: *Provided*, That such payments pursuant to this paragraph may not exceed 50 per centum of the amounts authorized in section 306, part C of title VII and part B of title VIII for these purposes for the next succeeding fiscal year.

42 USC 241,  
242d, 242g, 242h,  
243, 246, 292, 296.  
3 CFR 1959-  
1963 Comp., p. 691.

## COMMUNICABLE DISEASE ACTIVITIES

To carry out, except as otherwise provided for, those provisions of sections 301, 311, 314(c), 317, and 361 of the Act relating to the prevention and suppression of communicable and preventable diseases, and the interstate transmission and spread thereof; hire, maintenance, and operation of aircraft; \$44,220,000, of which \$9,100,000 shall be available through June 30, 1968, to carry out section 317 of the Act.

42 USC 241, 243,  
246, 247b, 264.

## CONTROL OF TUBERCULOSIS

To carry out the purposes of section 314(b) of the Act, \$21,597,000, of which \$14,950,000 shall be available for grants of money, services, supplies and equipment to States, and with the approval of the respective State health authority, to counties, health districts and other political subdivisions of the States for the control of tuberculosis in such amounts and upon such terms and conditions as the Surgeon General may determine, and of which \$3,000,000 shall be available only for grants to States, to be matched by an equal amount of State and local funds expended for the same purpose, for direct expenses of prevention and case-finding projects, including salaries, fees, and travel of personnel directly engaged in prevention and case finding and the necessary equipment and supplies used directly in prevention and case-finding operations, but excluding the purchase of care in hospitals and sanatoriums.

## CONTROL OF VENEREAL DISEASES

To carry out the purposes of sections 314(a) and 363 of the Act with respect to venereal diseases and for grants of money, services, supplies, equipment, and use of facilities to States, as defined in the Act, and with the approval of the respective State health authorities, to counties, health districts, and other political subdivisions of the States, for venereal disease control activities, in such amounts and upon such terms and conditions as the Surgeon General may determine, \$10,593,000.

42 USC 246, 266.

## DENTAL SERVICES AND RESOURCES

To carry out sections 301, 311 and 314(c) of the Act, and for training grants under section 422 of the Act, with respect to dental health activities, except as otherwise provided for the National Institute of Dental Research, \$9,693,000.

42 USC 288a.

## MEDICAL CARE SERVICES

To carry out to the extent not otherwise provided sections 301 and 311 of the Act, and for home health service programs under section 314(c) of the Act, \$10,385,000, together with \$3,512,000 to be transferred, as authorized by section 201(g) (1) of the Social Security Act, as amended, from any one or all of the trust funds referred to therein and to be expended for functions delegated to the Surgeon General by the Secretary under title XVIII of the Social Security Act.

79 Stat. 338.  
42 USC 401.

79 Stat. 291.  
42 USC 1395-  
1395ll.

## NURSING SERVICES AND RESOURCES

To carry out sections 301 and 311 of the Act with respect to nursing services and resources, and to the extent not otherwise provided, title VIII of the Act, \$25,623,000.

Grants and payments for the next succeeding fiscal year: For making, after March 31 of the current fiscal year, grants and payments

78 Stat. 908.  
42 USC 296-  
298b.

78 Stat. 913,  
42 USC 297-  
297g.

under part B of title VIII of the Act for the first quarter of the next succeeding fiscal year, such sums as may be necessary, and the obligations incurred and expenditures made hereunder shall be charged to the appropriation for that purpose for such fiscal year: *Provided*, That such payments pursuant to this paragraph may not exceed 50 per centum of the amounts authorized in such part B for these purposes for the next succeeding fiscal year.

#### HOSPITAL CONSTRUCTION ACTIVITIES

78 Stat. 447,  
42 USC 247c,  
291,  
77 Stat. 284.

77 Stat. 290,  
79 Stat. 11,  
40 USC app.  
202.

To carry out the provisions of section 318 and title VI of the Act, as amended, and parts B and C of the Mental Retardation Facilities Construction Act (42 U.S.C. 2661-2677), and, except as otherwise provided, the Community Mental Health Centers Act (42 U.S.C. 2681-2687), and section 202 of the Appalachian Regional Development Act of 1965, \$313,525,000, of which \$170,000,000 shall be available until June 30, 1968 (except that funds for Guam, American Samoa, and the Virgin Islands shall be available until June 30, 1969), for grants or loans for hospitals and related facilities pursuant to section 601(b) of the Public Health Service Act, \$100,000,000 shall be available until June 30, 1968 (except that funds for Guam, American Samoa, and the Virgin Islands shall be available until June 30, 1969), for grants or loans for facilities pursuant to section 601(a) of the Public Health Service Act, \$5,000,000 shall be for special project grants pursuant to section 318 of the Public Health Service Act, \$7,500,000 shall be for the purposes authorized in section 624 of the Public Health Service Act, \$10,000,000, to remain available until expended, shall be for grants for facilities pursuant to part B of the Mental Retardation Facilities Construction Act, \$15,000,000 shall be available until June 30, 1968, for grants for facilities pursuant to part C of the Mental Retardation Facilities Construction Act, and \$2,500,000, to remain available until expended, shall be for grants for construction, equipment, and operation of demonstration health facilities under the Appalachian Regional Development Act of 1965: *Provided*, That there may be transferred to this appropriation from "Construction of community mental health centers" an amount not to exceed the sum of the allotment adjustments made by the Secretary pursuant to section 202(c) of the Community Mental Health Centers Act.

#### CONSTRUCTION OF HEALTH EDUCATIONAL FACILITIES

77 Stat. 164;  
78 Stat. 908,  
42 USC 293-  
293h, 296-296e.

To carry out part B of title VII and part A of title VIII of the Act, \$160,727,000, of which \$135,000,000 is for grants to assist in construction of teaching facilities pursuant to section 720 of the Act including \$27,000,000 for the purposes of subsection (2) of said section, \$10,000,000 is for grants to assist in construction of new or replacement or rehabilitation of existing facilities for collegiate schools of nursing pursuant to section 801; and \$15,000,000 is for grants to assist in construction of new or replacement or rehabilitation of existing facilities for associate degree and diploma schools of nursing pursuant to section 801: *Provided*, That amounts appropriated herein for grants shall remain available until expended.

#### ENVIRONMENTAL HEALTH SCIENCES

42 USC 241,  
243, 246.

To carry out, except as otherwise provided for, sections 301, 311, and 314(c) of the Act with respect to environmental health and arctic health activities, \$24,298,000.

## AIR POLLUTION

To carry out the Clean Air Act, including purchase of not to exceed three passenger motor vehicles, and hire, maintenance, and operation of aircraft, \$35,561,000.

77 Stat. 392.  
42 USC 1857  
note.

## ENVIRONMENTAL ENGINEERING AND SANITATION

To carry out sections 301, 311, and 361 of the Act, and for expenses necessary for demonstrations and training personnel for State and local health work under section 314(c) of the Act, with respect to milk, food, and community sanitation, and interstate quarantine activities, and to carry out the functions of the Secretary of Health, Education, and Welfare under the Solid Waste Disposal Act of 1965 (79 Stat. 997), \$21,963,000.

42 USC 241, 243,  
264.

42 USC 246.

42 USC 3251  
note.

## OCCUPATIONAL HEALTH

To carry out sections 301 and 311 of the Act, and for expenses necessary for demonstrations and training personnel for State and local health work under section 314(c) of the Act, with respect to occupational health, \$6,592,000.

## RADIOLOGICAL HEALTH

To carry out sections 301, 311, and 314(c) of the Act, with respect to radiological health, including grants for training of radiological health specialists; purchase of not to exceed one passenger motor vehicle for replacement only; and hire, maintenance, and operation of aircraft; \$20,895,000 of which \$2,500,000 shall be available only for allotments and payments to States pursuant to such section 314(c) for the establishment and maintenance of adequate radiological public health services.

## HOSPITALS AND MEDICAL CARE

For carrying out the functions of the Public Health Service, not otherwise provided for, under the Act of August 8, 1946 (5 U.S.C. 150), and under sections 301 (with respect to research conducted as facilities financed by this appropriation), 321, 322, 324, 326, 331, 332, 341, 342, 343, 344, 502, and 504 of the Act, section 810 of the Act of July 1, 1944, as amended (33 U.S.C. 763c), the Act of July 19, 1963 (Public Law 88-71), Private Law 419 of the Eighty-third Congress, as amended, and Executive Order 9079 of February 26, 1942, including purchase and exchange of farm products and livestock; and purchase of firearms and ammunition; \$61,643,000, of which \$1,200,000 shall be available only for payments to the State of Hawaii for care and treatment of persons afflicted with leprosy: *Provided*, That when the Public Health Service establishes or operates a health service program for any department or agency, payment for the estimated cost shall be made by way of reimbursement or in advance for deposit to the credit of this appropriation.

50 Stat. 903.

42 USC 241 et  
seq., 220, 222.

77 Stat. 83.  
42 USC 253a.  
58 Stat. A74;  
59 Stat. 76.  
3 CFR 1953  
Cum. Supp., p. 1101.

## FOREIGN QUARANTINE ACTIVITIES

For carrying out the purposes of sections 361 to 369 of the Act, relating to preventing the introduction of communicable diseases from foreign countries, the medical examination of aliens in accordance with section 325 of the Act, and the care and treatment of quarantine detainees pursuant to section 322(e) of the Act in private or other public hospitals when facilities of the Public Health Service are not available, including insurance of official motor vehicles in foreign countries when required by law of such countries, \$8,030,000.

42 USC 264-272.

42 USC 252.

42 USC 249.

## GENERAL RESEARCH AND SERVICES, NATIONAL INSTITUTES OF HEALTH

42 USC 241.

For the activities of the National Institutes of Health, not otherwise provided for, including research fellowships and grants for research projects and training grants pursuant to section 301 of the Act; and grants of therapeutic and chemical substances for demonstrations and research; \$68,534,000: *Provided*, That funds advanced to the National Institutes of Health management fund from appropriations included in this Act shall be available for purchase of not to exceed five passenger motor vehicles for replacement only; and not to exceed \$2,500 for entertainment of visiting scientists when specifically approved by the Surgeon General.

## NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For expenses not otherwise provided for, necessary to carry out the purposes of the Act with respect to general medical sciences, \$145,113,000, of which \$1,000,000 shall be available for the training of clinical anesthesiologists.

## BIOLOGICS STANDARDS

42 USC 262,  
263.

To carry out sections 351 and 352 of the Act pertaining to regulation and preparation of biological products, and conduct of research related thereto, \$7,904,000.

## NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

For expenses, not otherwise provided for, necessary to carry out the purposes of the Act with respect to child health and human development, \$64,922,000.

## NATIONAL CANCER INSTITUTE

42 USC 281-286.

To enable the Surgeon General, upon the recommendations of the National Advisory Cancer Council, to make grants-in-aid for research and training projects relating to cancer; and to otherwise carry out the provisions of title IV, part A, of the Act; \$175,656,000.

## NATIONAL INSTITUTE OF MENTAL HEALTH

42 USC 241 et  
seq.

77 Stat. 290.

79 Stat. 360.  
42 USC 242b  
note.

For expenses necessary for carrying out the provisions of sections 301, 302, 303, 311, 312, and 314(c) of the Act with respect to mental diseases, and, to the extent not otherwise provided, of the Community Mental Health Centers Act (42 U.S.C. 2681-2687) as amended, and the provisions of section 231 of the Social Security Amendments of 1935, \$264,119,000.

## CONSTRUCTION OF COMMUNITY MENTAL HEALTH CENTERS

77 Stat. 286.  
42 USC 2672.

For grants pursuant to the Community Mental Health Centers Act, \$50,000,000, to remain available until June 30, 1968: *Provided*, That there may be transferred to this appropriation from "Hospital construction activities" an amount not to exceed the sum of the allotment adjustments made by the Secretary pursuant to section 132(c) of the Mental Retardation Facilities Construction Act.

## NATIONAL HEART INSTITUTE

62 Stat. 464.  
42 USC 287 note.

For expenses, not otherwise provided for, necessary to carry out the purposes of the National Heart Act, \$164,770,000.

## NATIONAL INSTITUTE OF DENTAL RESEARCH

For expenses, not otherwise provided for, necessary to enable the Surgeon General to carry out the purposes of the Act with respect to dental diseases and conditions, \$28,308,000.

## NATIONAL INSTITUTE OF ARTHRITIS AND METABOLIC DISEASES

For expenses necessary to carry out the purposes of the Act relating to arthritis, rheumatism, and metabolic diseases, \$135,687,000.

## NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

For expenses, not otherwise provided for, necessary to carry out the purposes of the Act relating to allergy and infectious diseases, \$90,670,000 of which \$500,000 shall be available for payment to the Gorgas Memorial Institute for maintenance and operation of the Gorgas Memorial Laboratory.

## NATIONAL INSTITUTE OF NEUROLOGICAL DISEASES AND BLINDNESS

For expenses necessary to carry out the purposes of the Act relating to neurology and blindness, \$116,296,000.

## GENERAL RESEARCH SUPPORT GRANTS

For general research support grants, as authorized in section 301 (d) of the Act, there shall be available from appropriations available to the National Institutes of Health for operating expenses the sum of \$51,700,000: *Provided*, That none of these funds shall be used to pay a recipient of such a grant any amount for indirect expenses in connection with such project.

42 USC 241.

## REGIONAL MEDICAL PROGRAMS

To carry out title IX of the Public Health Service Act, \$45,004,000, of which \$43,000,000 shall remain available until June 30, 1968, for grants pursuant to such title.

79 Stat. 926.  
42 USC 299-299i.

## GRANTS FOR CONSTRUCTION OF HEALTH RESEARCH FACILITIES

For grants pursuant to parts A and D of title VII of the Act, \$56,000,000, to remain available until expended, but only, in the case of such part D, with respect to applications filed prior to July 1, 1967, and approved prior to July 1, 1968.

70 Stat. 717;  
77 Stat. 164, 282.  
42 USC 292-  
292j, 295-295e.

## SCIENTIFIC ACTIVITIES OVERSEAS (SPECIAL FOREIGN CURRENCY PROGRAM)

For payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States, for necessary expenses of the Public Health Service, as authorized by law, \$10,000,000, to remain available until expended: *Provided*, That this appropriation shall be available, in addition to other appropriations to the Public Health Service, for payments in the foregoing currencies.

## NATIONAL HEALTH STATISTICS

For expenses of the National Center for Health Statistics in carrying out the provisions of sections 301, 305, 312(a), 313, 314(c), and 315 of the Act, \$9,312,000.

42 USC 241 et  
seq.

## NATIONAL LIBRARY OF MEDICINE

42 USC 241.

To carry out section 301 of the Act and for expenses, not otherwise provided for, necessary to carry out the National Library of Medicine Act (42 U.S.C. 275), and the Medical Library Assistance Act of 1965 (79 Stat. 1059), \$20,192,000, of which \$13,800,000 shall remain available until June 30, 1968.

70 Stat. 960.

42 USC 280b  
note.

## RETIRED PAY OF COMMISSIONED OFFICERS

10 USC 1431-  
1446.72 Stat. 1445.  
10 USC 1071-  
1085.

For retired pay of commissioned officers, as authorized by law, and for payments under the Retired Serviceman's Family Protection Plan and payments for medical care of dependents and retired personnel under the Dependents' Medical Care Act (10 U.S.C., ch. 55), such amount as may be required during the current fiscal year.

## OFFICE OF THE SURGEON GENERAL, SALARIES AND EXPENSES

For the divisions and offices of the Office of the Surgeon General and for miscellaneous expenses of the Public Health Service not appropriated for elsewhere, including preparing information, articles, and publications related to public health; and conducting studies and demonstrations in public health methods, \$7,858,000.

## FEDERAL WATER POLLUTION CONTROL ADMINISTRATION

## BUILDINGS AND FACILITIES

For construction, alteration, and equipment of facilities, including acquisition and development of sites, planning, architectural, and engineering services, and for measures to control acid mine drainage, \$4,624,000, to remain available until expended: *Provided*, That such unexpended balances as the Secretary of Health, Education, and Welfare may determine to be available as of June 30, 1966, in the appropriation for "Buildings and facilities," Public Health Service, for water pollution control activities shall be merged with this appropriation.

## WATER SUPPLY AND WATER POLLUTION CONTROL

70 Stat. 498.  
33 USC 466  
note.

79 Stat. 600.

For expenses necessary to carry out the Federal Water Pollution Control Act, as amended, and other related activities, including \$4,700,000 for grants to States and \$300,000 for grants to interstate agencies under section 7 of such Act, \$55,439,000: *Provided*, That the unobligated balance of funds appropriated under this head in the Department of Health, Education, and Welfare Appropriation Act, 1966, for constructing acid mine drainage control measures, shall remain available during the current fiscal year and shall be transferred to the appropriation for "Buildings and facilities."

GRANTS FOR WASTE TREATMENT WORKS CONSTRUCTION AND SEWER  
OVERFLOW CONTROL79 Stat. 905.  
33 USC 466c-1.

33 USC 466e.

For grants and contracts for waste treatment works construction, and for research and development under section 6 of the Water Pollution Control Act, as amended, to remain available until expended, \$173,000,000, of which \$20,000,000 shall be for grants and contracts pursuant to section 6 of such Act, \$150,000,000 shall be for grants for construction of sewage treatment works pursuant to section 8 of such Act, and \$3,000,000 shall be for grants for construction of sewage treat-

ment works pursuant to section 212 of the Appalachian Regional Development Act of 1965 (Public Law 89-4).

79 Stat. 5.  
40 USC app.  
212.

### SAINT ELIZABETHS HOSPITAL

#### SALARIES AND EXPENSES

For expenses necessary for the maintenance and operation of the hospital, including clothing for patients, and cooperation with organizations or individuals in the scientific research into the nature, causes, prevention, and treatment of mental illness, such amount as may be equal to the difference between the amount of the reimbursements received during the current fiscal year on account of patient care provided by the hospital during such year and \$31,558,000.

#### BUILDINGS AND FACILITIES

For construction, alterations, extension, and equipment of buildings and facilities on the grounds of the hospital, including preparation of plans and specifications, \$2,298,000, to remain available until expended.

### SOCIAL SECURITY ADMINISTRATION

#### LIMITATION ON SALARIES AND EXPENSES

For necessary expenses, not more than \$586,483,000 may be expended as authorized by section 201(g)(1) of the Social Security Act, as amended, from any one or all of the trust funds referred to therein: *Provided*, That such amounts as are required shall be available to pay the cost of necessary travel incident to medical examinations or hearings for verifying disabilities or for review of disability determinations, of individuals who file applications for disability determinations under title II of the Social Security Act, as amended: *Provided further*, That \$35,000,000 of the foregoing amount shall be apportioned for use pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665), only to the extent necessary to process workloads not anticipated in the budget estimates and to meet mandatory increases in costs of agencies or organizations with which agreements have been made to participate in the administration of title XVIII of the Social Security Act, as amended, and after maximum absorption of such costs within the existing limitation has been achieved.

79 Stat. 338.  
42 USC 401.

42 USC 401 et  
seq.

79 Stat. 291.  
42 USC 1395-  
1395il.

#### LIMITATION ON CONSTRUCTION

For construction, alterations and equipment of facilities, including acquisition of sites, and planning, architectural, and engineering services, and for provision of necessary off-site parking facilities during construction, \$43,189,000, to be expended as authorized by section 201(g)(1) of the Social Security Act, as amended, from any one or all of the trust funds, referred to therein, and to remain available until expended.

#### PAYMENT TO TRUST FUNDS FOR HEALTH INSURANCE FOR THE AGED

For payment to the Federal Hospital Insurance and Federal Supplementary Medical Insurance trust funds, as authorized by sections 103 and 111(d) of the Social Security Amendments of 1965, and section 1844 of the Social Security Act, \$832,947,000.

79 Stat. 333.  
42 USC 426 note,  
1395i-1.  
42 USC 1395w.

## PAYMENT FOR MILITARY SERVICE CREDITS

For payment to the Federal Old-Age and Survivors Insurance, the Federal Disability Insurance, and the Federal Hospital Insurance trust funds for benefit payments and other costs resulting from non-contributory coverage extended certain veterans, as provided under section 217(g) of the Social Security Act, as amended, \$105,000,000.

79 Stat. 396.  
42 USC 417.

## WELFARE ADMINISTRATION

## GRANTS TO STATES FOR PUBLIC ASSISTANCE

For grants to States for old-age assistance, medical assistance, aid to families with dependent children, aid to the blind, and aid to the permanently and totally disabled, as authorized in titles I, IV, X, XIV, XVI, and XIX of the Social Security Act, as amended (42 U.S.C., ch. 7, subchs. I, IV, X, XIV, XVI, and XIX), \$3,700,000,000, of which such amount as may be necessary shall be available for grants for any period in the prior fiscal year subsequent to March 31 of that year.

42 USC 301,  
601, 1201, 1351,  
1381, 1396.

## ASSISTANCE FOR REPATRIATED UNITED STATES NATIONALS

For necessary expenses of carrying out section 1113 of the Social Security Act, as amended (42 U.S.C. 1313), and of carrying out the provisions of the Act of July 5, 1960 (74 Stat. 308), and for care and treatment in accordance with the Acts of March 2, 1929, and October 29, 1941, as amended (24 U.S.C. 191a, 196a) \$460,000, of which \$40,000 shall be apportioned for use pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665), only to the extent necessary to provide for requirements not anticipated in the budget estimates.

75 Stat. 142.  
24 USC 321-329.

55 Stat. 756;  
45 Stat. 1495.

## BUREAU OF FAMILY SERVICES, SALARIES AND EXPENSES

For expenses necessary for the Bureau of Family Services, \$7,890,000.

## GRANTS FOR MATERNAL AND CHILD WELFARE

For grants for maternal and child welfare as authorized in title V, parts 1, 2, 3, and 4 of the Social Security Act, as amended (42 U.S.C., ch. 7, subch. V; 74 Stat. 995-997, and 77 Stat. 273), \$228,900,000, of which \$50,000,000 shall be available for maternal and child-health services under part 1, \$50,000,000 for services for crippled children under part 2, \$46,000,000 for child welfare services under part 3 (other than section 526), \$9,000,000 for research, training, or demonstration projects in child welfare under section 526, \$30,000,000 for special project grants for maternity and infant care under section 531, \$35,000,000 for special project grants for comprehensive health care and services for school age and preschool age children under section 532, \$4,000,000 for training of professional personnel for the health and related care of crippled children under section 516, and \$4,900,000 for research projects relating to maternal and child health and crippled children's services under section 533 of such Act: *Provided*, That any allotment to a State pursuant to section 502(b) or 512(b) of such Act shall not be included in computing for the purposes of subsections (a) and (b) of sections 504 and 514 of such Act an amount expended or estimated to be expended by the State: *Provided further*, That \$4,750,000 of the amount available under section 502(b) of such Act shall be used only for special projects for mentally retarded children,

42 USC 701-731.

and \$3,750,000 of the amount available under section 512(b) of such Act shall be used only for special projects for services for crippled children who are mentally retarded.

42 USC 712.

#### CHILDREN'S BUREAU, SALARIES AND EXPENSES

For necessary expenses in carrying out the Act of April 9, 1912, as amended (42 U.S.C., ch. 6), and title V of the Social Security Act, as amended (42 U.S.C., ch. 7, subch. V), including purchase of reports and material for the publications of the Children's Bureau and of reprints for distribution, \$5,331,000: *Provided*, That no part of any appropriation contained in this title shall be used to promulgate or carry out any instructions, order, or regulation relating to the care of obstetrical cases which discriminate between persons licensed under State law to practice obstetrics: *Provided further*, That the foregoing proviso shall not be so construed as to prevent any patient from having the services of any practitioner of her own choice, paid for out of this fund, so long as State laws are complied with: *Provided further*, That any State plan which provides standards for professional obstetrical services in accordance with the laws of the State shall be approved.

37 Stat. 79.  
42 USC 191-194.  
42 USC 701-731.

#### JUVENILE DELINQUENCY AND YOUTH OFFENSES

For grants and contracts for demonstrations, evaluation, and training projects, and for technical assistance, relating to control of juvenile delinquency and youth offenses, and for salaries and expenses in connection therewith, \$8,207,000, of which \$1,750,000 shall be for the demonstration and evaluation project in the Washington metropolitan area pursuant to section 9 of the Juvenile Delinquency and Youth Offenses Control Act of 1961.

78 Stat. 309.  
42 USC 2548.

#### COOPERATIVE RESEARCH OR DEMONSTRATION PROJECTS

For grants, contracts, and jointly financed cooperative arrangements for research or demonstration projects under section 1110 of the Social Security Act, as amended (42 U.S.C. 1310), \$3,150,000.

70 Stat. 851.

#### RESEARCH AND TRAINING (SPECIAL FOREIGN CURRENCY PROGRAM)

For payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States, for necessary expenses of the Welfare Administration, as authorized by law, \$1,500,000, to remain available until expended: *Provided*, That this appropriation shall be available in addition to other appropriations to such agency, for the purchase of the foregoing currencies.

#### OFFICE OF THE COMMISSIONER, SALARIES AND EXPENSES

For expenses necessary for the Office of the Commissioner of Welfare, \$1,522,000.

Grants to States, next succeeding fiscal year: For making, after May 31 of the current fiscal year, payments to States under titles I, IV, V, X, XIV, XVI, and XIX, respectively, of the Social Security Act, as amended, for the first quarter of the next succeeding fiscal year, such sums as may be necessary, the obligations incurred and the expenditures made thereunder for payments under each of such titles to be charged to the appropriation therefor for that fiscal year.

42 USC 301, 601,  
701, 1201, 1351,  
1381, 1396.

42 USC 301, 601,  
701, 1201, 1351,  
1381, 1396.

In the administration of titles I, IV, V, X, XIV, XVI, and XIX, respectively, of the Social Security Act, as amended, payments to a State under any of such titles for any quarter in the period beginning April 1 of the prior year, and ending June 30 of the current year, may be made with respect to a State plan approved under such title prior to or during such period, but no such payment shall be made with respect to any plan for any quarter prior to the quarter in which such plan was submitted for approval.

#### ADMINISTRATION ON AGING

##### SALARIES AND EXPENSES

For grants for community planning, services, and training, and for grants and contracts for research and development projects and training projects, and for consultative services, technical assistance, training and other services, relating to programs for the aged and aging, and for salaries and expenses in connection therewith, as authorized by the Older Americans Act of 1965, \$10,275,000.

79 Stat. 218.  
42 USC 3001  
note.

#### SPECIAL INSTITUTIONS

##### AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act of March 3, 1879, as amended (20 U.S.C. 101-105), \$1,027,500.

20 Stat. 468.

##### NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For carrying out the National Technical Institute for the Deaf Act (Public Law 89-36), \$491,000, to remain available until expended.

79 Stat. 125.  
20 USC 681  
note.

#### FREEDMEN'S HOSPITAL

For expenses necessary for operation and maintenance, including repairs; furnishing, repairing, and cleaning of wearing apparel used by employees in the performance of their official duties; transfer of funds to the appropriation "Howard University, salaries and expenses" for salaries of technical and professional personnel detailed to the hospital; payments to the appropriations of Howard University for actual cost of heat, light, and power furnished by such university; \$5,193,000: *Provided*, That no intern or resident physician receiving compensation from this appropriation on a full-time basis shall receive compensation in the form of wages or salary from any other appropriation in this title: *Provided further*, That the District of Columbia shall pay by check to Freedmen's Hospital, upon the Surgeon General's request, in advance at the beginning of each quarter, such amount as the Surgeon General calculates will be earned on the basis of rates approved by the Bureau of the Budget for the care of patients certified by the District of Columbia. Bills rendered by the Surgeon General on the basis of such calculations shall not be subject to audit or certification in advance of payment; but proper adjustment of amounts which have been paid in advance on the basis of such calculations shall be made at the end of each quarter: *Provided further*, That the Surgeon General may delegate the responsibilities imposed upon him by the foregoing proviso.

## GALLAUDET COLLEGE, SALARIES AND EXPENSES

For the partial support of Gallaudet College, including personal services and miscellaneous expenses, and repairs and improvements as authorized by the Act of June 18, 1954 (Public Law 420), \$2,520,000: *Provided*, That Gallaudet College shall be paid by the District of Columbia, in advance at the beginning of each quarter, at a rate not less than \$1,640 per school year for each student receiving elementary or secondary education pursuant to the Act of March 1, 1901 (31 D.C. Code 1008).

68 Stat. 265.  
D.C. Code 31-  
1025 to 31-1032.

31 Stat. 844.

## GALLAUDET COLLEGE, CONSTRUCTION

For construction, alteration, renovation, equipment, and improvement of buildings and facilities on the grounds of Gallaudet College, as authorized by the Act of June 18, 1954 (Public Law 420), under the supervision, if so requested by the College, of the General Services Administration, including planning, architectural, and engineering services, \$70,000, to remain available until expended.

## HOWARD UNIVERSITY, SALARIES AND EXPENSES

For the partial support of Howard University, including personal services, miscellaneous expenses, and repairs to buildings and grounds, \$13,344,000.

## HOWARD UNIVERSITY, CONSTRUCTION

For the construction and equipment of buildings and facilities on the grounds of Howard University, under the supervision of the General Services Administration, including planning, architectural, and engineering services, \$3,342,000, to remain available until expended.

## OFFICE OF THE SECRETARY

## SALARIES AND EXPENSES

For expenses necessary for the Office of the Secretary, \$7,350,000, together with not to exceed \$1,249,000 to be transferred from the Federal old-age and survivors insurance trust fund; of which \$2,782,000 and \$603,000, respectively, shall be available to carry out the civil rights functions of the Department of Health, Education, and Welfare: *Provided*, That the position now designated as Comptroller, level V, shall hereafter be designated as Assistant Secretary, Comptroller, level V.

## OFFICE OF AUDIT, SALARIES AND EXPENSES

For expenses necessary for the Office of Audit, \$4,477,000, together with not to exceed \$678,000 to be transferred from the Federal old-age and survivors insurance trust fund.

## OFFICE OF FIELD ADMINISTRATION, SALARIES AND EXPENSES

For expenses necessary for the Office of Field Administration, \$1,980,000 together with not to exceed \$1,746,000 to be transferred from the Federal old-age and survivors insurance trust fund and not to exceed \$34,000 to be transferred from the operating fund, Bureau of Federal Credit Unions.

## SURPLUS PROPERTY UTILIZATION

For expenses necessary for carrying out the provisions of subsections 203 (j), (k), (n), and (o), of the Federal Property and Administrative Services Act of 1949, as amended, relating to disposal of real and personal excess property for educational purposes, civil defense purposes, and protection of public health, \$1,093,000.

70 Stat. 493;  
63 Stat. 387;  
69 Stat. 84, 430.  
40 USC 484.

## OFFICE OF THE GENERAL COUNSEL, SALARIES AND EXPENSES

For expenses necessary for the Office of the General Counsel, \$1,780,000, together with not to exceed \$29,000 to be transferred from "Revolving fund for certification and other services, Food and Drug Administration", and not to exceed \$1,301,000 to be transferred from the Federal old-age and survivors insurance trust fund.

## EDUCATIONAL TELEVISION FACILITIES

For grants to assist in construction of educational television broadcasting facilities, as authorized by part IV of title III of the Communications Act of 1934 (76 Stat. 64), and for related salaries and expenses, to remain available until expended, \$3,304,000, of which not to exceed \$304,000 shall be available for such salaries and expenses during the current fiscal year.

47 USC 390-397.

## GENERAL PROVISIONS

Withholding of funds, restriction.

SEC. 201. None of the funds appropriated by this title to the Welfare Administration for grants-in-aid of State agencies to cover, in whole or in part, the cost of operation of said agencies, including the salaries and expenses of officers and employees of said agencies, shall be withheld from the said agencies of any States which have established by legislative enactment and have in operation a merit system and classification and compensation plan covering the selection, tenure in office, and compensation of their employees, because of any disapproval of their personnel or the manner of their selection by the agencies of the said States, or the rates of pay of said officers or employees.

Motor vehicles, transfer.

SEC. 202. The Secretary is authorized to make such transfers of motor vehicles, between bureaus and offices, without transfer of funds, as may be required in carrying out the operations of the Department.

Research grants.

SEC. 203. None of the funds provided herein shall be used to pay any recipient of a grant for the conduct of a research project an amount equal to as much as the entire cost of such project.

SEC. 204. Appropriations to the Public Health Service available for research grants pursuant to the Public Health Service Act shall also be available, on the same terms and conditions as apply to non-Federal institutions, for research grants to hospitals of the Service, the Bureau of Prisons, Department of Justice, and to Saint Elizabeths Hospital.

Use of funds, restriction.

SEC. 205. None of the funds contained in this Act shall be used for any activity the purpose of which is to require any recipient of any project grant for research, training, or demonstration made by any officer or employee of the Department of Health, Education, and Welfare to pay to the United States any portion of any interest or other income earned on payments of such grant made before July 1, 1964; nor shall any of the funds contained in this Act be used for

any activity the purpose of which is to require payment to the United States of any portion of any interest or other income earned on payments made before July 1, 1964, to the American Printing House for the Blind.

SEC. 206. Expenditures from funds appropriated under this title to the American Printing House for the Blind, Howard University and Gallaudet College shall be subject to audit by the Secretary of Health, Education, and Welfare.

SEC. 207. None of the funds contained in this title shall be available for additional permanent Federal positions in the Washington area if the proportion of additional positions in the Washington area in relation to the total new positions is allowed to exceed the proportion existing at the close of fiscal year 1966.

This title may be cited as the "Department of Health, Education, and Welfare Appropriation Act, 1967".

Funds subject to audit.

Federal positions in Washington area.

Citation of title.

### TITLE III—NATIONAL LABOR RELATIONS BOARD

#### SALARIES AND EXPENSES

For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act, 1947, as amended (29 U.S.C. 141-167), and other laws, \$30,442,000: *Provided*, That no part of this appropriation shall be available to organize or assist in organizing agricultural laborers or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in section 2(3) of the Act of July 5, 1935 (29 U.S.C. 152), and as amended by the Labor-Management Relations Act, 1947, as amended, and as defined in section 3(f) of the Act of June 25, 1938 (29 U.S.C. 203), and including in said definition employees engaged in the maintenance and operation of ditches, canals, reservoirs, and waterways when maintained or operated on a mutual, nonprofit basis and at least 95 per centum of the water stored or supplied thereby is used for farming purposes.

61 Stat. 136;  
73 Stat. 541.

52 Stat. 1060.

### TITLE IV—NATIONAL MEDIATION BOARD

#### SALARIES AND EXPENSES

For expenses necessary for carrying out the provisions of the Railway Labor Act, as amended (45 U.S.C. 151-188), including temporary employment of referees under section 3 of the Railway Labor Act, as amended, at rates not in excess of \$100 per diem; and emergency boards appointed by the President pursuant to section 10 of said Act (45 U.S.C. 160), \$2,085,000.

44 Stat. 577;  
49 Stat. 1189.

*Ante*, p. 208.

### TITLE V—RAILROAD RETIREMENT BOARD

#### PAYMENT FOR MILITARY SERVICE CREDITS

For payment to the railroad retirement account for military service credits under the Railroad Retirement Act, as amended (45 U.S.C. 228c-1), \$17,201,000.

54 Stat. 1014;  
60 Stat. 729.

## LIMITATION ON SALARIES AND EXPENSES

For expenses necessary for the Railroad Retirement Board, \$11,175,000, to be derived from the railroad retirement account.

## TITLE VI—FEDERAL MEDIATION AND CONCILIATION SERVICE

## SALARIES AND EXPENSES

For expenses necessary for the Service to carry out the functions vested in it by the Labor-Management Relations Act, 1947 (29 U.S.C. 171-180, 182), including expenses of the Labor-Management Panel as provided in section 205 of said Act; expenses of boards of inquiry appointed by the President pursuant to section 206 of said Act; temporary employment of arbitrators, conciliators, and mediators on labor relations at rates not in excess of \$100 per diem; and Government-listed telephones in private residences and private apartments for official use in cities where mediators are officially stationed, but no Federal Mediation and Conciliation Service office is maintained; \$7,100,000.

61 Stat. 152.

## TITLE VII—INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN

## CONTRIBUTION TO INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN

To enable the Secretary of the Treasury to pay in advance to the Interstate Commission on the Potomac River Basin the Federal contribution toward the expenses of the Commission during the current fiscal year in the administration of its business in the conservancy district established pursuant to the Act of July 11, 1940 (54 Stat. 748), \$5,000.

33 USC 567b.

## TITLE VIII—UNITED STATES SOLDIERS' HOME

## OPERATION AND MAINTENANCE

For maintenance and operation of the United States Soldiers' Home, to be paid from the Soldiers' Home permanent fund, \$7,433,000: *Provided*, That this appropriation shall not be available for the payment of hospitalization of members of the Home in United States Army hospitals at rates in excess of those prescribed by the Secretary of the Army, upon the recommendation of the Board of Commissioners of the Home and the Surgeon General of the Army.

## CAPITAL OUTLAY

For construction of buildings and facilities, including plans and specifications, to be paid from the Soldiers' Home permanent fund, \$3,575,000, to remain available until expended.

## TITLE IX—FEDERAL RADIATION COUNCIL

## SALARIES AND EXPENSES

For expenses necessary for the Federal Radiation Council, \$131,000.

TITLE X—GENERAL PROVISIONS

SEC. 1001. Appropriations contained in this Act, available for salaries and expenses, shall be available for services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a) but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS-18.

Experts or consultants.  
60 Stat. 810.

SEC. 1002. Appropriations contained in this Act available for salaries and expenses shall be available for uniforms or allowances therefor as authorized by the Act of September 1, 1954, as amended (5 U.S.C. 2131).

Uniform allowances.  
68 Stat. 1114.

SEC. 1003. Appropriations contained in this Act available for salaries and expenses shall be available for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities.

Attendance at meetings.

SEC. 1004. The Secretary of Labor and the Secretary of Health, Education, and Welfare, are each authorized to make available not to exceed \$7,500 from funds available for salaries and expenses under titles I and II, respectively, for official reception and representation expenses.

Official reception expenses.

SEC. 1005. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

Limitation.

This Act may be cited as the "Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1967".

Short title.

Approved November 7, 1966.

Public Law 89-788

AN ACT

November 7, 1966  
[S. 3389]

To provide for the establishment of the Joseph H. Hirshhorn Museum and Sculpture Garden, and for other purposes.

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

Joseph H. Hirshhorn Museum and Sculpture Garden. Establishment.

SECTION 1. (a) The area bounded by Seventh Street, Independence Avenue, Ninth Street, and Jefferson Drive, in the District of Columbia, is hereby appropriated to the Smithsonian Institution as the permanent site of a museum and the area bounded by Seventh Street, Jefferson Drive, Ninth Street, and Madison Drive, in the District of Columbia is hereby made available to the Smithsonian Institution as the permanent site of a sculpture garden, both areas to be used for the exhibition of works of art.

(b) The Board of Regents of the Smithsonian Institution is authorized to remove any existing structure, to prepare architectural and engineering designs, plans, and specifications, and to construct a suitable museum within said area lying south of Jefferson Drive and to provide a sculpture garden for the use of the Smithsonian Institution within the areas designated in section 1(a) of this Act.

SEC. 2. (a) The museum and sculpture garden provided for by this Act shall be designated and known in perpetuity as the Joseph H. Hirshhorn Museum and Sculpture Garden, and shall be a free public museum and sculpture garden under the administration of the Board of Regents of the Smithsonian Institution. In administering the sculpture garden the Board shall cooperate with the Secretary of Interior so that the development and use of the Garden is consistent with the open-space concept of the Mall, for which the Secretary of

Interior is responsible, and with related development regarding underground garages and street development.

(b) The faith of the United States is pledged that the United States shall provide such funds as may be necessary for the upkeep, operation, and administration of the Joseph H. Hirshhorn Museum and Sculpture Garden.

(c) The Joseph H. Hirshhorn Museum and Sculpture Garden shall be the permanent home of the collections of art of Joseph H. Hirshhorn and the Joseph H. Hirshhorn Foundation, and shall be used for the storage, exhibition, and study of works of art, and for the administration of the affairs of the Joseph H. Hirshhorn Museum and Sculpture Garden.

Board of trustees.

SEC. 3. (a) There is established in the Smithsonian Institution a Board of Trustees to be known as the Trustees of the Joseph H. Hirshhorn Museum and Sculpture Garden, which shall provide advice and assistance to the Board of Regents of the Smithsonian Institution on all matters relating to the administration, operation, maintenance, and preservation of the Joseph H. Hirshhorn Museum and Sculpture Garden; and which shall have the sole authority (i) to purchase or otherwise acquire (whether by gift, exchange, or other means) works of art for the Joseph H. Hirshhorn Museum and Sculpture Garden, (ii) to loan, exchange, sell, or otherwise dispose of said works of art, and (iii) to determine policy as to the method of display of the works of art contained in said museum and sculpture garden.

Membership.

(b) The Board of Trustees shall be composed of the Chief Justice of the United States and the Secretary of the Smithsonian Institution, who shall serve as ex officio members, and eight general members to be appointed as follows: Four of the general members first taking office shall be appointed by the President of the United States from among nominations submitted by Joseph H. Hirshhorn and four shall be appointed by the President from among nominations submitted by the Board of Regents of the Smithsonian Institution. The general members so appointed by the President shall have terms expiring one each on July 1, 1968, 1969, 1970, 1971, 1972, 1973, 1974, and 1975, as designated by the President. Successor general members (who may be elected from among members whose terms have expired) shall serve for a term of six years, except that a successor chosen to fill a vacancy occurring prior to the expiration of the term of office of his predecessor shall be chosen only for the remainder of such term. Vacancies occurring among general members of the Board of Trustees of the Joseph H. Hirshhorn Museum and Sculpture Garden shall be filled by a vote of not less than four-fifths of the then acting members of the Board of Trustees.

Director, etc.

SEC. 4. The Board of Regents of the Smithsonian Institution may appoint and fix the compensation and duties of a director and, subject to his supervision, an administrator and two curators of the Joseph H. Hirshhorn Museum and Sculpture Garden, none of whose appointment, compensation, or duties shall be subject to the civil service laws or the Classification Act of 1949, as amended. The Board of Regents may employ such other officers and employees as may be necessary for the efficient administration, operation, and maintenance of the Joseph H. Hirshhorn Museum and Sculpture Garden.

63 Stat. 954.  
5 USC 1071  
note.

Appropriation.

SEC. 5. There is authorized to be appropriated not to exceed \$15,000,000 for the planning and construction of the Joseph H. Hirshhorn Museum and Sculpture Garden, and such additional sums as may be necessary for the maintenance and operation of such museum and sculpture garden.

Approved November 7, 1966.

## Public Law 89-789

## AN ACT

Authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

November 7, 1966  
[H. R. 18233]

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

River and Harbor Act of 1966.

## TITLE I—RIVERS AND HARBORS

SEC. 101. The following works of improvement of rivers and harbors and other waterways for navigation, flood control, and other purposes are hereby adopted and authorized to be prosecuted under the direction of the Secretary of the Army and supervision of the Chief of Engineers, in accordance with the plans and subject to the conditions recommended by the Chief of Engineers in the respective reports hereinafter designated. The provisions of section 1 of the River and Harbor Act approved March 2, 1945 (Public Law Numbered 14, Seventy-ninth Congress, first session), shall govern with respect to projects authorized in this title; and the procedures therein set forth with respect to plans, proposals, or reports for works of improvement for navigation or flood control and for irrigation and purposes incidental thereto, shall apply as if herein set forth in full.

59 Stat. 10.

## NAVIGATION

Newark Bay, Hackensack and Passaic Rivers, New Jersey: House Document Numbered 494, Eighty-ninth Congress, at an estimated cost of \$12,899,000;

Carolina Beach Harbor, North Carolina: House Document Numbered 515, Eighty-ninth Congress, maintenance;

Southport Harbor, North Carolina: House Document Numbered 514, Eighty-ninth Congress, maintenance;

Gulf County Canal, Florida: House Document Numbered 481, Eighty-ninth Congress, at an estimated cost of \$477,000;

Saint Lucie Inlet, Florida: House Document Numbered 508, Eighty-ninth Congress, maintenance;

Pearl River, Mississippi and Louisiana: House Document Numbered 482, Eighty-ninth Congress, at an estimated cost of \$630,000;

Biloxi Harbor, Mississippi: House Document Numbered 513, Eighty-ninth Congress, at an estimated cost of \$753,000;

Elk Creek Harbor, Pennsylvania: House Document Numbered 512, Eighty-ninth Congress, at an estimated cost of \$920,000;

Conneaut Harbor, Ohio: House Document Numbered 484, Eighty-ninth Congress, at an estimated cost of \$495,000;

Cross Village Harbor, Michigan: House Document Numbered 490, Eighty-ninth Congress, at an estimated cost of \$723,000;

Mississippi River-Fort Madison Harbor, Iowa: House Document Numbered 507, Eighty-ninth Congress, at an estimated cost of \$975,000;

## BEACH EROSION

Ocracoke Inlet to Beaufort Inlet, North Carolina: House Document Numbered 509, Eighty-ninth Congress, at an estimated cost of \$5,800,000;

Mullet Key, Florida: House Document Numbered 516, Eighty-ninth Congress, at an estimated cost of \$286,000;

Pinellas County, Florida: House Document Numbered 519, Eighty-ninth Congress, at an estimated cost of \$116,000;

San Diego (Sunset Cliffs), California: House Document Numbered 477, Eighty-ninth Congress, at an estimated cost of \$809,000.

Surveys.

SEC. 102. The Secretary of the Army is hereby authorized and directed to cause surveys to be made at the following named localities and subject to all applicable provisions of section 110 of the River and Harbor Act of 1950:

64 Stat. 168.

Mexico Beach, Florida.

Great Lakes, particularly Lake Ontario and Lake Erie, in connection with water supply, pollution abatement, navigation, flood control, hydroelectric power, and related water resources development and control.

Stone Arch  
Bridge, Minneap-  
olis, Minn.

46 Stat. 927.

SEC. 103. The project for navigation on the Upper Mississippi River from the Illinois River to Minneapolis, Minnesota, authorized by the Act of July 30, 1930, as extended and amended, is hereby modified to authorize the Secretary of the Army to reimburse any common carrier by railroad for the cost of permanent reconstruction and repair of the Stone Arch Bridge at Minneapolis, Minnesota, performed by such carrier, to repair the damage to such bridge caused by floods during April and May 1965, except that such reimbursement shall not exceed \$700,000.

Illinois and  
Michigan Canal.

SEC. 104. The Secretary of the Army is authorized and directed to cause an immediate study to be made, under the direction of the Chief of Engineers, in cooperation with appropriate agencies and representatives of the State of Illinois, of the Illinois and Michigan Canal, its lands and appurtenances extending from Chicago to the Illinois River at La Salle as constructed by the State of Illinois pursuant to the provisions, as applicable, of the Acts of March 30, 1822 (3 Stat. 659), March 2, 1827 (4 Stat. 234), and March 2, 1833 (4 Stat. 662) with a view toward determining (1) those portions no longer required for navigation, (2) the feasibility and advisability of declaring such portions abandoned as a navigable waterway, and (3) procedures for releasing and quitclaiming to the State of Illinois the reversionary interests of the United States in such lands not required for navigation purposes. The Secretary shall report to the Congress the results of such study together with his recommendations thereon not later than one year after the date of enactment of this Act.

Report to Con-  
gress.

East St. Louis  
and Chester, Ill.,  
bridges.

60 Stat. 847.

33 USC 525

note.

60 Stat. 891.

53 Stat. 1058.

54 Stat. 765.

72 Stat. 355.

SEC. 105. Notwithstanding any provision in the General Bridge Act of 1946 or any other Act of Congress, in the case of the bridge constructed by the city of East Saint Louis, Illinois, across the Mississippi River, pursuant to Public Law Numbered 639, enacted by the Seventy-ninth Congress of the United States of America at the second session, and the bridge constructed across the Mississippi River by the city of Chester, Illinois, pursuant to Public Law Numbered 191, enacted by the Seventy-sixth Congress of the United States of America, as amended by Public Law Numbered 751, enacted by the Seventy-sixth Congress of the United States of America, and Public Law Numbered 85-512, enacted by the Eighty-fifth Congress of the United States of America at the second session, if the applicable law of the State of Illinois provides or permits the establishment of reasonable tolls sufficient for the reasonable cost of maintaining, operating, and repairing said bridges and the approaches thereto under economical management, and provide a sinking fund to amortize the cost of any bonds or other obligations issued to finance such cost, including reasonable interest and financing costs as soon as possible under reasonable charges and within the period of thirty years from completion, reconstruction, repair, and improvement of such bridge or extensions thereof, and permits or provides the transfer to said city of any surplus income to the city to be used for a proper public purpose, and each of

said cities have adopted instruments authorizing construction of said bridges and by such instruments provided for the financing of the same under the applicable State statutes, including the transfer of surpluses to said cities for a proper public purpose, then each such city may, prior to January 1, 1969, charge tolls in the manner and to the extent provided in such instruments, and all collections from such bridges heretofore retained or transferred to said cities shall be valid collections, and may be retained by said cities and used and applied for a proper purpose. An accurate record of the cost of each such bridge and the approaches thereto, the expenditures for maintaining, operating, and repairing the same, including amounts transferred to the cities in accordance with the terms of any instrument adopted by said cities for financing the cost of the bridge and the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

SEC. 106. (a) The consent and approval of Congress is given to the compact between the States of Missouri and Illinois creating a Missouri-Illinois-Jefferson-Monroe Bridge Commission which reads as follows:

Interstate compact.  
Consent of Congress.

“COMPACT BETWEEN ILLINOIS AND MISSOURI CREATING A MISSOURI-ILLINOIS-JEFFERSON-MONROE BRIDGE COMMISSION

“ARTICLE I

“There is hereby created a Missouri-Illinois-Jefferson-Monroe Bridge Commission (hereinafter referred to as the commission) which shall be a body corporate and politic and which shall have the following powers and duties;

“1. To plan, construct, maintain and operate a bridge and approaches thereto across the Mississippi River at or near Crystal City, Missouri, at a point deemed by the commission as most suitable to the interests of the citizens of the States of Illinois and Missouri in accordance with the provisions of an act of the Seventy-ninth Congress, Second Session, of the United States entitled ‘The General Bridge Act of 1946’;

“2. To purchase, maintain and, in its discretion, to operate all or any ferries across the Mississippi River within twenty-five miles of the site selected for the bridge;

“3. To contract, to sue and be sued in its own name; to purchase or otherwise acquire, hold and dispose of real and personal property;

“4. To acquire by proper condemnation proceedings such real property as may be necessary for the construction and operation of the bridge and the approaches thereto;

“5. To issue bonds on the security of the revenue derived from the operation of the bridge and ferries for the payment of the cost of the bridge, its approaches, ferry or ferries, and the necessary lands, easements and appurtenances thereto including interest during construction and all necessary engineering, legal, architectural, traffic surveying and other necessary expenses. Such bonds shall be the negotiable bonds of the commission, the income of which shall be tax free. The principal and interest of the bonds, and any premiums to be paid for their retirement before maturity, shall be paid solely from the revenues derived from the bridge and ferries;

“6. To establish and charge tolls for transit over such bridge and ferries in accordance with the provisions of this compact;

“7. To perform all other necessary and incidental functions.

60 Stat. 847.  
33 USC 525 note.

#### “ARTICLE II

“The rates of tolls to be charged for transit over such bridge and ferries shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintenance, repairs and operation (including the approaches to the bridge) under economical management, and also to provide a sinking fund sufficient to pay the principal and interest of the outstanding bonds. All tolls and other revenues derived from facilities of the commission are hereby pledged to such uses.

#### “ARTICLE III

“The commission shall keep an accurate record of the cost of the bridge and of other expenses and of the daily revenues collected and shall report annually to the governor of each state setting forth in detail the operations and transactions conducted by it pursuant to this agreement and any legislation thereunder.

#### “ARTICLE IV

“When the bonds have been retired, the part of the bridge within the state of Illinois shall be conveyed to the state of Illinois, and that part within the state of Missouri to the state of Missouri, and the high contracting parties to this compact do hereby agree that thereafter the bridge shall be free of tolls and shall be properly maintained, operated and repaired by the two states as may be agreed upon.

#### “ARTICLE V

“The commission shall consist of ten members, five of whom shall be qualified electors of the state of Illinois and shall reside in Monroe County, or counties adjacent thereto, Illinois, and five of whom shall be qualified electors of the state of Missouri and shall reside in Jefferson County, or counties adjacent thereto, Missouri. The Illinois members are to be chosen by the state of Illinois, and the Missouri members by the state of Missouri in the manner and for the terms fixed by the legislature of each state, except as herein provided.

#### “ARTICLE VI

“1. The commission shall elect from its number a chairman and a vice-chairman, and may appoint such officers and employees as it may require for the performance of its duties and shall fix and determine their qualifications and duties.

“2. Until otherwise determined by the legislatures of the two states no action of the commission shall be binding unless taken at a meeting at which at least three members from each state are present and unless a majority of the members from each state present at such meeting shall vote in favor thereof. Each state reserves the right hereafter to provide by law for the exercise of the veto power by the governor thereof over any action of any commissioner appointed therefrom.

“3. The two states shall provide penalties for violations of any order, rule or regulation of the commission, and for the manner of enforcing same.

#### “ARTICLE VII

“The commission is authorized and directed to proceed with the planning and construction of the bridge and the approaches thereto as rapidly as may be economically practicable and is hereby vested

with all necessary and appropriate powers, not inconsistent with the constitution or the laws of the United States or of either state, to effect the same, except the power to assess or levy taxes.

#### “ARTICLE VIII

“In witness thereof, we have hereunto set our hands and seals under authority vested in us by law.”

(b) The right to alter, amend, or repeal this section is expressly reserved.

SEC. 107. (a) The consent of Congress is hereby given to the compact, signed by the compact representatives for the States of Kansas and Oklahoma on the 31st day of March 1965, at Wichita, Kansas, and thereafter ratified by the legislature of each of the States aforesaid, which compact is as follows:

Interstate compact.  
Consent of Congress.

#### “ARKANSAS RIVER BASIN COMPACT, KANSAS-OKLAHOMA

“The state of Kansas and the state of Oklahoma, acting through their duly authorized compact representatives, Robert L. Smith and Warden L. Noe, for the state of Kansas, and Geo. R. Benz and Frank Raab, for the state of Oklahoma, after negotiations participated in by Trigg Twichell, appointed by the president as the representative of the United States of America, and in accordance with the consent to such negotiations granted by an act of congress of the United States of America, approved August 11, 1955 (Public Law 340, 84th congress, 1st session), have agreed as follows respecting the waters of the Arkansas river and its tributaries:

69 Stat. 631.

#### “ARTICLE I

“The major purposes of this compact are: A. To promote interstate comity between the states of Kansas and Oklahoma;

“B. To divide and apportion equitably between the states of Kansas and Oklahoma the waters of the Arkansas river basin and to promote the orderly development thereof;

“C. To provide an agency for administering the water apportionment agreed to herein;

“D. To encourage the maintenance of an active pollution-abatement program in each of the two states and to seek the further reduction of both natural and man-made pollution in the waters of the Arkansas river basin.

#### “ARTICLE II

“As used in this compact: A. The term ‘state’ shall mean either state signatory hereto and shall be construed to include any person or persons, entity or agency of either state who, by reason of official responsibility or by designation of the governor of that state, is acting as an official representative of that state;

“B. The term ‘Kansas-Oklahoma Arkansas river commission’ or the term ‘commission’ means the agency created by this compact for the administration thereof;

“C. The term ‘Arkansas river’ means that portion of the Arkansas river from a point immediately below the confluence of the Arkansas and Little Arkansas rivers in the vicinity of Wichita, Kansas, to a point immediately below the confluence of the Arkansas river with the Grand-Neosho river near Muskogee, Oklahoma;

"D. The term 'Arkansas river basin' means all of the drainage basin of the Arkansas river as delimited above, including all tributaries which empty into it between the upstream and downstream limits;

"E. The term 'waters of the Arkansas river and its tributaries' means the waters originating in the Arkansas river basin;

"F. The term 'conservation storage capacity' means that portion of the active storage capacity of reservoirs, including multipurpose reservoirs, with a conservation storage capacity in excess of 100 acre-feet, available for the storage of water for subsequent use, but it excludes any portion of the storage capacity allocated to flood and sediment control and inactive storage capacity allocated to other uses;

"G. The term 'new conservation storage capacity' means conservation storage capacity for which construction is initiated after July 1, 1963, and storage capacity not presently allocated for conservation storage which is converted to conservation storage capacity after July 1, 1963, in excess of the quantities of declared conservation storage capacity as set forth in the storage table attached to and made a part of the minutes of the twenty-fourth meeting of the compact committee dated September 1, 1964, and as filed and identified to this compact in the offices of the secretaries of state of the respective states;

"H. The term 'pollution' means contamination or other alterations of the physical, chemical, biological or radiological properties of water or the discharge of any liquid, gaseous, or solid substances into any waters which creates or is likely to result in a nuisance, or which renders or is likely to render the waters into which it is discharged harmful, detrimental or injurious to public health, safety, or welfare or which is harmful, detrimental or injurious to beneficial uses of the water.

### "ARTICLE III

"The physical and other conditions peculiar to the Arkansas river basin constitute the basis for this compact, and neither of the states hereby, nor the congress of the United States by its consent hereto, concedes that this compact establishes any general principle with respect to any other interstate stream.

### "ARTICLE IV

"A. For the purpose of apportionment of water between the two states, the Arkansas river basin is hereby divided into major topographic subbasins as follows: (1) The Grand-Neosho river subbasin; (2) the Verdigris river subbasin; (3) the Salt Fork river subbasin; (4) the Cimarron river subbasin; and (5) the mainstem Arkansas river subbasin which shall consist of the Arkansas river basin, excepting the Grand-Neosho river, Verdigris river, Salt Fork river, and Cimarron river subbasins.

"B. The two states recognize that portions of other states not signatory to this compact lie within the drainage area of the Arkansas river basin as herein defined. The water apportionments provided for in this compact are not intended to affect nor do they affect the rights of such other states in and to the use of the waters of the basin.

### "ARTICLE V

"The state of Kansas shall have free and unrestricted use of the waters of the Arkansas river basin within Kansas subject to the provisions of this compact and to the limitations set forth below:

"A. New conservation storage capacity in the Grand-Neosho river subbasin within the state of Kansas shall not exceed 650,000 acre-feet

plus an additional capacity equal to the new conservation storage in said drainage basin in Oklahoma excepting storage on Spavinaw creek;

“B. New conservation storage capacity in the Verdigris river sub-basin within the state of Kansas shall not exceed 300,000 acre-feet plus an additional capacity equal to the new conservation storage in said drainage basin in Oklahoma, excepting navigation capacity allocated in Oologah reservoir;

“C. New conservation storage capacity in the mainstem Arkansas river subbasin within the state of Kansas shall not exceed 600,000 acre-feet plus an additional capacity equal to the new conservation storage in said drainage basin in Oklahoma;

“D. New conservation storage capacity in the Salt Fork river sub-basin within the state of Kansas shall not exceed 300,000 acre-feet plus an additional capacity equal to the new conservation storage in said drainage basin in Oklahoma;

“E. New conservation storage capacity in the Cimarron river sub-basin within the state of Kansas shall not exceed 5,000 acre-feet, provided that new conservation storage capacity in excess of that amount may be constructed if specific project plans have first been submitted to and have received the approval of the commission.

#### “ARTICLE VI

“The state of Oklahoma shall have free and unrestricted use of the waters of the Arkansas river basin within Oklahoma subject to the provisions of this compact and to the limitations set forth below:

“New conservation storage capacity in the Cimarron river subbasin within the state of Oklahoma shall not exceed 5,000 acre-feet provided that new conservation storage capacity in excess of that amount may be constructed if specific project plans have first been submitted to and have received the approval of the commission.

#### “ARTICLE VII

“A. The commission shall determine the conditions under which one state may construct and operate for its needs new conservation storage capacity in the other state. The construction or utilization of new conservation storage capacity by one state in the other state shall entitle the state whose storage potential is reduced by such construction to construct an equal amount of new conservation storage in a subbasin agreeable to the commission.

“B. New conservation storage capacity constructed by the United States or any of its agencies, instrumentalities or wards, or by a state, political subdivision thereof, or any person or persons shall be charged against the state in which the use is made.

“C. Each state has the unrestricted right to replace within the same subbasin, any conservation storage capacity made unusable by any cause.

“D. In the event reallocation of storage capacity in the Arkansas river basin in Oklahoma should result in the reduction of that state's new conservation storage capacity, such reallocation shall not reduce the total new conservation storage capacities available to Kansas under Article V; provided that a subsequent reinstatement of such storage capacity shall not be charged as an increase in Oklahoma's new conservation storage capacity.

#### “ARTICLE VIII

“A. In the event of importation of water to a major subbasin of the Arkansas river basin from another river basin, or from another major

subbasin within the same state, the state making the importation shall have exclusive use of such imported waters.

“B. In the event of exportation of water from a major subbasin for use in another major subbasin or for use outside the Arkansas river basin within the same state, the limitations of Articles V and VI on new conservation capacity shall apply against the subbasin from which the exportation is made in the amount of the storage capacity actually used for that purpose within the exporting subbasin or, in the event of direct diversion of water without storage, on the basis of five acre-feet of conservation storage capacity for each acre-foot of water on the average so diverted annually.

“C. Any reservoir storage capacity which is required for the control and utilization of imported waters shall not be accounted as new conservation storage.

“D. Should a transbasin diversion of water of the Arkansas river basin be made in one state for the use and benefit of the other state or both states, the commission shall determine a proper accounting of new conservation storage capacities in each state in accordance with the above principles and with the project uses to be made in that state.

#### “ARTICLE IX

“The states of Kansas and Oklahoma mutually agree to: A. The principle of individual state effort to abate man-made pollution within each state's respective borders, and the continuing support of both states in an active pollution-abatement program;

“B. The cooperation of the appropriate state agencies in Kansas and Oklahoma to investigate and abate sources of alleged interstate pollution within the Arkansas river basin whenever such matters are called to their attention by the commission;

“C. Enter into joint programs for the identification and control of sources of natural pollution within the Arkansas river basin which the commission finds are of interstate significance;

“D. The principle that neither state may require the other to provide water for the purpose of water-quality control as a substitute for adequate waste treatment;

“E. Utilize the provisions of the federal water pollution control act in the resolution of any pollution problems which cannot be resolved within the provisions of this compact.

#### “ARTICLE X

“A. There is hereby created an interstate administrative agency to be known as the ‘Kansas-Oklahoma Arkansas river commission.’ The commission shall be composed of three commissioners representing each of the states of Kansas and Oklahoma who shall be appointed by the governors of the respective states and, if designated by the president, one commissioner representing the United States. The president is hereby requested to designate a commissioner and an alternate representing the United States. The federal commissioner, if one be designated, shall be the presiding officer of the commission, but shall not have the right to vote in any of the deliberations of the commission.

“B. One Kansas commissioner shall be the state official who now or hereafter shall be responsible for administering water law in the state; the other two commissioners shall reside in the Arkansas river basin in Kansas and shall be appointed to four-year staggered terms.

“C. One Oklahoma commissioner shall be the state official who now or hereafter shall be responsible for administering water law in the state; the other two commissioners shall reside in the Arkansas river

basin in Oklahoma and shall be appointed to four-year staggered terms.

"D. A majority of the commissioners of each state and the commissioner or his alternate representing the United States, if so designated, must be present to constitute a quorum. In taking any commission action, each signatory state shall have a single vote representing the majority opinion of the commissioners of that state.

"E. The salaries and personal expenses of each commissioner shall be paid by the government which he represents. All other expenses which are incurred by the commission incident to the administration of this compact shall be borne equally by the two states and shall be paid by the commission out of the 'Kansas-Oklahoma Arkansas river commission fund.' Such fund shall be initiated and maintained by equal payments of each state into the fund. Disbursements shall be made from said fund in such manner as may be authorized by the commission. Such fund shall not be subject to the audit and accounting procedures of the states; however, all receipts and disbursements of funds handled by the commission shall be audited by a qualified independent public accountant at regular intervals, and the report of such audit shall be included in and become a part of the annual report of the commission.

#### "ARTICLE XI

"A. The commission shall have the power to: (1) Employ such engineering, legal, clerical and other personnel as in its judgment may be necessary for the performance of its functions under the compact;

"(2) Enter into contracts with appropriate state or federal agencies for the collection, correlation, and presentation of factual data, for the maintenance of records, and for the preparation of reports;

"(3) Establish and maintain an office for the conduct of its affairs;

"(4) Adopt rules and regulations governing its operations;

"(5) Cooperate with federal agencies in developing principles, consistent with the provisions of this compact and with federal policy, for the storage and release of water from all-federal capacities of federal reservoirs, both existing and future within the Arkansas river basin, for the purpose of assuring their operation in the best interests of the states and the United States;

"(6) Permit either state, with the consent of the proper operating agency, to impound water, for such periods of time deemed necessary or desirable by the commission, in available reservoir storage capacity which is not designated as conservation or new conservation storage capacity for subsequent release and use for any purpose approved by the commission;

"(7) Hold hearings and take testimony and receive evidence at such times and places as it deems necessary;

"(8) Secure from the head of any department or agency of the federal or state government such information, suggestions, estimates and statistics as it may need or believe to be useful for carrying out its functions and as may be available to or procurable by the department or agency to which the request is addressed;

"(9) Print or otherwise reproduce and distribute all of its proceedings and reports.

"B. The commission shall: (1) Cause to be established, maintained and operated such stream, reservoir, or other gaging stations as may be necessary for the proper administration of the compact;

"(2) Collect, analyze and report on data as to stream flows, water quality, conservation storage, and such other information as is necessary for the proper administration of the compact;

Report to President.

"(3) Perform all other functions required of it by the compact and do all things necessary, proper or convenient in the performance of its duties thereunder;

"(4) Prepare and submit an annual report to the governor of such signatory state and to the president of the United States covering the activities of the commission for the preceding fiscal year, together with an accounting of all funds received and expended by it in the conduct of its work;

"(5) Prepare and submit to the governor of each of the states of Kansas and Oklahoma an annual budget covering the anticipated expenses of the commission for the following fiscal year;

"(6) Make available to the governor or any state agency of either state or to any authorized representatives of the United States, upon request, any information within its possession.

#### "ARTICLE XII

"A. Recognizing the present limited uses of the available water supplies of the Arkansas river basin in the two states and the uncertainties of their ultimate water needs, the states of Kansas and Oklahoma deem it imprudent and inadvisable to attempt at this time to make final allocations of the new conservation storage capacity which may ultimately be required in either state, and, by the limitations on storage capacity imposed herein, have not attempted to do so. Accordingly, after the expiration of 25 years following the effective date of this compact, the commission may review any provisions of the compact for the purpose of amending or supplementing the same, and shall meet for the consideration of such review on the request of the commissioners of either state; provided, that the provisions hereof shall remain in full force and effect until changed or amended by unanimous action of the states acting through their commissioners and until such changes are ratified by the legislatures of the respective states and consented to by the congress in the same manner as this compact is required to be ratified to become effective.

"B. This compact may be terminated at any time by the appropriate action of the legislatures of both signatory states.

"C. In the event of amendment or termination of the compact, all rights established under the compact shall continue unimpaired.

#### "ARTICLE XIII

"Nothing in this compact shall be deemed: A. To impair or affect the powers, rights or obligations of the United States, or those claiming under its authority, in, over and to the waters of the Arkansas River Basin;

"B. To interfere with or impair the right or power of either signatory state to regulate within its boundaries the appropriation, use and control of waters within that state not inconsistent with its obligations under this compact.

#### "ARTICLE XIV

"If any part or application of this compact should be declared invalid by a court of competent jurisdiction, all other provisions and applications of this compact shall remain in full force and effect.

#### "ARTICLE XV

"This compact shall become binding and obligatory when it shall have been ratified by the legislatures of each state and consented to by the congress of the United States, and when the congressional act con-

senting to this compact includes the consent of congress to name and join the United States as a party in any litigation in the United States supreme court, if the United States is an indispensable party, and if the litigation arises out of this compact or its application, and if a signatory state is a party thereto. Notice of ratification by the legislature of each state shall be given by the governor of that state to the governor of the other state and to the president of the United States and the president is hereby requested to give notice to the governor of each state of consent by the congress of the United States.

"IN WITNESS WHEREOF, The authorized representatives have executed three counterparts hereof each of which shall be and constitute an original, one of which shall be deposited in the archives of the department of state of the United States, and one of which shall be forwarded to the governor of each state.

"DONE at the City of Wichita, state of Kansas, this 31st day of March, A.D. 1965

"APPROVED:

"ROBERT L. SMITH,

"WARDEN L. NOE,

"Compact Representatives for the state of Kansas.

"GEO. R. BENZ,

"FRANK RAAB,

"Compact Representatives for the state of Oklahoma.

"TRIGG TWICHELL,

"Representative of the United States."

(b) In order to carry out the purposes of this section, and the purposes of article XV of this compact consented to by Congress by this section, the congressional consent to this compact includes and expressly gives the consent of Congress to have the United States of America named and joined as a party litigant in any litigation in the United States Supreme Court, if the United States of America is an indispensable party to such litigation, and if the litigation arises out of this compact, or its application, and if a signatory State to this compact is a party litigant, in the litigation.

(c) The right to alter, amend, or repeal this section is expressly reserved.

SEC. 108. (a) Subsection (b) of the first section of the Act entitled "An Act authorizing the city of Rock Island, Illinois, or its assigns, to construct, maintain, and operate a toll bridge across the Mississippi River at or near Rock Island, Illinois, and to a place at or near the city of Davenport, Iowa," approved March 18, 1938 (52 Stat. 110), as amended, is amended by striking out the comma after "foregoing" and inserting in lieu thereof the following: "(1) the construction of an additional span to increase the capacity of the bridge and (2)".

(b) Subsection (c) of the first section of such Act of March 18, 1938, as amended, is amended by inserting before the period at the end thereof a comma and the following: "except that the construction of an additional span authorized as part of such reconstruction, enlargement, and extension shall be commenced not later than April 1, 1970, and shall be completed within three years after such date".

(c) Nothing in this section or the amendments made by this section shall be construed to interfere with or delay future construction of a properly authorized bridge over the Mississippi River at or near the city of Davenport, Iowa.

SEC. 109. (a) The consent of Congress is hereby granted to Duke Power Company, its successors and assigns, to construct, maintain, and operate a dam with overflow spillway crest at elevation 475 mean sea level across Savannah River between Anderson County, South Carolina, and Elbert County, Georgia, near Middleton Shoals, and

Rock Island, Ill.,  
toll bridge.

70 Stat. 520.

72 Stat. 582.

Duke Power Co.,  
construction of  
dam.

about two hundred and ninety-seven miles above the mouth of said river, for the purpose of providing a pool for condenser water for a steam-electric plant. Construction on such dam shall not be commenced until the plans therefor have been submitted to and approved by the Chief of Engineers, United States Army, and by the Secretary of the Army, and when such plans have been approved by the Chief of Engineers and by the Secretary of the Army, there shall be no deviation from such plans either before or after completion of said dam unless the modification of such plans has previously been submitted to and approved by the Chief of Engineers and the Secretary of the Army. In approving the plans for said dam such conditions and stipulations may be imposed as the Chief of Engineers and the Secretary of the Army may deem necessary to protect the present and future interest of the United States. Nothing in this section shall be construed to authorize the use of such dam to develop water power or generate hydroelectric energy. The grantee and its successors shall hold and save the United States free from all claims arising from damage which may be sustained by the dam authorized in this section, or damage sustained by the appurtenances of the said dam, by reason of the future construction and operation by the United States of Hartwell Dam and Reservoir or the Trotters Shoals Dam and Reservoir authorized in section 203 of this Act, or any other Federal project upstream or downstream from the dam authorized by this section. In order to make feasible the dam and steam-electric generating plant which Duke Power Company intends to construct, it is hereby expressly provided that, should such dam and plant be constructed, (1) no existing or future unit at Hartwell Reservoir will be operated to pump water from below Hartwell Dam back to Hartwell Reservoir, and (2) a volume of water per week equal to at least an average flow of one thousand five hundred cubic feet per second shall be discharged from Hartwell Reservoir. The Secretary of the Army, upon his finding that such discharges result in damages to Hartwell Reservoir, and after giving the company reasonable notice and opportunity to be heard, shall determine and fix a reasonable and equitable annual charge to be paid by the company to the United States as compensation for such damages.

(b) The authority granted by this section shall cease and be deemed null and void unless the actual construction of the dam authorized by this section is commenced within twelve years and completed within fifteen years from the date of enactment of this Act. The authority granted by this section shall not be deemed a bar to, or grounds for delaying, the construction of the Trotters Shoals project authorized in section 203 of this Act.

(c) The right to alter, amend, or repeal this section is hereby expressly reserved.

SEC. 110. The Secretary of the Army, acting through the Chief of Engineers, is hereby authorized and directed, in order to reduce future maintenance costs of the authorized navigation project for Johns Pass, Pinellas County, Florida, to provide suitable protective measures over a frontage of approximately one thousand linear feet of shore along the north end of Treasure Island, at an estimated first cost for construction of approximately \$100,000. Local interests shall contribute in cash 40 per centum of the first cost of construction; provide necessary lands, easements, and rights-of-way for construction and subsequent maintenance of the project; hold and save the United States free from damages that may be attributed to the project; bear all costs exceeding \$500,000 Federal cost for the complete project, including the navigation channel. Local interests may be reimbursed

*Post*, p. 1420.

Johns Pass,  
Pinellas County,  
Fla.  
Navigation project.

for such protective measures as they may undertake in accordance with plans approved by the Chief of Engineers, subject to the above limitations. Funds authorized to carry out section 107 of the River and Harbor Act of 1960, as amended, shall be available to carry out this section.

SEC. 111. (a) The Secretary of the Interior is hereby authorized to provide for the construction, maintenance, and operation of a bridge, with visitor facilities, over the Washington Channel, from the vicinity of Tenth Street Southwest to East Potomac Park in Washington, District of Columbia. The structure may be so designed and constructed as to provide facilities for the accommodation of visitors to the Nation's Capital area, and to provide convenient and adequate access to East Potomac Park.

(b) The Secretary may obtain and use such lands or interests therein owned, controlled, or administered by the District of Columbia, the District of Columbia Redevelopment Land Agency, the Corps of Engineers, or any other Government agency, with the prior consent of such agency or agencies, as he shall consider necessary for the construction and operation of said bridge, without cost or reimbursement. Before construction is commenced, the location and plans for the bridge shall be approved by the Chief of Engineers and the Secretary of the Army subject to such conditions as they may prescribe, in accordance with section 502(b) of the General Bridge Act of 1946 (33 U.S.C. 525b).

(c) The Secretary is authorized to enter into appropriate arrangements for the construction and operation of the bridge in accordance with the authority contained in section 3 of the Act of August 25, 1916 (39 Stat. 535), as amended, except that any such arrangements need not be limited to a maximum term of thirty years. The bridge, at all times, shall be under the jurisdiction of the Secretary of the Interior, and shall be administered, operated, maintained, and policed as a part of the park system of the National Capital.

(d) The Secretary of the Interior shall cooperate with other Federal and local agencies with respect to the construction and operation of the bridge by him and the construction and operation of associated facilities by such other Federal and local agencies including the District of Columbia Redevelopment Land Agency which shall enter into appropriate arrangements by negotiation or public bid to (i) lease all or part of the land bounded by Maine Avenue, Ninth Street and the Southwest Freeway, Southwest, to provide for the construction, maintenance and operation of a structured automobile parking facility designed to accommodate visitors to East Potomac Park and (ii) provide for the construction of (a) a public park or overlook, which park is to be maintained and operated by the National Park Service; and (b) roads providing access to the Tenth Street Mall from the Southwest Freeway and to and from Ninth Street, Southwest, which roads shall be maintained and operated by the District of Columbia. Any lease of the aforementioned area, executed by the District of Columbia Redevelopment Land Agency, shall provide appropriate easements for the construction, maintenance and operation of the aforesaid public park and roadways. Local agencies may enter into arrangements with the person, persons, corporation or corporations, as the Secretary may select pursuant to subsection (c) hereof for the construction and operation of necessary associated facilities otherwise authorized.

(e) (1) There is hereby established an advisory committee, which shall be composed of the Chairman, National Capital Planning Commission; the Chairman, Commission of Fine Arts; the President, Board of Commissioners of the District of Columbia; the Chief of Engineers, United States Army; the Chairman, District of Columbia

74 Stat. 486;  
79 Stat. 1095.  
33 USC 577.  
Washington Channel bridge and facilities.

60 Stat. 847.  
33 USC 525.

16 USC 3.

Advisory committee.  
Membership.

Redevelopment Land Agency; and three members to be appointed by the Secretary of the Interior from among the residents of the Metropolitan Washington area. The ex-officio members of the Committee may be represented by their designees.

(2) Members of the Committee shall serve without compensation, but the Secretary is authorized to pay any expenses reasonably incurred by the Committee in carrying out its responsibilities under this section.

(3) The Secretary shall designate one member of the Committee to be Chairman. The Committee shall act and advise by the affirmative vote of a majority of its members.

(4) The Secretary or his designee shall, from time to time, consult with and obtain the advice of the Committee with respect to matters relating to the design, construction, and operation of the bridge and any associated facilities.

(f) The construction and operation of the bridge shall be at no expense to the Federal Government, and there are hereby authorized to be appropriated such sums as may be necessary for maintenance of the bridge and to carry out the other purposes of this section.

Tallapoosa,  
River, Ala., dam.

SEC. 112. The authorization of the comprehensive plan for the Alabama-Coosa River and tributaries, as provided in the River and Harbor Act, approved March 2, 1945 (59 Stat. 10), as amended, insofar as it authorizes a development of the Crooked Creek site on the Tallapoosa River in Randolph County, Alabama, for electric power and other public purposes is hereby suspended to permit the development of the Tallapoosa River and tributaries by construction, operation, and maintenance of a dam located not more than fifteen miles below the confluence of the Tallapoosa and Little Tallapoosa Rivers and by other project works in accordance with the conditions of a license, if issued, pursuant to the provisions of the Federal Power Act (16 U.S.C. 791(a)). If no application for license is made within two years after the date of the enactment of this section, or upon an order of the Federal Power Commission becoming final denying the application or applications for a license made within such two-year period, the authorization relating to the Crooked Creek site provided for in the Act, approved March 2, 1945 (59 Stat. 10), shall have the same status as it would have had if this section had not been enacted.

41 Stat. 1063.  
16 USC 791a.

Citation of title.

SEC. 113. Title I of this Act may be cited as the "River and Harbor Act of 1966".

## TITLE II—FLOOD CONTROL

SEC. 201. Section 3 of the Act approved June 22, 1936 (Public Law Numbered 738, Seventy-fourth Congress), as amended by section 2 of the Act approved June 28, 1938 (Public Law Numbered 761, Seventy-fifth Congress), shall apply to all works authorized in this title except that for any channel improvement or channel rectification project, provisions (a), (b), and (c) of section 3 of said Act of June 22, 1936, shall apply thereto, except as otherwise provided by law. The authorization for any flood control project authorized by this Act requiring local cooperation shall expire five years from the date on which local interests are notified in writing by the Secretary of the Army or his designee of the requirements of local cooperation, unless said interests shall within said time furnish assurances satisfactory to the Secretary of the Army that the required cooperation will be furnished.

SEC. 202. The provisions of section 1 of the Act of December 22, 1944 (Public Law Numbered 534, Seventy-eighth Congress, second session), shall govern with respect to projects authorized in this Act, and the procedures therein set forth with respect to plans, proposals,

49 Stat. 1571.  
33 USC 701c.

52 Stat. 1215.  
33 USC 701c-1.

58 Stat. 887.  
33 USC 701-1.

or reports for works of improvement for navigation or flood control and for irrigation and purposes incidental thereto shall apply as if herein set forth in full.

SEC. 203. The following works of improvement for the benefit of navigation and the control of destructive floodwaters and other purposes are hereby adopted and authorized to be prosecuted under the direction of the Secretary of the Army and the supervision of the Chief of Engineers in accordance with the plans in the respective reports hereinafter designated and subject to the conditions set forth therein. The necessary plans, specifications, and preliminary work may be prosecuted on any project authorized in this title with funds from appropriations hereafter made for flood control so as to be ready for rapid inauguration of a construction program. The projects authorized in this title shall be initiated as expeditiously and prosecuted as vigorously as may be consistent with budgetary requirements. Penstocks and similar facilities adapted to possible future use in the development of hydroelectric power shall be installed in any dam authorized in this Act for construction by the Department of the Army when approved by the Secretary of the Army on the recommendation of the Chief of Engineers and the Federal Power Commission.

Projects.

## MERRIMACK RIVER BASIN

The project for North Nashua River, Massachusetts, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 113, Eighty-ninth Congress, at an estimated cost of \$15,816,000.

The project for flood protection on the Sudbury River at Saxonville, Massachusetts, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 61, Eighty-ninth Congress, at an estimated cost of \$1,300,000.

## LONG ISLAND SOUND

The project for flood protection on the Pequonnock River, Connecticut, is hereby authorized substantially as recommended by the Chief of Engineers in Senate Document Numbered 115, Eighty-ninth Congress, at an estimated cost of \$5,000,000.

## MIDDLE ATLANTIC COASTAL AREA

The project for hurricane-flood control protection at Beaufort Inlet to Bogue Inlet, North Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 479, Eighty-ninth Congress, at an estimated cost of \$320,000.

The project for hurricane-flood control protection at Bogue Inlet to Moore Inlet, North Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 480, Eighty-ninth Congress, at an estimated cost of \$1,249,000.

The project for hurricane-flood control protection from Cape Fear to the North Carolina-South Carolina State line, North Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 511, Eighty-ninth Congress, at an estimated cost of \$12,310,000.

The project for hurricane-flood control protection for Mainland Areas, North Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House

Document Numbered 475, Eighty-ninth Congress, at an estimated cost of \$2,048,000.

The project for hurricane-flood control protection for the Outer Banks—Virginia State line to Hatteras, North Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 476, Eighty-ninth Congress, at an estimated cost of \$6,652,000.

#### SAVANNAH RIVER BASIN

The project for construction of the Trotters Shoals Reservoir on the Savannah River, Georgia and South Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 52, Eighty-ninth Congress, at an estimated cost of \$84,900,000. Nothing in this Act shall be construed to authorize inclusion of pumped storage power in this project.

#### LOWER MISSISSIPPI RIVER BASIN

Project modification.  
33 USC 702a-  
702m.  
79 Stat. 1073.

The project for flood control and improvement of the lower Mississippi River, adopted by the Act of May 15, 1928 (45 Stat. 534) as amended and modified by subsequent Acts of Congress, including the Flood Control Act of 1965 (Public Law 89-298), is hereby further modified and expanded to include the following items:

(1) The project for flood protection in the Teche-Vermilion Basins, Louisiana, substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 524, Eighty-ninth Congress, at an estimated cost of \$5,100,000.

(2) Bank revetment for the protection of existing industrial facilities along the river below Baton Rouge, Louisiana, where, in the discretion of the Chief of Engineers, such bank protection is justified.

#### ARKANSAS AND RED RIVERS

The project for water quality control in the Arkansas and Red River Basin, Texas, Oklahoma, and Kansas, designated as Part I is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 110, Eighty-ninth Congress, at an estimated cost of \$46,400,000. Actual construction of the part I works shall not be initiated until the related and supporting works of part II have been authorized by Congress.

#### OUACHITA RIVER BASIN

The project for Bayou Bartholomew, Arkansas and Louisiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 506, Eighty-ninth Congress, at an estimated cost of \$9,860,000.

79 Stat. 1077.

The project for flood protection on the Ouachita River at Monroe, Louisiana, authorized in section 204 of the Flood Control Act of 1965, is hereby modified to provide for construction in accordance with plan B in House Document Numbered 328, Eighty-eighth Congress, at an estimated cost of \$1,160,000.

#### UPPER MISSISSIPPI RIVER BASIN

The project for flood protection on the Mississippi River between river mile 195 and mile 300, Illinois and Missouri, is hereby authorized substantially in accordance with the recommendations of the Chief of

Engineers in House Document Numbered 510, Eighty-ninth Congress, at an estimated cost of \$7,193,000.

#### OHIO RIVER BASIN

The project for Little Sandy River and Tygarts Creek, Kentucky, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 517, Eighty-ninth Congress, at an estimated cost of \$15,000,000.

The project for Taylorsville Reservoir, Salt River, Kentucky, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 502, Eighty-ninth Congress, at an estimated cost of \$24,800,000.

The project for Stonewall Jackson Reservoir, West Fork River, West Virginia, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 109, Eighty-ninth Congress, at an estimated cost of \$34,500,000.

#### MERAMEC RIVER BASIN

The project for flood protection and other purposes in the Meramec River Basin, Missouri, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 525, Eighty-ninth Congress, at an estimated cost of \$45,971,000: *Provided*, That construction of this project shall not be initiated until the President has approved a report prepared by the Secretary of the Army reexamining the basis on which the project was formulated and the arrangements for cost sharing.

Presidential approval of report.

#### GREAT LAKES BASIN

The project for flood protection on the Maumee River at Ottawa, Ohio, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 485, Eighty-ninth Congress, at an estimated cost of \$3,413,000.

The project for flood protection on Red Creek, Monroe County, New York, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 107, Eighty-ninth Congress, at an estimated cost of \$1,430,000.

#### PAJARO RIVER BASIN

The project for flood protection on the Pajaro River, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 491, Eighty-ninth Congress, at an estimated cost of \$11,890,000.

#### KLAMATH RIVER BASIN

The project for flood protection on the Klamath River at and in the vicinity of Klamath, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 478, Eighty-ninth Congress, at an estimated cost of \$2,460,000.

#### COLUMBIA RIVER BASIN

The project for flood protection on the Boise River, vicinity of Boise, Idaho, is hereby authorized substantially in accordance with the rec-

ommendations of the Chief of Engineers in House Document Numbered 486, Eighty-ninth Congress, at an estimated cost of \$1,576,000.

#### SACRAMENTO RIVER BASIN

The project for Marysville Dam and Reservoir, Yuba River Basin, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 501, Eighty-ninth Congress, at an estimated cost of \$132,900,000.

#### RUSSIAN RIVER BASIN

The project for Knights Valley, Russian River Basin, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 518, Eighty-ninth Congress, at an estimated cost of \$166,800,000.

#### SKAGIT RIVER BASIN

The project for flood protection on the Skagit River, Washington, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 483, Eighty-ninth Congress, at an estimated cost of \$5,804,000.

San Francisco  
Bay area.  
76 Stat. 1191.

SEC. 204. The second paragraph under the heading "San Francisco Bay Area" in section 203 of the Flood Control Act of 1962 is hereby amended to read as follows:

"The project for Corte Madera Creek, Marin County, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 545, Eighty-seventh Congress, at an estimated cost of \$7,790,000. Local interests shall contribute in cash 1.5 per centum of the Federal construction cost of the Ross Valley Unit, a contribution presently estimated at \$110,000."

Libby Dam and  
Reservoir project,  
Mont.  
School facilities.

SEC. 205. The Secretary of the Army acting through the Chief of Engineers is authorized to provide such school facilities as he may deem necessary for the education of dependents of persons engaged on the construction of the Libby Dam and Reservoir project, Montana, and to pay for the same from any funds available for such project. When he determines it to be in the public interest, the Secretary, acting through the Chief of Engineers, may enter into cooperative arrangements with local agencies for the operation of such Government facilities, for the expansion of local facilities at Federal expense, and for contributions by the Federal Government to cover the increased cost to local agencies of providing the educational services required by the Government.

Flood hazards,  
etc., studies.  
33 USC 709a.

SEC. 206. Section 206 of the Flood Control Act of 1960 (74 Stat. 500) is amended to read as follows:

"SEC. 206. (a) In recognition of the increasing use and development of the flood plains of the rivers of the United States and of the need for information on flood hazards to serve as a guide to such development, and as a basis for avoiding future flood hazards by regulation of use by States and political subdivisions thereof, and to assure that Federal departments and agencies may take proper cognizance of flood hazards, the Secretary of the Army, through the Chief of Engineers, is hereby authorized to compile and disseminate information on floods and flood damages, including identification of areas subject to inundation by floods of various magnitudes and frequencies, and general criteria for guidance of Federal and non-Federal interests and agencies in the use of flood plain areas; and to provide advice

to other Federal agencies and local interests for their use in planning to ameliorate the flood hazard. Surveys and guides will be made for States and political subdivisions thereof only upon the request of a State or a political subdivision thereof, and upon approval by the Chief of Engineers, and such information and advice provided them only upon such request and approval.

“(b) The Secretary of the Army is authorized to expend not to exceed \$7,000,000 per fiscal year for the compilation and dissemination of information under this section.”

Appropriation.

SEC. 207. The project for the improvement of the Mississippi River below Cape Girardeau with respect to the West Tennessee tributaries, authorized in the Flood Control Act of 1948, is hereby modified to provide that the Secretary of the Army, acting through the Chief of Engineers, shall, subsequent to enactment of this Act, relocate at Federal expense all gas transmission lines required to be relocated by this project, or at his discretion, reimburse local interests for such relocations made by them.

West Tennessee tributaries.  
Gas lines, relocation.  
62 Stat. 1178.

SEC. 208. Section 2 of the Act of June 28, 1879 (21 Stat. 37; 33 U.S.C. 642), is amended (1) by inserting in the third sentence thereof after “and the commissioners appointed under this Act” a comma and the following: “except those appointed from civil life,” and (2) by adding at the end thereof the following new sentence: “Each commissioner appointed from civil life after the date of enactment of this section shall be appointed for a term of nine years.”

Mississippi River commissioners, appointment, etc.

SEC. 209. The Secretary of the Army is hereby authorized and directed to cause surveys for flood control and allied purposes, including channel and major drainage improvements, and floods aggravated by or due to wind or tidal effects, to be made under the direction of the Chief of Engineers, in drainage areas of the United States and its territorial possessions, which include the localities specifically named in this section. After the regular or formal reports made on any survey authorized by this section are submitted to Congress, no supplemental or additional report or estimate shall be made unless authorized by law except that the Secretary of the Army may cause a review of any examination or survey to be made and a report thereon submitted to Congress, if such review is required by the national defense or by changed physical or economic conditions.

Surveys for flood control and allied purposes.

Watersheds and streams of Puerto Rico and the Virgin Islands, with respect to a framework plan for developing water resources of the region.

Reports to Congress.

Watersheds and streams within the alluvial valley of the Mississippi River below Cairo, Illinois, with respect to a framework plan for developing water resources of the region.

Watersheds and streams draining into the Great Lakes including the lake areas within the United States, and into the St. Lawrence River at points within the United States with respect to a framework plan for developing water resources of the region.

The Souris River and the Red River of the north and tributaries within the United States, including adjacent streams in Minnesota draining into Canada, with respect to a framework plan for developing water resources of the region.

The Arkansas, White, and Red Rivers and tributaries, exclusive of their drainage lying in the alluvial valley of the Mississippi River, with respect to a framework plan for developing water resources of the region.

Watersheds and streams and their tributaries which drain into the Gulf of Mexico along the coastline of Texas, exclusive of the Rio

Grande River, with respect to a framework plan for developing water resources of the region.

Watersheds and streams of Hawaii, with respect to a framework plan for developing water resources of the region.

Watersheds and streams of Alaska, with respect to a framework plan for developing water resources of the region.

Great South Bay, New York, including the waters of adjoining lesser bays and inlets with respect to water utilization and control. Such investigations and study shall include, but not be limited to, navigation, fisheries, flood control, control of noxious weeds, water pollution, water quality control, beach erosion, and recreation.

Cibolo Creek, in and near the community of Presidio, Texas.

Pacific Palisades Area at and in the vicinity of Los Angeles County, California, study of landslides, soil erosion, surface and subsurface drainage conditions, flood control and seismic disturbances. Such study to be made in cooperation with the United States Geological Survey of the Department of the Interior.

Spring Valley Creek, Sweetwater River, California.

SEC. 210. The last sentence of the first paragraph under the heading "Lower Mississippi River Basin" in section 204 of the Flood Control Act of 1965 is hereby amended to read as follows: "The monetary authorization for the lower Mississippi River project authorized by this Act shall be combined with the overall monetary authorization heretofore made available for prosecution of the entire lower Mississippi River and tributaries project and be available for application to any portion of the entire project."

SEC. 211. The Secretary of the Army shall reimburse any common carrier by railroad for the cost of protective works constructed by such carrier during the year 1966 along the banks of the Eel River, California, to deter recurrence of damage to land banks by floods or high waters, but such reimbursement shall not exceed \$1,200,000.

SEC. 212. Title II of this Act may be cited as the "Flood Control Act of 1966".

Approved November 7, 1966.

## Public Law 89-790

### AN ACT

To authorize a study of facilities and services to be furnished visitors and students coming to the Nation's Capital.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby created a Study Commission which shall make a full and complete investigation and study of sites and plans to provide facilities and services for visitors and students coming to the Nation's Capital. Such study may include provision for the following activities and services:

(1) exhibits, lectures, films, and displays for informing, instructing, and orienting visitors respecting the history, growth, development of the Nation, the Nation's Capital, and the organization and operation of the Federal Government in all its branches;

(2) exhibits and displays by the individual States, territories, possessions, and the District of Columbia with respect to their history, resources, scenic attractions, and other appropriate matters:

Lower Missis-  
sippi.  
Availability of  
funds.  
79 Stat. 1077.

Eel River, Calif.,  
reimbursement for  
protective works.

Citation of title.

November 7, 1966  
[H. R. 14604]

Nation's Capital,  
visitors facilities.  
Study Commis-  
sion.

(3) providing information and assistance to visitors to facilitate their enjoyment and appreciation of the Nation's Capital and its historic and cultural resources;

(4) providing specialized information and assistance to foreign visitors to facilitate and encourage their travel throughout the United States;

(5) providing special services to visiting student groups, including scheduling, registration, and coordination of tours; and

(6) providing auxiliary services such as parking, local transportation, and information centers at strategic locations necessary for the convenience of visitors.

SEC. 2. (a) The Study Commission shall be composed of the Secretary of the Interior, the Administrator of General Services, the Secretary of the Smithsonian Institution, the Chairman of the Council on the Arts and Humanities, the Chairman of the National Capital Planning Commission, the Chairman of the Commission of Fine Arts, six Members of the Senate, three from each party, to be appointed by the President of the Senate, and six Members of the House of Representatives, three from each party, to be appointed by the Speaker of the House of Representatives, and three additional members appointed by the President, at least two of whom shall not be officers of the Federal Government. Non-Federal members shall serve at the pleasure of the President. The Secretary of the Interior shall be the Chairman of the Study Commission. The Study Commission shall meet at the call of the Chairman.

(b) Members of the Study Commission who are not officers or employees of the Federal or District Government shall be entitled to receive compensation in accordance with section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), and travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b-z) for persons in the Government service employed intermittently.

(c) The Director of the National Park Service, in consultation with the Administrator of the General Services Administration shall provide necessary staff and facilities to assist the Commission in carrying out its duties under this Act.

SEC. 3. The Commission shall report the results of its study and investigation to Congress not later than September 15, 1967. Such report shall include its recommendations as to a site or sites for the facilities to be provided together with preliminary plans, specifications, and architectural drawings for such facilities and the estimated cost of the recommended sites and facilities.

SEC. 4. There is authorized to be appropriated not to exceed \$60,000 to carry out this Act.

Approved November 7, 1966.

Members.

Compensation.

60 Stat. 810.

Report to Congress.

Appropriation.

## Public Law 89-791

## AN ACT

November 7, 1966  
[H. R. 16958]

To authorize the establishment in the District of Columbia of a public college of arts and sciences and a vocational and technical institute.

District of Co-  
lumbia Public  
Education Act.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "District of Columbia Public Education Act".

## TITLE I—FEDERAL CITY COLLEGE

## Definitions.

SEC. 101. As used in this title—

(1) The term "Federal City College" means the public college of arts and sciences established pursuant to this title. Such college shall be organized and administered to provide (A) a four-year program in the liberal arts and sciences acceptable toward a bachelor of arts degree, including courses in teacher education; (B) a two-year program (i) which is acceptable for full credit toward a bachelor's degree or for a degree of associate in arts, and which may include courses in business education, secretarial training, and business administration, or (ii) in engineering, mathematics or the physical and biological sciences which is designed to prepare a student to work as a technician or at a semiprofessional level in engineering, sciences, or other technical fields which require the understanding and application of basic engineering, scientific, or mathematical principles or knowledge; (C) educational programs of study as may be acceptable for a master's degree; and (D) courses on an individual, noncredit basis to those desiring to further their education without seeking a degree.

(2) The term "Commissioners" means the Board of Commissioners of the District of Columbia.

(3) The term "Board" means the Board of Higher Education established in section 102 of this title.

(4) The term "Board of Education" means the Board of Education of the District of Columbia established by section 2 of the Act of June 30, 1906 (D.C. Code, sec. 31-101).

34 Stat. 316;  
45 Stat. 1139;  
71 Stat. 340.

Control by Board  
of Higher Educa-  
tion.

SEC. 102. (a) The Federal City College shall be under the control of a Board of Higher Education, which shall consist of nine members of whom not less than five shall have been residents of the District of Columbia for a period of not less than three years immediately prior to their appointments. The members of the Board (including all members appointed to fill vacancies on such Board) shall be appointed by the Commissioners. The members of the Board shall select a chairman from among their number. Such members shall be appointed for terms of three years; except that the terms of office of the members first taking office shall expire, as designated by the Commissioners at the time of appointment, three at the end of one year, three at the end of two years, and three at the end of three years. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of that term. Members of the Board shall serve without compensation, but may be reimbursed for their travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons serving the Government without compensation.

Ante, p. 499.

Removal for  
cause.

(b) The Commissioner shall have the power to remove any member of the Board at any time for adequate cause, which relates to his character or to his efficiency as a member, after notice and opportunity for hearing.

Personal liabil-  
ity, exemption.

(c) The members of the Board shall not be personally liable in damages for any official action of the Board in which such members

participate, nor shall they be liable for any costs that may be taxed against them or the Board on account of any such official action by them as members of the Board, but such costs shall be charged to the District of Columbia and paid as other costs are paid in suits against the municipality; nor shall the Board or any of its members be required to give any bond or security for costs or damages on any appeal whatever.

SEC. 103. (a) The Board is vested with the following powers and duties:

- (1) To develop detailed plans for and to establish, organize, and operate in the District of Columbia the Federal City College.
- (2) To establish policies, standards, and requirements governing admission, programs, graduation (including the award of degrees) and general administration of the Federal City College.
- (3) To appoint and compensate, without regard to the civil service laws or chapter 51 and subchapter III of chapter 53 of title 5, United States Code, a president for the Federal City College.
- (4) To employ and compensate such officers as it determines necessary for the Federal City College, and such educational employees for the Federal City College as the president thereof may recommend in writing. Such officers and educational employees may be employed and compensated without regard to—
- (A) the civil service laws,
- (B) chapter 51 and subchapter III of chapter 53 of title 5, United States Code (relating to classification of positions in Government service),
- (C) sections 6301 through 6305 and 6307 through 6311 of title 5, United States Code (relating to annual and sick leave for Federal employees),
- (D) chapter 15 and sections 7324 through 7327 of title 5, United States Code (relating to political activities of Government employees),
- (E) section 3323 and subchapter III of chapter 81 of title 5, United States Code (relating to civil service retirement), and
- (F) sections 3326, 3501, 3502, 5531 through 5533, and 6303 of title 5, United States Code (relating to dual pay and dual employment),
- but the employment and compensation of such officers and educational employees shall be subject to—
- (i) sections 7902, 8101 through 8138, and 8145 through 8150 of title 5, United States Code, and sections 292 and 1920 through 1922 of title 18, United States Code (relating to compensation for work injuries),
- (ii) chapter 87 of title 5, United States Code (relating to Government employees group life insurance),
- (iii) chapter 89 of title 5, United States Code (relating to health insurance for Government employees), and
- (iv) sections 1302, 2108, 3305, 3306, 3308 through 3320, 3351, 3363, 3364, 3501 through 3504, 7511, 7512, and 7701 of title 5, United States Code (relating to veteran's preference).
- Subject to the approval of the Commissioners, the compensation schedules for such officers and employees shall be fixed and adjusted from time to time consistent with the public interest and in accordance with rates for comparable types of positions in like institutions of higher education. Salary levels shall be determined based on duties, responsibilities, and qualifications. The Board, upon the recommendations of the president of the college, shall

Powers and duties.

President, appointment.

Ante, pp. 443, 467.

Ante, p. 516.

Ante, pp. 403, 525.

Ante, pp. 422, 564.

Ante, p. 423.

Ante, p. 530.

Ante, pp. 608, 610.

Ante, p. 592.

Ante, p. 599.

Ante, p. 401.

Salary schedules.  
Periodic adjustment.

establish, with the approval of the Commissioners and without regard to the provisions of any other law, retirement and leave systems for such officers and employees which shall be comparable to such systems in like institutions of higher education.

Noneducational  
employees.

(5) To employ and compensate noneducational employees of the Board and of the Federal City College in accordance with—

(A) the civil service laws,

(B) chapter 51 and subchapter III of chapter 53 of title 5, United States Code (relating to classification of positions in government service),

(C) section 3323 and subchapter III of chapter 81 of title 5, United States Code (relating to civil service retirement),

(D) sections 7902, 8101 through 8138, and 8145 through 8150 of title 5, United States Code, and sections 292 and 1920 through 1922 of title 18, United States Code (relating to compensation for work injuries),

(E) chapter 87 of title 5, United States Code (relating to government employees group life insurance),

(F) chapter 89 of title 5, United States Code (relating to health insurance for government employees),

(G) sections 1302, 2108, 3305, 3306, 3308 through 3320, 3351, 3363, 3364, 3501 through 3504, 7511, 7512, and 7701 of title 5, United States Code (relating to veteran's preference), and

(H) any other laws applicable to noneducational employees of the Board of Education.

Tuition.

(6) To fix, from time to time, tuition to be paid by students attending the Federal City College. Tuition charged nonresidents shall be fixed in such amounts as will, to the extent feasible, approximate the cost to the District of Columbia of the services for which such charge is imposed. Receipts from the tuition charged students attending the college shall be deposited to the credit of the General Fund of the District of Columbia.

Fees.

(7) To fix, from time to time, fees to be paid by students attending the Federal City College. Receipts from such fees shall be deposited into a revolving fund in a private depository in the District, which fund shall be available, without fiscal year limitation, for such purposes as the Board shall approve. The Board is authorized to make necessary rules respecting deposits into and withdrawals from such fund.

Appropriation  
estimates.

(8) To transmit annually to the Commissioners estimates of the appropriation required for the Federal City College for the ensuing year.

Trust fund  
account.

(9) To accept services and moneys, including gifts or endowments, from any source whatsoever, for use in carrying out the purposes of this title. Such moneys shall be deposited in the Treasury of the United States to the credit of a trust fund account which is hereby authorized and may be invested and reinvested as trust funds of the District of Columbia. The disbursement of the moneys from such trust funds shall be in such amounts, to such extent, and in such manner as the Board, in its judgment, may determine necessary to carry out the purposes of this title.

(10) To submit to the Commissioners recommendations relating to legislation affecting the administration and programs of the Federal City College.

(11) To make such rules and regulations as the Board deems necessary to carry out the purposes of this title.

(12) To assume control of the District of Columbia Teachers College established pursuant to the Act approved February 25, 1929 (D.C. Code, sec. 31-118), from the Board of Education at such time as may be mutually agreed upon by such Boards and approved by the Commissioners. At such time, the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available or to be made available for such Teachers College are authorized to be transferred to, and brought under the control of, such Board of Higher Education, except that the laboratory schools shall remain under the control and management, and the employees assigned to such schools shall remain subject to the supervision of, the Board of Education. The noneducational employees of the Teachers College at the time the control of such Teachers College is assumed by the Board of Higher Education, shall retain all benefits provided by any law applicable to noneducational employees of the Board of Education, and shall be subject to any benefits provided for noneducational employees of the Board of Higher Education. The educational employees of the Teachers College at the time the control of such College is assumed by the Board of Higher Education shall be subject to the same benefits provided for all educational employees of the Board of Higher Education pursuant to paragraph (4) of this subsection, except that such educational employees may elect, within ninety days of such time, to remain subject to the provisions of the Act entitled "An Act for the retirement of public school teachers in the District of Columbia", approved August 7, 1946 (60 Stat. 875).

D. C. Teachers  
College, transfer.  
45 Stat. 1276.

(13) To provide for the crediting to educational employees of the Teachers College, pursuant to the leave system established for educational employees of the Board of Higher Education under this title, leave accumulated pursuant to the provisions of the District of Columbia Teachers' Leave Act of 1949.

D. C. Code 31-  
721 et seq.

(b) A person shall, at the time of his registration to attend the Federal City College, be considered to be a legal resident of the District of Columbia for purposes of paragraph (6) of subsection (a) if—

63 Stat. 842.  
D. C. Code 31-  
691 note.  
Legal resident.

(1) such person is domiciled in the District of Columbia on the date of such registration and has been so domiciled during all of the three-month period immediately preceding such date; and

(2) in case such person on such date—

(A) has not attained twenty-one years of age,

(B) has not been relieved of the disabilities of minority by order of a court of competent jurisdiction, and

(C) has a living parent or a court-appointed guardian or custodian,

there is domiciled in the District of Columbia on such date an individual who is the parent or court-appointed guardian or custodian of such person, and who has been so domiciled for all of the three-month period immediately preceding such date.

SEC. 104. The Commissioners and the Board of Education may furnish to the Board, upon request of such Board, such space and facilities in private buildings or in public buildings of the government of the District of Columbia, records, information, services, personnel, offices, and equipment as may be available and which are necessary to enable the Board properly to perform its functions under this title.

Space and facil-  
ities.

Fiscal account-  
ability.

SEC. 105. All obligations and disbursements for the purpose of this title shall be incurred, made, and accounted for in the same manner as other obligations and disbursements for the District of Columbia and, except as provided in paragraph (9) of section 103 of this title, under the direction and control of the Commissioners.

45 Stat. 1504.

SEC. 106. (a) Sections 586b-586e of subchapter 1 of chapter 18 of the Act of March 3, 1901 (D.C. Code, secs. 29-415-29-418), is amended (1) by striking out "Board of Education" wherever it appears in such subchapter and by inserting in lieu thereof "Board of Higher Education", and (2) by adding at the end thereof the following new section:

"SEC. 586g. As used in this subchapter, the term 'Board of Higher Education' means the Board of Higher Education established pursuant to title I of the District of Columbia Public Education Act."

Licenses,  
validity.

(b) Nothing contained in the amendment made by this section shall be construed as affecting the validity of any license issued by the Board of Education prior to the date of the enactment of this title.

## TITLE II—WASHINGTON TECHNICAL INSTITUTE

Definitions.

SEC. 201. As used in this title—

(1) The term "Washington Technical Institute" means the vocational and technical school established pursuant to this title. Such institute shall provide (A) vocational and technical education designed to fit individuals for useful employment in recognized occupations; and (B) vocational and technical courses on an individual, non-credit basis.

(2) The term "Commissioners" means the Board of Commissioners of the District of Columbia.

(3) The term "Vocational Board" means the Board of Vocational Education established by section 202 of this title.

(4) The term "Board of Education" means the Board of Education of the District of Columbia established by section 2 of the Act of June 30, 1906 (D.C. Code, sec. 31-101).

34 Stat. 316;  
45 Stat. 1139;  
71 Stat. 340.

Control by Board  
of Vocational  
Education.

SEC. 202. (a) The Washington Technical Institute shall be under the control of a Board of Vocational Education which shall consist of nine members appointed by the President of the United States. Of the nine members, at least six shall be selected from industry. The members of the Vocational Board shall select a chairman from among their own number. The members of the Vocational Board shall be appointed for terms of three years; except that the terms of office of the members first taking office shall expire, as designated by the President at the time of appointment, three at the end of one year, three at the end of two years, and three at the end of three years. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of that term. A vacancy in the Vocational Board shall be filled in the same manner as the original appointment was made. Members of the Vocational Board shall serve without compensation, but may be reimbursed for their travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons serving the Government without compensation.

Ante, p. 499.

Removal for  
cause.

(b) The President of the United States may remove, in accordance with the provisions of this subsection, any member of the Vocational Board for adequate cause affecting his character and efficiency as a

member. If the President determines that, with respect to any such member, there is adequate cause affecting his character and efficiency as a member, the President may appoint a special investigating board, consisting of not more than three members, to consider the matter. The investigating board, in considering such matter, shall hold public hearings and, on the basis thereof, report to the President with respect to their findings of fact and recommendations. Following the receipt by him of such report, the President may remove such member from office.

Report to  
President.

(c) The members of the Vocational Board shall not be personally liable in damages for any official action of the Vocational Board in which such members participate, nor shall they be liable for any costs that may be taxed against them or the Vocational Board on account of any such official action by them as members of the Vocational Board, but such costs shall be charged to the District of Columbia and paid as other costs are paid in suits against the municipality; nor shall the Vocational Board or any of its members be required to give any bond or security for costs or damages on any appeal whatever.

Personal liability,  
exemption.

SEC. 203. (a) The Board is hereby vested with the following powers and duties:

Powers and  
duties.

(1) To develop detailed plans for and to establish, organize, and operate in the District of Columbia the Washington Technical Institute.

(2) To establish policies, standards, and requirements governing admission, programs, graduation (including the award of degrees) and general administration of the Washington Technical Institute.

(3) To appoint and compensate, without regard to the civil service laws or chapter 51 and subchapter III of chapter 53 of title 5, United States Code, a president for the Washington Technical Institute.

President, ap-  
pointment.

(4) To employ and compensate such officers as it determines necessary for the Washington Technical Institute, and such educational employees for the Washington Technical Institute as the president thereof may recommend in writing. Such officers and educational employees may be employed and compensated without regard to—

(A) the civil service laws,

(B) chapter 51 and subchapter III of chapter 53 of title 5, United States Code (relating to classification of positions in Government service),

Ante, p. 443,  
467.

(C) sections 6301 through 6305 and 6307 through 6311 of title 5, United States Code (relating to annual and sick leave for Federal employees),

Ante, p. 516.

(D) chapter 15 and sections 7324 through 7327 of title 5, United States Code (relating to political activities of Government employees),

Ante, pp. 403,  
525.

(E) section 3323 and subchapter III of chapter 81 of title 5, United States Code (relating to civil service retirement), and

Ante, pp. 422,  
564.

(F) sections 3326, 3501, 3502, 5531 through 5533, and 6303 of title 5, United States Code (relating to dual pay and dual employment),

Ante, p. 423.

but the employment and compensation of such officers and educational employees shall be subject to—

(i) sections 7902, 8101 through 8138, and 8145 through 8150 of title 5, United States Code, and sections 292 and 1920

Ante, p. 530.

*Ante*, pp. 608,  
610.

*Ante*, p. 592.

*Ante*, p. 599.

*Ante*, p. 401.

Salary sched-  
ules.  
Periodic ad-  
justment.

Noneducational  
employees.

through 1922 of title 18, United States Code (relating to compensation for work injuries),

(ii) chapter 87 of title 5, United States Code (relating to Government employees group life insurance),

(iii) chapter 89 of title 5, United States Code (relating to health insurance for Government employees), and

(iv) sections 1302, 2108, 3305, 3306, 3308 through 3320, 3351, 3363, 3364, 3501 through 3504, 7511, 7512, and 7701 of title 5, United States Code (relating to veteran's preference).

Subject to the approval of the Commissioners, the compensation schedules for such officers and employees shall be fixed and adjusted from time to time consistent with the public interest and in accordance with rates for comparable types of positions in like technical institutes. Salary levels shall be determined based on duties, responsibilities, and qualifications. The Vocational Board, upon the recommendations of the president of the Washington Technical Institute, shall establish, with the approval of the Commissioner and without regard to the provisions of any other law, retirement and leave systems for such officers and employees which shall be comparable to such systems in like technical institutes.

(5) To employ and compensate noneducational employees of the Vocational Board and the Washington Technical Institute in accordance with—

(A) the civil service laws,

(B) chapter 51 and subchapter III of chapter 53 of title 5, United States Code (relating to classification of positions in Government service),

(C) section 3323 and subchapter III of chapter 81 of title 5, United States Code (relating to civil service retirement),

(D) sections 7902, 8101 through 8138, and 8145 through 8150 of title 5, United States Code, and sections 292 and 1920 through 1922 of title 18, United States Code (relating to compensation for work injuries),

(E) chapter 87 of title 5, United States Code (relating to Government employees group life insurance),

(F) chapter 89 of title 5, United States Code (relating to health insurance for Government employees),

(G) sections 1302, 2108, 3305, 3306, 3308 through 3320, 3351, 3363, 3364, 3501 through 3504, 7511, 7512, and 7701 of title 5, United States Code (relating to veteran's preference), and

(H) any other laws applicable to noneducational employees of the Board of Education.

Tuition.

(6) To fix, from time to time, tuition to be paid by students attending the Washington Technical Institute. Tuition charged nonresidents shall be fixed in such amounts as will, to the extent feasible, approximate the cost to the District of Columbia of the services for which such charge is imposed. Receipts from the tuition charged students attending the institute shall be deposited to the credit of the general fund of the District of Columbia.

Fees.

(7) To fix, from time to time, fees to be paid by students attending the Washington Technical Institute. Receipts from such fees shall be deposited into a revolving fund in a private depository in the District, which fund shall be available, without fiscal year

limitation, for such purposes as the Vocational Board shall approve. The Vocational Board is authorized to make necessary rules respecting deposits into and withdrawals from such fund.

(8) To transmit annually to the Commissioners estimates of the appropriation required for the Washington Technical Institute for the ensuing year.

Appropriation estimates.

(9) To accept services and moneys, including gifts or endowments, from any source whatsoever, for use in carrying out the purposes of the title. Such moneys shall be deposited in the Treasury of the United States to the credit of a trust fund account which is hereby authorized and may be invested and reinvested as trust funds of the District of Columbia. The disbursement of the moneys from such trust funds shall be in such amounts, to such extent, and in such manner as the Vocational Board, in its judgment, may determine necessary to carry out the purposes of this title.

Trust fund account.

(10) To submit to the Commissioners recommendations relating to legislation affecting the administration and programs of the Washington Technical Institute.

(11) To make such rules and regulations as the Vocational Board deems necessary to carry out the purposes of this title.

(b) A person shall, at the time of his registration to attend the Washington Technical Institute, be considered to be a legal resident of the District of Columbia for purposes of paragraph (6) of subsection (a) if—

Legal resident.

(1) such person is domiciled in the District of Columbia on the date of such registration and has been so domiciled during all of the three-month period immediately preceding such date; and

(2) in case such person on such date—

(A) has not attained twenty-one years of age,

(B) has not been relieved of the disabilities of minority by order of a court of competent jurisdiction, and

(C) has a living parent or a court-appointed guardian or custodian,

there is domiciled in the District of Columbia on such date an individual who is the parent or court-appointed guardian or custodian of such person, and who has been so domiciled for all of the three-month period immediately preceding such date.

SEC. 204. The Commissioners and the Board of Education may furnish to the Vocational Board, upon request of such Board, such space and facilities in private buildings or in public buildings of the government of the District of Columbia, records, information, services, personnel, offices, and equipment as may be available and which are necessary to enable the Vocational Board properly to perform its functions under this title.

Space and facilities.

SEC. 205. All obligations and disbursements for the purpose of this title shall be incurred, made, and accounted for in the same manner as other obligations and disbursements for the District of Columbia and, except as provided in paragraph (9) of section 203 of this title, under the direction and control of the Commissioners.

Fiscal accountability.

### TITLE III—AUTHORIZATION OF APPROPRIATIONS

SEC. 301. (a) There is authorized to be appropriated from the revenues of the District of Columbia not to exceed \$50,000,000 to carry out the purposes of titles I and II of this Act. The authorization made

by this subsection shall include any amounts made available pursuant to the amendment made by subsection (b) of this section.

Loan authorization.  
*Ante*, p. 857.

(b) Subsection (b) of the first section of the Act approved June 6, 1958 (D.C. Code, sec. 9-220(b)), is amended—

(1) by striking out “\$250,000,000” in the first sentence and inserting in lieu thereof “\$290,000,000”, and

(2) by inserting immediately before the period at the end of the first sentence the following: “and (3) \$40,000,000 of the principal amount of loans authorized to be advanced pursuant to this subsection shall be utilized to carry out the purposes of titles I and II of the District of Columbia Public Education Act”.

Approved November 7, 1966.

## Public Law 89-792

### AN ACT

To amend the Manpower Development and Training Act of 1962.

November 7, 1966  
[H. R. 16715]

Manpower Development and Training Amendments of 1966.

79 Stat. 76.  
42 USC 2572b.  
42 USC 2572c.

76 Stat. 25;  
77 Stat. 422.  
42 USC 2582.

Referral for training.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That this Act may be cited as the “Manpower Development and Training Amendments of 1966”.

SEC. 2. (a) Section 104(a) of the Manpower Development and Training Act of 1962 (hereinafter referred to as “the Act”) is amended by striking out “1967” and inserting in lieu thereof “1968”.

(b) Section 105 of the Act is amended by striking out “1967” where it appears in the first sentence and inserting in lieu thereof “1968”, and by amending the last sentence thereof to read as follows: “Of the funds appropriated for a fiscal year to carry out this Act, not more than \$300,000 may be used for purposes of this section.”

SEC. 3. (a) Section 202 of the Act is amended by redesignating subsection (c) through (h), and all cross references thereto, as (d) through (i), respectively, and by inserting after subsection (b) the following new subsection:

“(c) The Secretary of Labor shall provide, where appropriate, a special program of testing, counseling, selection, and referral of persons forty-five years of age or older for occupational training and further schooling designed to meet the special problems faced by such persons in the labor market.”

(b) Section 202 of the Act is further amended by striking out the last subsection and inserting in lieu thereof the following new subsections:

“(j) Whenever appropriate, the Secretary of Labor may also refer, for the attainment of basic education and communications and employment skills, those eligible persons who indicate their intention to and will thereby be able to pursue, subsequently or concurrently, courses of occupational training of a type for which there appears to be a reasonable expectation of employment, or who have completed or do not need occupational training but do require such other preparation to render them employable. Such referrals shall be considered a referral for training within the meaning of this Act.

“(k) The Secretary of Labor may enter into an agreement with the Secretary of Health, Education, and Welfare for the purpose of furthering the objectives of this Act by facilitating the provision of appropriate physical examinations, medical treatment, and prostheses for persons selected or otherwise eligible to be selected for training under this Act. The agreement may provide that where any such person cannot reasonably be expected to pay the cost of the services

and the services are not otherwise available without cost to him from any other resource in the community, there may be expended (from sums appropriated to carry out this title and pursuant to arrangements made by the Secretary of Health, Education, and Welfare) not more than an aggregate of \$100 to provide such services to that person. If the Secretary of Health, Education, and Welfare is unable to arrange for the provision of services under this section, the Secretary of Labor may expend not more than an aggregate of \$100 to provide such services to any one person.

“(1) In order to assist in providing qualified workers in areas or in occupations in which there are critical skill shortages the Secretary of Labor shall, in accordance with regulations prescribed by him, provide an experimental program for part-time training of persons, including employed persons, to meet such skill shortages.”

Sec. 4. (a) Section 203(c) of the Act is amended—

(1) by striking out in the first sentence “two years” and inserting in lieu thereof “one year”,

(2) by striking out in the second sentence “not less than one year and” and inserting in lieu thereof “not less than one year or”, and

(3) by adding at the end thereof the following: “Notwithstanding any provision to the contrary in this subsection or in subsection (h), the Secretary may refer any individual who has completed a program under part B of title I of the Economic Opportunity Act of 1964 to training under this Act, and such individual may be paid a training allowance as provided in section 203(a) of this Act without regard to the requirements imposed on such payments by the preceding sentences of subsection (c) or by subsection (h) of this section. Such payments shall not exceed the average weekly gross unemployment compensation payment (including allowances for dependents) for a week of total unemployment in the State making such payments during the most recent four-calendar-quarter period for which such data are available. Such persons shall not be deemed youths for the purpose of applying the provision under this subsection limiting the number of youths who may receive training allowances.”

(b) Section 203(h) of the Act is amended by inserting before the period at the end thereof the following: “unless the Secretary determines that there is good cause to permit an individual referred to further training to receive training allowances so that he may be prepared adequately for full-time employment.”

(c) Section 203 of the Act is amended by adding at the end thereof the following new subsections:

“(j) To assure the maximum use of training opportunities, the Secretary of Labor is authorized to make, or cause to be made, advance payments of training allowances or a part thereof to individuals selected for training who, because of immediate financial needs for the maintenance of themselves or their dependents pending receipt of training allowances, would otherwise be unable to enter or continue training. The total advance payments to a trainee under this subsection outstanding at any time shall not exceed the amount of the average weekly gross unemployment compensation payment (including allowances for dependents) for a week of total unemployment in the State making such payments during the four-calendar-quarter period for which such data are available most immediately prior to the com-

Training allow-  
ances.

77 Stat. 422.  
42 USC 2583.

78 Stat. 512.  
42 USC 2731-  
2736.

76 Stat. 28;  
79 Stat. 78.  
42 USC 2583.

mencement of training by such trainee. Such advance payments shall be repaid either through deductions from training allowances or through other arrangements with such trainee.

Ante, p. 1435.

“(k) Under such standards as the Secretary of Labor may find appropriate to achieve the purposes of subsection 202(1), an individual referred to part-time training under such section shall be paid an amount not to exceed \$10 with respect to each week in which he is engaged in such training and such payment shall be in lieu of any other payments to which he may otherwise be entitled under this section.

42 USC 301, 601,  
1201, 1351, 1381.

“(1) (1) No training allowance shall be paid to any person for any period for which a money payment has been made with respect to the need of that person under a State plan which has been approved under title I, IV, X, XIV, or XVI of the Social Security Act and which meets the requirements of the first sentence of paragraph (2) of this subsection. The Secretary of Labor is authorized to pay to any such person (A) such sums as the Secretary determines to be necessary to defray expenses of that person which are attributable to training pursuant to the provisions of this Act, and (B) a training incentive payment of not more than \$20 per week. Persons receiving payments under the preceding sentence shall be counted for purposes of the third sentence of section 203(c) as though they were receiving training allowances.

79 Stat. 78.  
42 USC 2583.

42 USC 301, 601,  
1201, 1351, 1381.

“(2) Notwithstanding the provisions of titles I, IV, X, XIV, and XVI of the Social Security Act, a State plan approved under any such title shall provide that no payment made to any person pursuant to paragraph (1) of this subsection shall be regarded (A) as income or resources of that person in determining his need under such approved State plan, or (B) as income or resources of any other person in determining the need of that other person under such approved State plan. No funds to which a State is otherwise entitled under title I, IV, X, XIV, or XVI of the Social Security Act for any period before the first month beginning after the adjournment of the State's first regular legislative session which adjourns more than sixty days after the enactment of this subsection shall be withheld by reason of any action taken pursuant to a State statute which prevents such State from complying with the requirements of this paragraph.”

76 Stat. 30.  
42 USC 2601.

SEC. 5. (a) Section 231 of the Manpower Development and Training Act is amended by striking out “vocational” in the first sentence, and by striking out the last sentence of such section and inserting the following in lieu thereof: “The Secretary of Health, Education, and Welfare shall give preference to training and education provided through State vocational education agencies and other State education agencies. However, in any case in which he determines that it would permit persons to begin their training or education within a shorter period of time, or permit the needed training or education to be provided more economically, or more effectively, he may provide the needed training or education by agreement or contract made directly with public or private training or educational facilities or through such other arrangements as he deems necessary to give full effect to this Act.”

79 Stat. 78.

(b) The third sentence of section 231 is amended by adding, after the words “with respect to private institutions”, the words “or programs carried out in conjunction with programs or projects under section 102(6)”.

79 Stat. 75.  
42 USC 2572.  
42 USC 2581-  
2610a.

SEC. 6. (a) Title II of the Act is amended by adding at the end thereof the following:

## "PART D—CORRECTIONAL INSTITUTIONS

"SEC. 251. Without regard to any other provision of this title or section 301 of this Act, the Secretary of Labor shall, during the period ending June 30, 1969, develop and carry out experimental and demonstration programs of training and education for persons in correctional institutions who are in need thereof to obtain employment upon release. Arrangements for such education and training shall be made by the Secretary of Health, Education, and Welfare after consultation with the appropriate area manpower development and training advisory committee. Programs under this part shall be conducted through agreements with officials of Federal, State, and local correctional institutions. To the fullest extent practicable, the Secretary of Labor shall utilize the available services of other Federal departments and agencies. Programs under this part may include vocational education; special job development and placement activities; prevocational, basic, and secondary education, and counseling, where appropriate; supportive and followup services and such other assistance as is deemed necessary."

76 Stat. 30.  
42 USC 2611.

(b) Section 304 of the Act is amended by redesignating subsection (d) as subsection (e) and inserting after subsection (c) the following new subsection:

79 Stat. 80.  
42 USC 2614.

"(d) For the purpose of carrying out part D of title II, there are hereby authorized to be appropriated for the fiscal year ending June 30, 1968, and for the fiscal year ending June 30, 1969, such amounts as may be necessary."

Supra.

SEC. 7. Section 301 of the Act is amended by inserting "parts A and B of" before "title II" in the first sentence, by striking out the words "make such apportionment" in the first sentence and inserting in lieu thereof "apportion 80 per centum of the funds available for such purposes", and by inserting after the first sentence the following new sentence: "The remaining 20 per centum may be expended by the Secretary of Labor and the Secretary of Health, Education, and Welfare as they find necessary or appropriate to carry out the purposes of title II."

76 Stat. 30.  
42 USC 2611.

SEC. 8. (a) Section 309 of the Act is repealed.

Repeal.  
76 Stat. 32.  
42 USC 2619.  
42 USC 2601,  
2602.

(b) Part B of title II of the Act is amended by adding at the end thereof the following new section:

## "ANNUAL REPORT

"SEC. 233. Prior to April first of each year, the Secretary of Health, Education, and Welfare shall make an annual report to Congress. Such report shall contain an evaluation of the programs under section 231, the need for continuing such programs, and recommendations for improvement. The reports shall also contain progress reports on the vocational training study which will be conducted under the supervision of the Secretary during 1966 and 1967."

Approved November 7, 1966.

## Public Law 89-793

November 8, 1966  
[H. R. 9167]

## AN ACT

To amend title 18 of the United States Code to enable the courts to deal more effectively with the problem of narcotic addiction, and for other purposes.

Narcotic Addict  
Rehabilitation Act  
of 1966.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That titles I, II, III, and IV of this Act may be cited as the "Narcotic Addict Rehabilitation Act of 1966".

## DECLARATION OF POLICY

SEC. 2. It is the policy of the Congress that certain persons charged with or convicted of violating Federal criminal laws, who are determined to be addicted to narcotic drugs, and likely to be rehabilitated through treatment, should, in lieu of prosecution or sentencing, be civilly committed for confinement and treatment designed to effect their restoration to health, and return to society as useful members.

It is the further policy of the Congress that certain persons addicted to narcotic drugs who are not charged with the commission of any offense should be afforded the opportunity, through civil commitment, for treatment, in order that they may be rehabilitated and returned to society as useful members and in order that society may be protected more effectively from crime and delinquency which result from narcotic addiction.

## TITLE I—CIVIL COMMITMENT IN LIEU OF PROSECUTION

62 Stat. 869.

SEC. 101. Title 28 of the United States Code is amended by adding after chapter 173 thereof the following new chapter:

**"Chapter 175. Civil Commitment and Rehabilitation of Narcotic Addicts**

"Sec.

"2901. Definitions.

"2902. Discretionary authority of court; examination, report, and determination by court; termination of civil commitment.

"2903. Authority and responsibilities of the Surgeon General; institutional custody; aftercare; maximum period of civil commitment; credit toward sentence.

"2904. Civil commitment not a conviction; use of test results.

"2905. Delegation of functions by Surgeon General; use of Federal, State, and private facilities.

"2906. Absence of offer by the court to a defendant of an election under section 2902(a) or any determination as to civil commitment, not reviewable on appeal or otherwise.

**"§ 2901. Definitions**

"As used in this chapter—

"(a) 'Addict' means any individual who habitually uses any narcotic drug as defined by section 4731 of the Internal Revenue Code of 1954, as amended, so as to endanger the public morals, health, safety, or welfare, or who is so far addicted to the use of such narcotic drugs as to have lost the power of self-control with reference to his addiction.

"(b) 'Surgeon General' means the Surgeon General of the Public Health Service.

"(c) 'Crime of violence' includes voluntary manslaughter, murder, rape, mayhem, kidnaping, robbery, burglary or housebreaking in the nighttime, extortion accompanied by threats of violence, assault with a dangerous weapon or assault with intent to commit any offense punishable by imprisonment for more than one year, arson punishable

68A Stat. 557;  
74 Stat. 57.  
26 USC 4731.

as a felony, or an attempt or conspiracy to commit any of the foregoing offenses.

“(d) ‘Treatment’ includes confinement and treatment in an institution and under supervised aftercare in the community and includes, but is not limited to, medical, educational, social, psychological, and vocational services, corrective and preventive guidance and training, and other rehabilitative services designed to protect the public and benefit the addict by correcting his antisocial tendencies and ending his dependence on addicting drugs and his susceptibility to addiction.

“(e) ‘Felony’ includes any offense in violation of a law of the United States classified as a felony under section 1 of title 18 of the United States Code, and further includes any offense in violation of a law of any State, any possession or territory of the United States, the District of Columbia, the Canal Zone, or the Commonwealth of Puerto Rico, which at the time of the offense was classified as a felony by the law of the place where that offense was committed.

“(f) ‘Conviction’ and ‘convicted’ mean the final judgment on a verdict or finding of guilty, a plea of guilty, or a plea of nolo contendere, but do not include a final judgment which has been expunged by pardon, reversed, set aside or otherwise rendered nugatory.

“(g) ‘Eligible individual’ means any individual who is charged with an offense against the United States, but does not include—

“(1) an individual charged with a crime of violence.

“(2) an individual charged with unlawfully importing, selling, or conspiring to import or sell, a narcotic drug.

“(3) an individual against whom there is pending a prior charge of a felony which has not been finally determined or who is on probation or whose sentence following conviction on such a charge, including any time on parole or mandatory release, has not been fully served: *Provided*, That an individual on probation, parole, or mandatory release shall be included if the authority authorized to require his return to custody consents to his commitment.

“(4) an individual who has been convicted of a felony on two or more occasions.

“(5) an individual who has been civilly committed under this Act, under the District of Columbia Code, or any State proceeding because of narcotic addiction on three or more occasions.

**“§ 2902. Discretionary authority of court; examination, report, and determination by court; termination of civil commitment**

“(a) If the United States district court believes that an eligible individual is an addict, the court may advise him at his first appearance or thereafter at the sole discretion of the court that the prosecution of the criminal charge will be held in abeyance if he elects to submit to an immediate examination to determine whether he is an addict and is likely to be rehabilitated through treatment. In offering an individual an election, the court shall advise him that if he elects to be examined, he will be confined during the examination for a period not to exceed sixty days; that if he is determined to be an addict who is likely to be rehabilitated, he will be civilly committed to the Surgeon General for treatment; that he may not voluntarily withdraw from the examination or any treatment which may follow; that the treatment may last for thirty-six months; that during treatment, he will be confined in an institution and, at the discretion of the Surgeon General, he may be conditionally released for supervised aftercare treatment in the community; and that if he successfully completes treatment the charge will be dismissed, but if he does not, prosecution on the charge will be resumed. An individual upon being advised

that he may elect to submit to an examination shall be permitted a maximum of five days within which to make his election. Except on a showing that a timely election could not have been made, an individual shall be barred from an election after the prescribed period. An individual who elects civil commitment shall be placed in the custody of the Attorney General or the Surgeon General, as the court directs, for an examination by the Surgeon General during a period not to exceed thirty days. This period may, upon notice to the court and the appropriate United States attorney, be extended by the Surgeon General for an additional thirty days.

“(b) The Surgeon General shall report to the court the results of the examination and recommend whether the individual should be civilly committed. A copy of the report shall be made available to the individual and the United States attorney. If the court, acting on the report and other information coming to its attention, determines that the individual is not an addict or is an addict not likely to be rehabilitated through treatment, the individual shall be held to answer the abeyant charge. If the court determines that the individual is an addict and is likely to be rehabilitated through treatment, the court shall commit him to the custody of the Surgeon General for treatment, except that no individual shall be committed under this chapter if the Surgeon General certifies that adequate facilities or personnel for treatment are unavailable.

“(c) Whenever an individual is committed to the custody of the Surgeon General for treatment under this chapter the criminal charge against him shall be continued without final disposition and shall be dismissed if the Surgeon General certifies to the court that the individual has successfully completed the treatment program. On receipt of such certification, the court shall discharge the individual from custody and dismiss the charge against him. If prior to such certification the Surgeon General determines that the individual cannot be further treated as a medical problem, he shall advise the court. The court shall thereupon terminate the commitment, and the pending criminal proceeding shall be resumed.

“(d) An individual committed for examination or treatment shall not be released on bail or on his own recognizance.

“(e) Whoever escapes or attempts to escape while committed to institutional custody for examination or treatment, or whoever rescues or attempts to rescue or instigates, aids, or assists the escape or attempt to escape of such a person, shall be subject to the penalties provided in sections 751 and 752 of title 18, United States Code.

62 Stat. 734;  
77 Stat. 834.

**“§ 2903. Authority and responsibilities of the Surgeon General; institutional custody; aftercare; maximum period of civil commitment; credit toward sentence**

“(a) An individual who is committed to the custody of the Surgeon General for treatment under this chapter shall not be conditionally released from institutional custody until the Surgeon General determines that he has made sufficient progress to warrant release to a supervisory aftercare authority. If the Surgeon General is unable to make such a determination at the expiration of twenty-four months after the commencement of institutional custody, he shall advise the court and the appropriate United States attorney whether treatment should be continued. The court may affirm the commitment or terminate it and resume the pending criminal proceeding.

“(b) An individual who is conditionally released from institutional custody shall, while on release, remain in the legal custody of the Surgeon General and shall report for such supervised aftercare treatment as the Surgeon General directs. He shall be subject to home visits

and to such physical examination and reasonable regulation of his conduct as the supervisory aftercare authority establishes, subject to the approval of the Surgeon General. The Surgeon General may, at any time, order a conditionally released individual to return for institutional treatment. The Surgeon General's order shall be a sufficient warrant for the supervisory aftercare authority, a probation officer, or any Federal officer authorized to serve criminal process within the United States to apprehend and return the individual to institutional custody as directed. If it is determined that an individual has returned to the use of narcotics, the Surgeon General shall inform the court of the conditions under which the return occurred and make a recommendation as to whether treatment should be continued. The court may affirm the commitment or terminate it and resume the pending criminal proceeding.

“(c) The total period of treatment for any individual committed to the custody of the Surgeon General shall not exceed thirty-six months. If, at the expiration of such maximum period, the Surgeon General is unable to certify that the individual has successfully completed his treatment program the pending criminal proceeding shall be resumed.

“(d) Whenever a pending criminal proceeding against an individual is resumed under this chapter, he shall receive full credit toward the service of any sentence which may be imposed for any time spent in the institutional custody of the Surgeon General or the Attorney General or any other time spent in institutional custody in connection with the matter for which sentence is imposed.

#### “§ 2904. Civil commitment not a conviction; use of test results

“The determination of narcotic addiction and the subsequent civil commitment under this chapter shall not be deemed a criminal conviction. The results of any tests or procedures conducted by the Surgeon General or the supervisory aftercare authority to determine narcotic addiction may only be used in a further proceeding under this chapter. They shall not be used against the examined individual in any criminal proceeding except that the fact that he is a narcotic addict may be elicited on his cross-examination as bearing on his credibility as a witness.

#### “§ 2905. Delegation of functions by Surgeon General; use of Federal, State, and private facilities

“(a) The Surgeon General may from time to time make such provision as he deems appropriate authorizing the performance of any of his functions under this chapter by any other officer or employee of the Public Health Service, or with the consent of the head of the Department or Agency concerned, by any Federal or other public or private agency or officer or employee thereof.

“(b) The Surgeon General is authorized to enter into arrangements with any public or private agency or any person under which appropriate facilities or services of such agency or person will be made available, on a reimbursable basis or otherwise, for the examination or treatment of individuals who elect civil commitment under this chapter.

#### “§ 2906. Absence of offer by the court to a defendant of an election under section 2902(a) or any determination as to civil commitment, not reviewable on appeal or otherwise

“The failure of a court to offer a defendant an election under section 2902(a) of this chapter, or a determination relative to civil commitment under this chapter shall not be reviewable on appeal or otherwise.”

TITLE II—SENTENCING TO COMMITMENT FOR  
TREATMENT

62 Stat. 683.

SEC. 201. Title 18 of the United States Code is amended by adding after chapter 313 thereof the following new chapter:

**“CHAPTER 314—NARCOTIC ADDICTS**

“Sec.

“4251. Definitions.

“4252. Examination.

“4253. Commitment.

“4254. Conditional release.

“4255. Supervision in the community.

**“§ 4251. Definitions**

“As used in this chapter—

“(a) ‘Addict’ means any individual who habitually uses any narcotic drug as defined by section 4731 of the Internal Revenue Code of 1954, as amended, so as to endanger the public morals, health, safety, or welfare, or who is or has been so far addicted to the use of such narcotic drugs as to have lost the power of self-control with reference to his addiction.

“(b) ‘Crime of violence’ includes voluntary manslaughter, murder, rape, mayhem, kidnaping, robbery, burglary or housebreaking in the nighttime, extortion accompanied by threats of violence, assault with a dangerous weapon or assault with intent to commit any offense punishable by imprisonment for more than one year, arson punishable as a felony, or an attempt or conspiracy to commit any of the foregoing offenses.

“(c) ‘Treatment’ includes confinement and treatment in an institution and under supervised aftercare in the community and includes, but is not limited to, medical, educational, social, psychological, and vocational services, corrective and preventive guidance and training, and other rehabilitative services designed to protect the public and benefit the addict by correcting his antisocial tendencies and ending his dependence on addicting drugs and his susceptibility to addiction.

“(d) ‘Felony’ includes any offense in violation of a law of the United States classified as a felony under section 1 of title 18 of the United States Code, and further includes any offense in violation of a law of any State, any possession or territory of the United States, the District of Columbia, the Canal Zone, or the Commonwealth of Puerto Rico, which at the time of the offense was classified as a felony by the law of the place where that offense was committed.

“(e) ‘Conviction’ and ‘convicted’ mean the final judgment on a verdict or finding of guilty, a plea of guilty, or a plea of nolo contendere, and do not include a final judgment which has been expunged by pardon, reversed, set aside, or otherwise rendered nugatory.

“(f) ‘Eligible offender’ means any individual who is convicted of an offense against the United States, but does not include—

“(1) an offender who is convicted of a crime of violence.

“(2) an offender who is convicted of unlawfully importing or selling or conspiring to import or sell a narcotic drug, unless the court determines that such sale was for the primary purpose of enabling the offender to obtain a narcotic drug which he requires for his personal use because of his addiction to such drug.

“(3) an offender against whom there is pending a prior charge of a felony which has not been finally determined or who is on probation or whose sentence following conviction on such a charge, including any time on parole or mandatory release, has not been fully served: *Provided*, That an offender on probation, parole, or

68A Stat. 557;

74 Stat. 57.

26 USC 4731.

mandatory release shall be included if the authority authorized to require his return to custody consents to his commitment.

“(4) an offender who has been convicted of a felony on two or more prior occasions.

“(5) an offender who has been committed under title I of the Narcotic Addict Rehabilitation Act of 1966, under this chapter, under the District of Columbia Code, or under any State proceeding because of narcotic addiction on three or more occasions.

*Ante*, p. 1438.

#### “§ 4252. Examination

“If the court believes that an eligible offender is an addict, it may place him in the custody of the Attorney General for an examination to determine whether he is an addict and is likely to be rehabilitated through treatment. The Attorney General shall report to the court within thirty days; or any additional period granted by the court, the results of such examination and make any recommendations he deems desirable. An offender shall receive full credit toward the service of his sentence for any time spent in custody for an examination.

#### “§ 4253. Commitment

“(a) Following the examination provided for in section 4252, if the court determines that an eligible offender is an addict and is likely to be rehabilitated through treatment, it shall commit him to the custody of the Attorney General for treatment under this chapter, except that no offender shall be committed under this chapter if the Attorney General certifies that adequate facilities or personnel for treatment are unavailable. Such commitment shall be for an indeterminate period of time not to exceed ten years, but in no event shall it exceed the maximum sentence that could otherwise have been imposed.

“(b) If, following the examination provided for in section 4252, the court determines that an eligible offender is not an addict, or is an addict not likely to be rehabilitated through treatment, it shall impose such other sentence as may be authorized or required by law.

#### “§ 4254. Conditional release

“An offender committed under section 4253(a) may not be conditionally released until he has been treated for six months following such commitment in an institution maintained or approved by the Attorney General for treatment. The Attorney General may then or at any time thereafter report to the Board of Parole whether the offender should be conditionally released under supervision. After receipt of the Attorney General's report, and certification from the Surgeon General of the Public Health Service that the offender has made sufficient progress to warrant his conditional release under supervision, the Board may in its discretion order such a release. In determining suitability for release, the Board may make any investigation it deems necessary. If the Board does not conditionally release the offender, or if a conditional release is revoked, the Board may thereafter grant a release on receipt of a further report from the Attorney General.

#### “§ 4255. Supervision in the community

“An offender who has been conditionally released shall be under the jurisdiction of the Board as if on parole under the established rules of the Board and shall remain, while conditionally released, in the legal custody of the Attorney General. The Attorney General may contract with any appropriate public or private agency or any person for supervisory aftercare of a conditionally released offender. Upon receiving information that such an offender has violated his conditional release, the Board, or a member thereof, may issue and cause to be executed a

warrant for his apprehension and return to custody. Upon return to custody, the offender shall be given an opportunity to appear before the Board, a member thereof, or an examiner designated by the Board, after which the Board may revoke the order of conditional release."

### TITLE III—CIVIL COMMITMENT OF PERSONS NOT CHARGED WITH ANY CRIMINAL OFFENSE

#### Definitions.

SEC. 301. For the purposes of this title, the term—

(a) "Narcotic addict" means any individual who habitually uses any narcotic drug as defined by section 4731 of the Internal Revenue Code of 1954, as amended, so as to endanger the public morals, health, safety, or welfare, or who is or has been so far addicted to the use of such narcotic drugs as to have lost the power of self-control with reference to his addiction.

(b) "Treatment" includes confinement and treatment in a hospital of the Service and under supervised aftercare in the community and includes, but is not limited to, medical, educational, social, psychological, and vocational services, corrective and preventive guidance and training, and other rehabilitative services designed to protect the public and benefit the addict by correcting his antisocial tendencies and ending his dependence on addicting drugs and his susceptibility to addiction.

(c) "Surgeon General" means the Surgeon General of the Public Health Service.

(d) "Hospital of the Service" means any hospital or other facility of the Public Health Service especially equipped for the accommodation of addicts, and any other appropriate public or private hospital or other facility available to the Surgeon General for the care and treatment of addicts.

(e) "Patient" means any person with respect to whom a petition has been filed by a United States attorney as provided under subsection (b) of section 302 of this title.

(f) "Posthospitalization program" shall mean any program providing for the treatment and supervision of a person established by the Surgeon General pursuant to section 307 of this title.

(g) "State" includes the District of Columbia and the Commonwealth of Puerto Rico.

(h) "United States" includes the Commonwealth of Puerto Rico.

(i) "Related individual" means any person with whom the alleged narcotic addict may reside or at whose house he may be, or the husband or wife, father or mother, brother or sister, or the child or the nearest available relative of the alleged narcotic addict.

SEC. 302. (a) Except as otherwise provided in section 311 of this title, whenever any narcotic addict desires to obtain treatment for his addiction, or whenever a related individual has reason to believe that any person is a narcotic addict, such addict or related individual may file a petition with the United States attorney for the district in which such addict or person resides or is found requesting that such addict or person be admitted to a hospital of the Service for treatment of his addiction. Any such petition filed by a narcotic addict shall set forth his name and address and the facts relating to his addiction. Any such petition filed by a related individual with respect to a person believed by such individual to be a narcotic addict shall set forth the name and address of the alleged narcotic addict and the facts or other data on which the petitioner bases his belief that the person with respect to whom the petition is filed is a narcotic addict.

68A Stat. 557;  
74 Stat. 57.  
26 USC 4731.

Petition for  
treatment.

(b) After considering such petition, the United States attorney shall, if he determines that there is reasonable cause to believe that the person named in such petition is a narcotic addict, and that appropriate State or other facilities are not available to such person, file a petition with the United States district court to commit such person to a hospital of the Service for treatment as provided in this title. In making his determination with respect to the nonavailability of such facilities, the United States attorney shall consult with the Surgeon General, and other appropriate State or local officials.

Commitment.

(c) Upon the filing of any such petition by a United States attorney, the court may order the patient to appear before it for an examination by physicians as provided under section 303 of this title and for a hearing, if required, under section 304 of this title. The court shall cause a copy of such petition and order to be served personally upon the patient by a United States marshal.

Examination of patient.

SEC. 303. The court shall immediately advise any patient appearing before it pursuant to an order issued under subsection (c) of section 302 of his right to have (1) counsel at every stage of the judicial proceedings under this title and that, if he is unable because of financial reasons to obtain counsel, the court will, at the patient's request, assign counsel to represent him; and (2) present for consultation during any examination conducted under this section, a qualified physician retained by such patient, but in no event shall such physician be entitled to participate in any such examination or in the making of any report required under this section with respect to such examination. The court shall also advise such patient that if, after an examination and hearing as provided in this title, he is found to be a narcotic addict who is likely to be rehabilitated through treatment, he will be civilly committed to the Surgeon General for treatment; that he may not voluntarily withdraw from such treatment; that the treatment (including posthospitalization treatment and supervision) may last forty-two months; that during treatment he will be confined in an institution; that for a period of three years following his release from confinement he will be under the care and custody of the Surgeon General for treatment and supervision under a posthospitalization program established by the Surgeon General; and that should he fail or refuse to cooperate in such posthospitalization program or be determined by the Surgeon General to have relapsed to the use of narcotic drugs, he may be recommitted for additional confinement in an institution followed by additional posthospitalization treatment and supervision. After so advising the patient, the court shall appoint two qualified physicians, one of whom shall be a psychiatrist, to examine the patient. For the purpose of the examination, the court may order the patient committed for such reasonable period as it shall determine, not to exceed thirty days, to the custody of the Surgeon General for confinement in a suitable hospital or other facility designated by the court. Each physician appointed by the court shall, within such period so determined by the court, examine the patient and file with the court, a written report with respect to such examination. Each such report shall include a statement of the examining physician's conclusions as to whether the patient examined is a narcotic addict and is likely to be rehabilitated through treatment. Upon the filing of such reports, the patient so examined shall be returned to the court for such further proceedings as it may direct under this title. Copies of such reports shall be made available to the patient and his counsel.

Right to counsel, etc.

Hearing.

SEC. 304. (a) If both examining physicians (referred to in section 303) conclude in their respective written reports that the patient is not a narcotic addict, or is an addict not likely to be rehabilitated through treatment, the court shall immediately enter an order discharging the patient and dismissing the proceedings under this title. If the written report of either such physician indicates that the patient is a narcotic addict who is likely to be rehabilitated through treatment, or that the physician submitting the report is unable to reach any conclusion by reason of the refusal of the patient to submit to a thorough examination, the court shall promptly set the case for hearing. The court shall cause a written notice of the time and place of such hearing to be served personally upon the patient and his attorney. Such notice shall also inform the patient that upon demand made by him within fifteen days after he has been served, he shall be entitled to have all issues of fact with respect to his alleged narcotic addiction determined by a jury. If no timely demand for a jury is made, the court, in conducting such hearing, shall determine all issues of fact without a jury.

Judicial review.

(b) In conducting any hearing under this title, the court shall receive and consider all relevant evidence and testimony which may be offered, including the contents of the reports referred to in section 303. Any patient with respect to whom a hearing is held under this title shall be entitled to testify and to present and cross-examine witnesses. All final orders of commitment under this title shall be subject to review in conformity with the provisions of sections 1254 and 1291 of title 28 of the United States Code.

62 Stat. 928,  
929.

(c) Any patient with respect to whom a hearing has been set under this title may be detained by the court for a reasonable period of time in a suitable hospital or other facility designated by the court until after such hearing has been concluded.

Witness fees.

(d) Witnesses subpoenaed by either party under the provisions of this title shall be paid the same fees and mileage as are paid to other witnesses in the courts of the United States.

Commitment by  
court order.

SEC. 305. If the court determines after a hearing that such patient is a narcotic addict who is likely to be rehabilitated through treatment, the court shall order him committed to the care and custody of the Surgeon General for treatment in a hospital of the Service. The Surgeon General shall submit to the court written reports with respect to such patient at such times as the court may direct. Such reports shall include information as to the health and general condition of the patient, together with the recommendations of the Surgeon General concerning the continued confinement of such patient.

Release.

SEC. 306. Any patient committed to the care and custody of the Surgeon General pursuant to section 305 of this title shall be committed for a period of six months, and shall be subject to such posthospitalization program as may be established pursuant to section 307 of this title; except that such patient may be released from confinement by the Surgeon General at any time prior to the expiration of such six-month period if the Surgeon General determines that the patient has been cured of his drug addiction and rehabilitated, or that his continued confinement is no longer necessary or desirable.

Posthospitaliza-  
tion treatment.  
Recommendations  
of Surgeon-  
General.

SEC. 307. (a) Whenever any patient under the care and custody of the Surgeon General pursuant to this title is to be released from confinement in accordance with the provisions thereof, the Surgeon General shall give notice of such pending release to the committing court within ten days prior thereto and shall, at the time of the patient's

release, promptly return him to that court. The court, after considering the recommendations of the Surgeon General with respect to post-hospitalization treatment for any such patient so returned, may place such patient under the care and custody of the Surgeon General for the three-year period immediately following the patient's release, for treatment and supervision under such posthospitalization program as the Surgeon General may direct.

(b) If, at any time during such three-year period, any patient (1) fails or refuses to comply with the directions and orders of the Surgeon General in connection with such patient's posthospitalization treatment and supervision, or (2) is determined by the Surgeon General to be again using narcotic drugs, the Surgeon General may order such patient's immediate return to the committing court which may recommit such patient to a hospital of the Service for additional treatment for a period of not to exceed six months, and may require such patient thereafter to submit to a posthospitalization program in accordance with subsection (a) of this section.

SEC. 308. The court, upon the petition of any patient after his confinement pursuant to this title for a period in excess of three months, shall inquire into the health and general condition of the patient and as to the necessity, if any, for his continued confinement. If the court finds, with or without a hearing, that his continued confinement is no longer necessary or desirable, it shall order the patient released from confinement and returned to the court. The court may, with respect to any such patient so returned, place such patient under a posthospitalization program in accordance with the provisions of subsection (a) of section 307 of this title.

Petition by patient.

SEC. 309. Any determination by the court pursuant to this title that a patient is a narcotic addict shall not be deemed a criminal conviction, nor shall such patient be denominated a criminal by reason of that determination. The results of any hearing, examination, test, or procedure to determine narcotic addiction of any patient under this title shall not be used against such patient in any criminal proceeding.

SEC. 310. Any physician conducting an examination under this title shall be a competent and compellable witness at any hearing or other proceeding conducted pursuant to this title and the physician-patient privilege shall not be applicable.

Physician, compellable witness.

SEC. 311. The provisions of this title shall not be applicable with respect to any person against whom there is pending a criminal charge, whether by indictment or by information, which has not been fully determined or who is on probation or whose sentence following conviction on such a charge, including any time on parole or mandatory release, has not been fully served, except that such provision shall be applicable to any such person on probation, parole, or mandatory release if the authority authorized to require his return to custody consents to his commitment.

SEC. 312. Notwithstanding any other provision of this title, no patient shall be committed to a hospital of the Service under this title if the Surgeon General certifies that adequate facilities or personnel for treatment of such patient are unavailable.

SEC. 313. Physicians appointed by the court to examine any person pursuant to this title and counsel assigned by the court to represent any person in judicial proceedings under this title shall be entitled to reasonable compensation, in an amount to be determined by the court, to

Appointed physicians and counsel, compensation.

be paid, upon order of the court, out of such funds as may be provided by law.

Delegation of  
functions.

SEC. 314. (a) The Surgeon General may from time to time make such provisions as he deems appropriate authorizing the performance of any of his functions under this title by any other officer or employee of the Public Health Service, or with the consent of the head of the Department or Agency concerned, by any Federal or other public or private agency or officer or employee thereof.

(b) The Surgeon General is authorized to enter into arrangements with any public or private agency or any person under which appropriate facilities or services of such agency or person will be made available, on a reimbursable basis or otherwise, for the examination or treatment of individuals pursuant to the provisions of this title.

Penalties.

SEC. 315. Whoever escapes or attempts to escape while committed to institutional custody for examination or treatment under this title, or whoever rescues or attempts to rescue or instigates, aids, or assists the escape or attempt to escape of such a person, shall be subject to the penalties provided in sections 751 and 752 of title 18, United States Code.

62 Stat. 734;  
77 Stat. 834.

SEC. 316. Any person who knowingly makes any false statement to the United States attorney in any petition under section 302(a) of this title shall be subject to the penalty prescribed in section 1001 of title 18, United States Code.

62 Stat. 749.

#### TITLE IV—REHABILITATION AND POSTHOSPITALIZATION CARE PROGRAMS AND ASSISTANCE TO STATES AND LOCALITIES

SEC. 401. The Surgeon General is authorized to establish, as an integral part of the program of treatment for narcotic addiction authorized by section 341 of the Public Health Service Act, outpatient services to (1) provide guidance and give psychological help and supervision to patients and other individuals released from hospitals of the Service after treatment for narcotic drug addiction, utilizing all available resources of local, public and private agencies, and (2) assist States and municipalities in developing treatment programs and facilities for individuals so addicted, including posthospitalization treatment programs and facilities for the care and supervision of narcotic addicts released after confinement under this or any other Act providing for treatment of drug addiction. The Surgeon General shall take into consideration in supplying such services the extent of drug addiction in the various States and political subdivisions thereof and the willingness of such States and subdivisions to cooperate in developing a sound program for the care, treatment, and rehabilitation of narcotic addicts.

Post, p. 1449.

Appropriation.

SEC. 402. (a) There are hereby authorized to be appropriated for the fiscal year beginning July 1, 1966, and for the succeeding fiscal year, the sum of \$15,000,000 to enable the Surgeon General (1) to make grants to States and political subdivisions thereof and to private organizations and institutions (A) for the development of field testing and demonstration programs for the treatment of narcotic addiction, (B) for the development of specialized training programs or materials relating to the provision of public health services for the treatment of narcotic addiction, or the development of in-service training or short-

term or refresher courses with respect to the provision of such services, (C) for training personnel to operate, supervise, and administer such services, and (D) for the conducting of surveys evaluating the adequacy of the programs for the treatment of narcotic addiction within the several States with a view to determining ways and means of improving, extending, and expanding such programs; and (2) to enter into jointly financed cooperative arrangements with State and local governments and public and private organizations and institutions with a view toward the developing, constructing, operating, staffing, and maintaining of treatment centers and facilities (including post-hospitalization treatment centers and facilities) for narcotic addicts within the States.

(b) Payments under this section may be made in advance or by way of reimbursement, as determined by the Surgeon General, and shall be made on such conditions as the Surgeon General determines to be necessary to carry out the purposes of this title.

(c) The Surgeon General is authorized to issue appropriate rules and regulations to carry out the provisions of this title.

**TITLE V—SENTENCING AFTER CONVICTION FOR VIOLATION OF LAW RELATING TO NARCOTIC DRUGS OR MARIHUANA**

SEC. 501. Section 7237(d) of the Internal Revenue Code of 1954, as amended, is amended to read as follows:

70 Stat. 568.  
26 USC 7237.

“(d) NO SUSPENSION OF SENTENCE; NO PROBATION; ETC.—Upon conviction—

“(1) of any offense the penalty for which is provided in subsection (b) of this section, subsection (c), (h), or (i) of section 2 of the Narcotic Drugs Import and Export Act, as amended, or such Act of July 11, 1941, as amended, or

70 Stat. 570,  
571.  
21 USC 174, 176a,  
176b.  
55 Stat. 584;  
70 Stat. 571.  
21 USC 184a.

“(2) of any offense the penalty for which is provided in subsection (a) of this section, if it is the offender’s second or subsequent offense,

the imposition or execution of sentence shall not be suspended, probation shall not be granted and in the case of a violation of a law relating to narcotic drugs, section 4202 of title 18, United States Code, and the Act of July 15, 1932 (47 Stat. 696; D.C. Code 24-201 and following), as amended, shall not apply.”

65 Stat. 150.

SEC. 502. The Board of Parole is hereby directed to review the sentence of any prisoner who, before the enactment of this Act, was made ineligible for parole by section 7237(d) of the Internal Revenue Code of 1954, as amended, and who was convicted of a violation of a law relating to marihuana. After conducting such review the Board of Parole may authorize the release of such prisoner on parole pursuant to section 4202 of title 18, United States Code. Action taken by the Board of Parole under this section shall not cause any prisoner to serve a longer term than would be served under his original sentence.

Board of Parole,  
review of sen-  
tences.

**TITLE VI—MISCELLANEOUS PROVISIONS**

SEC. 601. Section 341 of the Public Health Service Act, as amended (42 U.S.C. § 257), is amended to read as follows:

Care and treat-  
ment.  
58 Stat. 698;  
68 Stat. 80;  
70 Stat. 622.

“SEC. 341. (a) The Surgeon General is authorized to provide for the confinement, care, protection, treatment, and discipline of persons addicted to the use of habit-forming narcotic drugs who are civilly committed to treatment or convicted of offenses against the United States and sentenced to treatment under the Narcotic Addict Rehabilitation Act of 1966, addicts who are committed to the custody of the

64 Stat. 1085.  
18 USC 5005-  
5026.

Attorney General pursuant to the provisions of the Federal Youth Corrections Act (chapter 402 of title 18 of the United States Code), addicts who voluntarily submit themselves for treatment, and addicts convicted of offenses against the United States and who are not sentenced to treatment under the Narcotic Addict Rehabilitation Act of 1966, including persons convicted by general courts-martial and consular courts. Such care and treatment shall be provided at hospitals of the Service especially equipped for the accommodation of such patients or elsewhere where authorized under other provisions of law, and shall be designed to rehabilitate such persons, to restore them to health, and, where necessary, to train them to be self-supporting and self-reliant; but nothing in this section or in this part shall be construed to limit the authority of the Surgeon General under other provisions of law to provide for the conditional release of patients and for aftercare under supervision.

“(b) Upon the admittance to, and departure from, a hospital of the Service of a person who voluntarily submitted himself for treatment pursuant to the provisions of this section, and who at the time of his admittance to such hospital was a resident of the District of Columbia, the Surgeon General shall furnish to the Commissioners of the District of Columbia or their designated agent, the name, address, and such other pertinent information as may be useful in the rehabilitation to society of such person.”

SEC. 602. The Surgeon General and the Attorney General are authorized to give representatives of States and local subdivisions thereof the benefit of their experience in the care, treatment, and rehabilitation of narcotic addicts so that each State may be encouraged to provide adequate facilities and personnel for the care and treatment of narcotic addicts in its jurisdiction.

SEC. 603. The table of contents to “PART III.—PRISONS AND PRISONERS” of title 18, United States Code, is amended by inserting after

“313. Mental defectives..... 4241”

a new chapter reference as follows:

“314. Narcotic addicts..... 4251”.

and the table of contents to “PART VI.—PARTICULAR PROCEEDINGS” of title 28, United States Code, is amended by inserting after

“173. Attachment in postal suits..... 2710”

a new chapter reference as follows:

“175. Civil commitment and rehabilitation of narcotic addicts..... 2901”.

Separability.

SEC. 604. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of the Act and the application of such provision to other persons not similarly situated or to other circumstances shall not be affected thereby.

Effective dates.

SEC. 605. Title I of this Act shall take effect three months after the date of its enactment, and shall apply to any case pending in a district court of the United States in which an appearance has not been made prior to such effective date. Titles II and V of this Act shall take effect three months after the date of its enactment and shall apply to any case pending in any court of the United States in which sentence has not yet been imposed as of such effective date. Title III of this Act shall take effect three months after the date of its enactment.

SEC. 606. The provisions of this Act shall be subject to the provisions of Reorganization Plan No. 3 of 1966.

SEC. 607. There are authorized to be appropriated such sums as are necessary to carry out the provisions of this Act.

Approved November 8, 1966.

Post, p. 1610.  
Appropriation.

## Public Law 89-794

## AN ACT

To provide for continued progress in the Nation's war on poverty.

November 8, 1966  
[H. R. 15111]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Economic Opportunity Amendments of 1966".*

Economic Opportunity Amendments of 1966.

## AUTHORIZATION OF APPROPRIATIONS

SEC. 2. (a) For purposes of carrying out the Economic Opportunity Act of 1964 (other than part C of title I thereof) there is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, the sum of—

78 Stat. 508.  
42 USC 2701  
note.

- (1) \$696,000,000 for carrying out title I,
- (2) \$846,000,000 for carrying out title II,
- (3) \$57,000,000 for carrying out title III,
- (4) \$5,000,000 for carrying out section 402(b),
- (5) \$100,000,000 for carrying out title V,
- (6) \$15,000,000 for carrying out title VI,
- (7) \$31,000,000 for carrying out title VIII.

Post, p. 1472.

(b) (1) Of the sums available for carrying out title I of the Economic Opportunity Act of 1964 (other than part C thereof) in the fiscal year ending June 30, 1967, \$211,000,000 is authorized for carrying out part A thereof, \$410,000,000 is authorized for carrying out part B thereof, and \$75,000,000 is authorized for carrying out part D thereof.

(2) Of the sums available for carrying out title II of such Act in the fiscal year ending June 30, 1967, \$36,500,000 is authorized for carrying out section 205(d); \$36,500,000 is authorized for carrying out section 205(e); \$8,000,000 is authorized for carrying out section 206(b); \$352,000,000 is authorized for carrying out section 211-1(a); \$22,000,000 is authorized for carrying out section 211-1(b); \$61,000,000 is authorized for carrying out section 211-2; \$7,000,000 is authorized for carrying out section 211-3; \$323,000,000 is authorized for carrying out programs for which authorizations are not provided in the preceding clauses of this paragraph.

## TITLE I—AMENDMENTS TO TITLE I OF THE ACT

## JOB CORPS—STUDIES TO BE PROPERTY OF UNITED STATES

SEC. 101. (a) Section 103(a) of the Economic Opportunity Act of 1964 (hereinafter referred to as "the Act") is amended by inserting before the semicolon at the end thereof the following: " : *Provided*, That such agreements shall provide that all studies, evaluations, proposals, and data produced or developed with Federal funds in the course of the operation of any conservation camp or training center shall become the property of the United States".

42 USC 2713.

(b) Section 103(b) of the Act is amended by striking out "with reduced federal expenditures" and inserting in lieu thereof "at comparable costs".

## JOB CORPS—HIGH SCHOOL EQUIVALENCY CERTIFICATES

SEC. 102. Section 103(b) of the Act is amended by inserting before the semicolon at the end thereof the following: " : *Provided*, That such arrangements for education and training of enrollees in the Corps

shall, to the extent feasible, provide opportunities for qualified enrollees to obtain education or training necessary to qualify them for the equivalent of a certificate of graduation from high school;”.

#### JOB CORPS—NUMBER OF WOMEN IN THE CORPS

78 Stat. 509.  
42 USC 2714.

SEC. 103. Section 104 of the Act is amended by adding at the end thereof the following new subsection:

“(e) The Director shall take such action as may be necessary to insure that, on or before July 1, 1967, the number of women in residence, and receiving training, at Job Corps conservation camps and training centers is not less than 23 per centum of the total number of enrollees in the Job Corps.”

#### JOB CORPS—MAXIMUM CAPACITY OF JOB CORPS CAMPS AND CENTERS

SEC. 104. Section 104 of the Act is amended by adding at the end thereof (after the subsection added by section 103) the following:

“(f) The Director shall not use any funds made available to carry out this part for the fiscal year ending June 30, 1967, in such a manner as to increase the capacity of conservation camps and training centers of the Job Corps above the capacity of 45,000 enrollees in such camps and centers.”

#### JOB CORPS—MAXIMUM PERMISSIBLE COST PER ENROLLEE IN CENTERS

SEC. 105. Section 104 of the Act is amended by adding at the end thereof (after the subsection added by section 104) the following:

“(g) The Director shall take such action as may be necessary to insure that for any fiscal year the direct operating costs of Job Corps camps and centers which have been in operation for more than nine months do not exceed \$7,500 per enrollee in such camps and centers.”

#### JOB CORPS—COMMUNITY ACTIVITY

SEC. 106. Section 104 of the Act is amended by adding at the end thereof (after the subsection added by section 105) the following:

“(h) Job Corps officials shall, whenever possible, stimulate formation of indigenous community activity in areas surrounding Job Corps camps and centers to provide a friendly and adequate reception of enrollees into community life.”

#### JOB CORPS—ENROLLEE ASSIGNMENT

SEC. 107. Section 104 of the Act is amended by adding at the end thereof (after the subsection added by section 106) the following:

“(i) Whenever there is a vacancy in a Job Corps camp or center in the region in which an enrollee resides which is an appropriate camp or center to meet the needs of the enrollee as determined by the Director, such enrollee shall be assigned to such camp or center. If no such vacancy exists, the enrollee shall be assigned to the Job Corps camp or center offering programs and activities appropriate to meet the needs of the enrollee as determined by the Director, which is nearest to the residence of such enrollee.”

## JOB CORPS—FOLLOW-UP INFORMATION

SEC. 108. Section 104 of the Act is amended by adding at the end thereof (after the subsection added by section 107) the following:

78 Stat. 509.  
42 USC 2714.

“(j) The Director shall to the maximum extent feasible assure that each enrollee who successfully completes enrollment in the Corps furnishes to him six months and eighteen months after such completed enrollment the following information:

- “(1) The place of residence of such enrollee;
- “(2) The employment status of such enrollee;
- “(3) The compensation received by such enrollee in his current job and the compensation received by him in the job, if any, immediately preceding his current job; and
- “(4) Such other relevant information determined by the Director to be necessary for an effective follow-up.”

## JOB CORPS—APPLICATION OF FEDERAL EMPLOYEES' COMPENSATION ACT

SEC. 109. Section 106(c)(2)(B) of the Act is amended by striking out “\$150, except that with respect to compensation for disability accruing after the individual concerned reaches the age of twenty-one, such monthly pay shall be deemed to be”.

42 USC 2716.

## JOB CORPS—STANDARDS OF CONDUCT

SEC. 110. Part A of title I of the Act is amended by adding at the end thereof the following:

42 USC 2711-  
2720.

## “STANDARDS OF CONDUCT

“SEC. 111. (a) Within Job Corps camps and centers, standards of conduct and deportment shall be provided and stringently enforced. In the case of violations committed by enrollees, dismissals from the Corps or transfers to other locations shall be made in every instance where it is determined that retention in the Corps, or in the particular Job Corps camp or center, will jeopardize the enforcement of such standards of conduct and deportment or diminish the opportunity of other enrollees.

“(b) In order to promote the proper moral and disciplinary conditions in Job Corps conservation camps and training centers, the individual directors of Job Corps camps and centers shall be given full authority to take appropriate disciplinary measures against enrollees including, but not limited to, dismissal from the Job Corps, subject to expeditious appeal procedures to higher authority, as provided under regulation set by the Director.

“(c) The Director shall establish appropriate procedures to insure that the transfer of Job Corps enrollees from State or local jurisdiction shall in no way violate parole or probationary procedures of the State. In the event procedures have been established under which the enrollment of a youth subject to parole or probationary jurisdiction is acceptable to appropriate State authorities, the Director shall make provisions for regular supervision of the enrollee and for reports to such State authorities to conform with the appropriate parole and probationary requirements in such State.”

## JOB CORPS—EXPERIMENTAL AND DEMONSTRATION PROJECTS

78 Stat. 508.  
42 USC 2711 et  
seq.

SEC. 111. Part A of title I of the Act is amended by adding at the end thereof the following new section:

## “EXPERIMENTAL AND DEMONSTRATION PROJECTS

“SEC. 111-1. The Director shall arrange, through grants or contracts, for the carrying out of experimental and demonstration projects (of which not to exceed four may involve the construction of new camps or centers) providing youth employment and training on a combined residential and nonresidential basis. Such projects may involve the use of resources or authority under both this part and part B of this title, pursuant to agreements with the Secretary of Labor where funds under part B of this title are so used, and the Director is authorized to waive any provision of such parts which he finds would prevent the carrying out of elements of such projects essential to a determination and demonstration of their feasibility and usefulness. The Director shall report to the Congress a full description of actions taken and progress made under this section no later than March 1, 1968.”

Report to Con-  
gress.

## WORK TRAINING PROGRAMS—REVISION OF THE PROGRAM

SEC. 112. (a) Sections 111, 112, and 113 of Part B of title I of the Act are amended to read as follows:

42 USC 2731-  
2733.

## “NEIGHBORHOOD YOUTH CORPS

“SEC. 112. (a) The Director shall formulate and carry out—

“(1) programs to provide part-time employment, on-the-job training, and useful work experience for students from low-income families who are in the ninth through twelfth grades of school (or are of an age equivalent to that of students in such grades) who are in need of the earnings to permit them to resume or maintain attendance in school, and

“(2) programs to provide unemployed individuals useful work experience and on-the-job training, combined where needed with educational and training assistance, including basic literacy and occupational training designed to assist the individuals to develop their maximum occupational potential. Enrollment shall be limited to individuals aged sixteen through twenty-one years.

“(b) In determining for purposes of paragraph (1) of subsection (a) whether a student is from a low-income family, the Director shall consider a student to be from such a family if the family receives cash welfare payments.

## “FINANCIAL ASSISTANCE

“SEC. 113. (a) The Director is authorized to enter into agreements providing for the payment by him of part or all of the cost of a program submitted under section 112 if he determines, in accordance with such regulations as he may prescribe, that—

“(1) enrollees will be employed either (A) on publicly owned and operated facilities or projects, or (B) on local projects sponsored by private organizations;

“(2) no enrollees will be employed on projects involving political parties, or the construction, operation, or maintenance of so much of any facility as is used or to be used for sectarian instruction or as a place for religious worship;

“(3) the program will not result in the displacement of employed workers or impair existing contracts for services; and

“(4) the rates of pay for time spent in work, training or education and other conditions of employment will be appropriate and reasonable in the light of such factors as the type of work performed, geographical region, and proficiency of the employee.

“(b) In approving on-the-job training projects with other than public or private nonprofit organizations, the Director is authorized to enter into agreements to pay reasonable training costs but not wages paid to enrollees for services performed.

“(c) In approving projects under this part, the Director shall give priority to projects with high training potential and high potential for contributing to the upward mobility of the trainee.”

(b) Section 114(a) of the Act is amended by striking out “Participation” and inserting in lieu thereof “Enrollment” and by striking out “who have attained age sixteen but have not attained age twenty-two.”

78 Stat. 513.  
42 USC 2734.

(c) Section 114(c) of the Act is amended by striking out “non-profit”.

(d) Section 115 of the Act is amended by striking out “paid for the period ending three years after the date of enactment of this Act” and by striking out “and such assistance paid for periods thereafter shall not exceed 50 per centum of such costs.”

79 Stat. 974.  
42 USC 2735.

#### SPECIAL IMPACT PROGRAMS

SEC. 113. Title I of the Economic Opportunity Act of 1964 is amended by—

(1) striking out the heading of such title and inserting in lieu thereof: “TITLE I—WORK TRAINING AND WORK-STUDY PROGRAMS”; and

(2) inserting the following new part immediately following part C:

#### “PART D—SPECIAL IMPACT PROGRAMS

##### “ESTABLISHMENT OF PROGRAMS

“SEC. 131. (a) The purpose of this part is to establish special programs which (1) are directed to the solution of the critical problems existing in particular communities and neighborhoods (defined without regard to political or other subdivisions or boundaries) within those urban areas of the Nation having, in the judgment of the Director, especially large concentrations of low-income persons; (2) are of sufficient size and scope to have an appreciable impact in such communities and neighborhoods in arresting tendencies toward dependency, chronic unemployment, and rising community tensions; and (3) where feasible and appropriate, are part of a citywide plan for the reorganization of local or State agencies in order to coordinate effectively all relevant programs of social development.

“(b) In order to carry out the purposes of this part, the Director is authorized to make grants to public or private nonprofit organizations, or to enter into contracts with other private organizations, for the payment of all or part of the cost of programs described in sections 205 (d) and (e) of this Act. The Director shall assure that the work training

Post, p. 1458.

and employment opportunities created under these special programs are filled by the residents of the communities or neighborhoods served, and that the activities pursued are carried out in the communities and neighborhoods described in subsection (a). For the purposes of this section, the Director may include youths aged sixteen to twenty-one who are unemployed, underemployed, or below the poverty level as established for the programs described in sections 205 (d) and (e).

Post, p. 1458.

“(c) The Director shall establish such criteria, and impose such conditions, as may be necessary or appropriate to assure that no program assistance under this part will result in the displacement of employed workers or impair existing contracts for services and to assure that the rates of pay and other conditions of employment will be appropriate and reasonable in the light of such factors as the type of work performed, geographical region, and proficiency of the employee.

“(d) In carrying out the provisions of this part, the Director shall establish such procedures or impose such requirements as may be necessary or appropriate to assure maximum coordination with community action programs approved pursuant to part A of title II of this Act.

78 Stat. 516.  
42 USC 2781-  
2791.

#### “FEDERAL SHARE OF PROGRAM COSTS

“SEC. 132. Federal grants to any program carried out pursuant to this part shall not exceed 90 per centum of the cost of such program, including costs of administration, unless the Director determines, pursuant to regulations adopted and promulgated by him establishing objective criteria for such determinations, that assistance in excess of such percentages is required in furtherance of the purposes of this part. Non-Federal contributions may be in cash or in kind, fairly evaluated, including but not limited to plant, equipment, and services: *Provided*, That where capital investment is required under a contract with a private organization (other than a nonprofit organization), the Federal share thereof shall not exceed 90 per centum of such capital investment and the non-Federal share shall be as defined above.”

#### ·TITLE I PROGRAMS—DURATION; LIMITATION ON USE OF FUNDS

SEC. 114. Part D of title I of the Act is amended to read as follows:

#### “PART E—DURATION OF PROGRAM

“SEC. 141. The Director shall carry out the programs for which he is responsible under this title during the fiscal year ending June 30, 1967, and the three succeeding fiscal years. For each such fiscal year only such sums may be appropriated as the Congress may authorize by law.”

#### TITLE II—AMENDMENTS TO TITLE II OF THE ACT

##### COMMUNITY ACTION—DEFINITION OF “COMMUNITY”

SEC. 201. Section 202(a) (1) of the Act is amended by inserting “in an attack on poverty” after “utilizes”, and by striking out “in an attack on poverty” and inserting in lieu thereof “or any neighborhood or other area (irrespective of boundaries or political subdivisions) which is sufficiently homogeneous in character to be an appropriate area for an attack on poverty under this part;”.

42 USC 2782.

## COMMUNITY ACTION—CRITERIA FOR APPROVAL PROGRAMS

SEC. 202. Section 202(b) of the Act is amended by adding at the end thereof a new sentence to read as follows: "Such criteria shall include requirements to assure (1) that each agency responsible for a community action program is qualified to administer such program and the funds granted to it efficiently, effectively, and in a manner fully consistent with the provisions and purposes of this part, having due regard for the size and complexity of such program and the number of persons and size of the area served; (2) that each such agency is subject to evaluation of program progress and regular or periodic audits and that the results or findings of such evaluations and audits are considered by the agency as well as by the Director in connection with proposals or applications for the renewal, expansion, or modification of any such program; (3) that each such agency maintains records and internal controls needed to achieve and document compliance with all legal requirements and that all records bearing exclusively on grants made under this part are available to the General Accounting Office; (4) that each such program is carried on in accordance with standards and policies, including rules governing the conduct of officers and employees, to preclude the use of program funds, the provision of services, or the employment or assignment of personnel in a manner supporting, or resulting in an identification of such program with, any partisan political activity or any activity designed to further the election or defeat of any candidate for public office; and (5) that the personnel of each such agency are selected, employed, promoted, and compensated in accordance with standards prescribed by the Director, or personnel plans approved by him, as promoting efficiency and the effective use of funds."

78 Stat. 516.  
42 USC 2782.

## COMMUNITY ACTION—REPRESENTATIVES OF THE POOR

SEC. 203. Section 202 of the Act is amended by adding at the end thereof the following new subsections:

"(c) (1) The Director shall not approve, or continue to fund after March 1, 1967, a community action program which is conducted, administered, or coordinated by a board which contains representatives of various geographical areas in the community unless such representatives are required to live in the area they represent.

"(2) The Director shall not approve, or continue to fund after March 1, 1967, a community action program which is conducted, administered, or coordinated by a board on which representatives of the poor do not comprise at least one-third of the membership.

"(3) The representatives of the poor shall be selected by the residents in areas of concentration of poverty, with special emphasis on participation by the residents of the area who are poor.

"(4) In communities where substantial numbers of the poor reside outside of areas of concentration of poverty, provision shall be made for selection of representatives of such poor through a process, such as neighborhood meetings, in which the poor participate to the greatest possible degree.

"(d) The Director shall require community action agencies to establish procedures under which representative groups of the poor including but not limited to minority groups, the elderly, and the rural population, which feel themselves inadequately represented on their community action agency policy board, may petition for adequate representation on such board."

## COMMUNITY ACTION—USE OF LATEST DATA IN MAKING ALLOTMENTS

78 Stat. 517.  
42 USC 2783.

SEC. 204. Section 203(b) of the Act is amended (1) by inserting after "State" the second time it appears in paragraph (1) the following "(as determined on the basis of the latest appropriate data)", (2) by inserting after "States" the second time it appears in such paragraph the following "(as so determined)", (3) by inserting after "State" the second time it appears in paragraph (2) the following "(as determined on the basis of the latest appropriate data)", and (4) by inserting after "States" the second time it appears in paragraph (2) the following "(as so determined)".

## COMMUNITY ACTION—SALARY LIMITS

42 USC 2785.

SEC. 205. Section 205(a) of the Act is amended by adding at the end thereof the following new sentence: "The Director shall require that where an agency pays an employee engaged in carrying out a community action program at a rate in excess of \$15,000 per annum, payment of such excess shall not be made from Federal funds; and any amount paid such an employee in excess of \$15,000 per annum shall not be considered in determining whether section 208(a) has been complied with."

42 USC 2788.

## COMMUNITY ACTION—ADULT WORK TRAINING AND EMPLOYMENT PROGRAMS

79 Stat. 974.

SEC. 206. (a) Section 205 of the Act is amended by redesignating subsection (e) as subsection (f) and by inserting immediately following subsection (d) the following new subsection:

"(e) The Director is authorized to make grants or enter into agreements with any State or local agency or private organization to pay all or part of the costs of adult work training and employment programs for unemployed or low-income persons involving activities designed to improve the physical, social, economic or cultural condition of the community or area served in fields including, but not limited to, health, education, welfare, neighborhood redevelopment, and public safety. Such programs shall (1) assist in developing entry level employment opportunities, (2) provide maximum prospects for advancement and continued employment without Federal assistance, and (3) be combined with necessary educational, training, counseling, and transportation assistance, and such other supportive services as may be needed. Such work experience shall be combined, where needed, with educational and training assistance, including basic literacy and occupational training. Such program shall be conducted in a manner consistent with policies applicable under this Act for the protection of employed workers and the maintenance of basic rates of pay and other suitable conditions of employment."

## COMMUNITY ACTION—USE OF PUBLIC FACILITIES

SEC. 207. Section 205(f) of the Act (as so redesignated by section 206) is amended by inserting before the period at the end thereof the following: "and to programs which make the maximum utilization of existing schools, community centers, settlement houses, and other facilities during times they are not in use for their primary purpose".

COMMUNITY ACTION—FUNDING INDEPENDENT PROGRAMS; MEMBERSHIP  
IN SPONSORING ORGANIZATIONS

SEC. 208. Section 205 of the Act is amended by adding at the end thereof the following new subsections:

78 Stat. 518.  
42 USC 2785.

“(g) The Director shall carry out this part in such a manner as to insure that funds available for carrying out this part (other than those available for carrying out subsections (d) and (e) of this section, and sections 206(b), 211-1(a), 211-1(b), 211-2 and 211-3) at least 5 per centum will be used for carrying out independently funded community action programs (other than programs described in subsections (d) and (e) of this section, and sections 206(b), 211-1(a), 211-1(b), 211-2 and 211-3) which are carried on in communities in which there is being carried on concurrently a community action program for which an overall community action agency assumes responsibility for planning, developing, and coordinating community-wide antipoverty programs and provides for the involvement and participation of public and private nonprofit agencies. In addition the Director may use an additional 5 per centum of such funds for carrying out such programs. For purposes of this subsection, a program will be deemed to be independently funded if the grantee is one that develops, and is funded to operate only, programs which are of limited scope and which does not have broad comprehensive community representation on its policymaking board, whether or not the grantee sponsors one or several component programs.

*Ante*, p. 1458.  
*Post*, p. 1462.

“(h) The Director shall make grants to, or contracts with, independently funded public and private nonprofit agencies and organizations in predominantly rural areas in accordance with sections 210 and 617, where the Director determines it is not feasible, within a reasonable period of time, to establish community action agencies.

42 USC 2790.  
79 Stat. 979.  
42 USC 2967.

“(i) If projects are of a regional nature and can be more efficiently operated on this basis, the Director may make grants to, or contract with, independently funded, public and private nonprofit agencies and organizations for the conduct and administration of such projects.

“(j) No officer or employee of the Office of Economic Opportunity shall be an executive officer or a member of the board of directors of any organization (other than a religious organization) with which the Director has entered into a contract under this section to carry out a community action program or a component program thereof.”

COMMUNITY ACTION—FISCAL RESPONSIBILITY AND ACCOUNTING

SEC. 209. Section 205 of the Act is amended by inserting at the end thereof (after the subsections added by section 208) the following:

“(k) No funds shall be released to any public or private nonprofit agency, or combination thereof, under this section unless the grantee organization has submitted to the Director either—

“(1) a statement from the appropriate public financial officer of the community or of the public agency which will maintain the accounts of the grantee, stating that such officer accepts responsibility for providing financial services adequate to insure the establishment and maintenance of an accounting system by such agency and its delegate agencies, with internal controls adequate to safeguard the assets of such agencies, check the accuracy and reliability of accounting data, promote operational efficiency and encourage adherence to prescribed management policies; or

“(2) an opinion from a Certified Public Accountant or a duly licensed public accountant stating that the grantee has established such an accounting system.”

“(1) (1) The Director shall make or cause to be made a preliminary audit survey within 3 months after the effective date of a grant or contract with any public or private nonprofit agency, or combination thereof, under this section to review and evaluate the adequacy of the grantee organization's and its delegate agencies' accounting systems and internal controls.

“(2) Within 30 days of the completion of such survey, the Director shall determine on the basis of the findings and conclusions resulting from such survey whether the accounting systems of the grantee organization and its delegate agencies meet the standards set forth in subsections (k) (1) and (k) (2). If he shall determine that the standards have not been met, he shall immediately notify the grantee organization of his determination and he shall consider whether suspension of further payment of Federal funds under the subject grant is warranted.

“(3) In the event of suspension of any grant funds pursuant to subsection (1) (2), the affected agency shall be given not more than six months from the date of notice of suspension in which to establish, with the advice of Office of Economic Opportunity auditors, the procedures prescribed in subsection (k). A new audit shall be performed within this period and if, by the end of this period, the Director is still unable to determine that the accounting system meets the required standards he shall terminate the contract or grant.

“(m) The Director shall establish such rules and regulations as may be required to insure that public or private nonprofit agencies, or combinations thereof, maintain the standards of accounting set forth in sections 205(k) (1) and (2) during the period of any grant or contract under this section.”

COMMUNITY ACTION—PAYMENT OF ALLOWANCES FOR ATTENDANCE AT MEETINGS

42 USC 2785.

SEC. 210. Section 205 of the Act is amended by inserting at the end thereof (after the subsections inserted by section 209) the following:

“(n) In extending assistance under this section the Director is authorized to make grants for the payment of a reasonable allowance per meeting for attendance at community action agency board meetings or neighborhood community action council or committee meetings and for the reimbursement of other necessary expenses of attendance at such meetings to members of such boards, councils, or committees who are residents of the areas and members of the groups served in order to insure and encourage their maximum feasible participation in the development, conduct, and administration of community action programs: *Provided, however,* That no such payments shall be made for attendance at more than two meetings in a month, or to any person who is an employee of the United States Government, of a community action agency, or of a State or local governmental agency.”

COMMUNITY ACTION—FAMILY PLANNING SERVICES

SEC. 211. Section 205 of the Act is amended by inserting at the end thereof (after the subsection added by section 210) the following:

“(o) (1) In making grants for programs in the field of family planning the Director shall assure that family planning services, including

the dissemination of family planning information and medical assistance and supplies, are made available to all individuals who meet the criteria for eligibility for assistance under this part which have been established by the community action agency and who desire such information, assistance, or supplies.

“(2) No such grant shall be approved unless it contains and is supported by reasonable assurances that in carrying out any program assisted by any such grant, the applicant will establish and follow procedures designed to insure that—

“(A) no individual will be provided with any information, medical supervision or supplies which such individual states to be inconsistent with his or her moral, philosophical, or religious beliefs; and

“(B) no individual will be provided with any medical supervision or supplies unless such individual has voluntarily requested such medical supervision or supplies.

“(3) The use of family planning services provided by the applicant under such grant shall not be a prerequisite to the receipt of services from or participation in any other programs under this Act.”

COMMUNITY ACTION—TECHNICAL ASSISTANCE, TRAINING, AND  
EMERGENCY LOANS

SEC. 212. (a) Section 206 of the Act is amended to read as follows:

78 Stat. 518.  
42 USC 2786.

“TECHNICAL ASSISTANCE, TRAINING, AND EMERGENCY LOANS

“SEC. 206. (a) The Director is authorized to provide, either directly or through grants or other arrangements, (1) technical assistance to communities in developing, conducting, and administering community action programs, and (2) training for specialized or other personnel needed to develop, conduct, or administer such programs or to provide services or other assistance in connection with such programs or otherwise pertaining to the purposes of this part. The Director may, upon request of a grantee under this section, or sections 204, 205, or 209(b), make special assignments of personnel to the grantee to assist and advise in the performance of functions related to the purposes of this part, except that in no event shall more than one hundred persons be employed for, or at any one time regularly engaged in, such assignments, nor shall any such special assignment be for a period of more than two years in the case of any grantee.

42 USC 2784,  
2785, 2789.

“(b) The Director shall also formulate and carry out a program for making small loans to persons in low-income families to meet immediate and urgent family needs. The total outstanding balance of loans made to an individual under this subsection may not at any time exceed \$300. Loans under this subsection shall bear interest at the rate of 2 per centum per annum and shall be made on such other terms and conditions as the Director may prescribe.”

COMMUNITY ACTION—RESEARCH AND DEMONSTRATIONS

SEC. 213. Section 207 of the Act is amended by striking out “, training,” by striking out “15 per centum” and inserting “5 per centum”, and by adding at the end thereof the following: “No grant or contract for a research or demonstration project shall be made under this section after January 1, 1967, except pursuant to an overall plan setting forth specific objectives to be achieved under this section and setting forth priorities among such objectives. Such plan, to the extent it contemplates activities or programs that may be undertaken by other

42 USC 2787.

Federal agencies or the making of grants or contracts that might be made by other Federal agencies having demonstration and research responsibilities, shall be approved by the Director only after consultation with such agencies. The Director shall include as part of the annual report required by section 608, or as a separate and simultaneous report, a description of the principal research and demonstration activities undertaken during each fiscal year under this part, a statement indicating the relation of such activities to the plan and the policies of this Act, and a statement with respect to each such category, describing the results or findings of such research and demonstration activities, or indicating the time or period, and to the extent possible the manner, in which the benefits or expected benefits of such activities will or are expected to be realized. The Director shall require that all applications or proposals for research or demonstrations shall be filed simultaneously in the appropriate regional office of the Office of Economic Opportunity, and shall require such offices to review and make recommendations with respect thereto within fifteen days from the date of filing."

#### COMMUNITY ACTION—LIMITATIONS ON ASSISTANCE

78 Stat. 519;  
79 Stat. 975.  
42 USC 2788.

SEC. 214. Section 208(a) of the Act is amended by striking out "three years after the date of enactment of this Act" and inserting in lieu thereof "June 30, 1967", and by striking out "50 per centum" and inserting in lieu thereof "80 per centum".

#### COMMUNITY ACTION—HEADSTART AND LEGAL SERVICES PROGRAMS

42 USC 2781 et  
seq.

SEC. 215. Title II of the Act is amended by inserting after section 211 the following new section:

#### "HEADSTART AND LEGAL SERVICES PROGRAMS

"SEC. 211-1. (a) In carrying out sections 204 and 205, the Director shall carry out programs eligible for assistance under such sections which assist young children who have not reached the age of compulsory school attendance and which include (1) the furnishing of such comprehensive health, nutritional, social, educational, and mental health services as the Director finds will aid such children to attain their greatest potential, (2) the provision of appropriate activities to encourage the participation of parents of such children and the effective use of their services, and (3) such other training, technical assistance, evaluation, and follow-through activities as may be necessary or appropriate.

"(b) In carrying out sections 204 and 205, the Director shall carry out programs eligible for assistance under such sections, which provide legal advice and legal representation to persons when they are unable to afford the services of a private attorney, together with legal research and information as appropriate to mobilize the assistance of lawyers or legal institutions, or combinations thereof, to further the cause of justice among persons living in poverty: *Provided*, That the Director shall establish procedures to assure that the principal local bar associations in the area to be served by any proposed program of legal advice and representation are afforded an adequate opportunity to review the proposed program and to submit comments and recommendations thereon before such program is approved or funded."

## HEALTH SERVICES

SEC. 216. Part A of title II of the Act is amended by adding at the end thereof the following new section:

78 Stat. 516.  
42 USC 2781 et  
seq.

## "COMPREHENSIVE HEALTH SERVICES PROGRAMS

"SEC. 211-2. (a) The Director is authorized to make grants to, or to contract with, public or private nonprofit agencies in order to provide assistance necessary for the development and implementation of comprehensive health services programs focused upon the needs of persons residing in urban or rural areas having high concentrations of poverty and a marked inadequacy of health services. Such programs shall be designed—

"(1) to make possible, with maximum feasible utilization of existing agencies and resources, the provision of comprehensive health services, including but not limited to preventive medical, diagnostic, treatment, rehabilitation, mental health, dental, and follow-up services, together with facilities and rehabilitation necessary in connection therewith; and

"(2) to assure that such services are made readily accessible to the residents of such areas, are furnished in a manner most responsive to their needs and with their participation, and wherever possible are combined with, or included within arrangements for providing, employment, education, social, or other assistance needed by the families and individuals served.

Before approving any program under this section, the Director shall consult with appropriate Federal, State, and local health agencies and take such steps, or impose such conditions, as may be required to make certain that the program will be carried on under competent professional supervision and that existing agencies providing services related to this section are furnished with all assistance necessary or appropriate in order to permit them to plan for participation in such program and for the necessary continuation of such services.

"(b) In carrying out this section, the Director shall formulate and carry out programs for the prevention of narcotic addiction and the rehabilitation of narcotic addicts. Such programs shall include provisions for the detoxification, guidance, training, and job placement of narcotic addicts.

"(c) The Director, either separately or as part of the annual report required under section 608, shall submit at least annually to the Congress a comprehensive statement describing the actions taken and progress made under this section and all other provisions of this Act in meeting the needs of the poor for expanded and improved health services. The Director shall also provide for studies of the nature and characteristics of health problems particularly significant to low-income persons.

Report to Congress.  
42 USC 2948.

"(d) The Director is authorized, after consultation with the Secretary of Health, Education, and Welfare, to secure (by grant or contract) objective studies of the overall operation of the programs authorized under this section, including their relationship to and impact on the adequacy and availability of all relevant programs and services for meeting total health needs. Reports of such studies, together with such comments and recommendations as the Director and the Secretary of Health, Education, and Welfare may care to offer, shall be submitted to the President and the Congress."

Reports to President and Congress.

## ADULT BASIC EDUCATION

78 Stat. 516.  
42 USC 2781 et  
seq.

SEC. 217. Title II of the Act is amended by adding at the end thereof (after the section added by section 216) the following new section:

## "SPECIAL PROJECTS ON ADULT BASIC EDUCATION

"SEC. 211-3. The Director is authorized to make grants to local educational agencies and to other public or private nonprofit agencies for the purpose of special projects in the field of adult basic education for low-income individuals over eighteen years of age whose lack of basic educational skills constitutes a substantial impairment of their ability to get or retain employment commensurate with their real ability. Such projects shall—

"(1) involve the use of innovative methods, systems, materials, or programs which the Director determines may have national significance or be of special value in promoting effective programs under this title,

"(2) involve activities in adult basic education which the Director determines are so coupled with other Federal, federally assisted, State, or local programs, as to have unusual promise in promoting a comprehensive or coordinated approach to the problems of low-income individuals with basic educational deficiencies, or

"(3) show promise of enabling persons receiving welfare payments or other forms of public assistance to obtain employment which will permit discontinuance of such assistance."

## TITLE II PROGRAMS—DURATION

SEC. 218. Part D of title II of the Act is amended to read as follows:

## "PART D—DURATION OF PROGRAM

"SEC. 221. The Director shall carry out the programs provided for in this title during the fiscal year ending June 30, 1967, and the three succeeding fiscal years. For each such fiscal year only such sums may be appropriated as the Congress may authorize by law.

## TITLE III—AMENDMENTS TO TITLE III OF THE ACT

## RURAL AREAS—LOAN AUTHORITY AND INDEMNITY PAYMENTS

42 USC 2851.

SEC. 301. (a) Section 302(a) of the Act is amended by striking out "exceeding \$2,500 in the aggregate" and inserting in lieu thereof "resulting in an aggregate indebtedness of more than \$3,500 at any one time".

(b) Section 305(f) of the Act is amended by—

(1) inserting "(1)" immediately after "Provided, That"; and

(2) inserting immediately before the period at the end thereof a semicolon and the following: "and (2) a cooperative organization formed by and consisting of members of an Indian tribe (including any tribe with whom the special Federal relationship with Indians has been terminated) engaged in the production of agricultural commodities, or in manufacturing products, on an Indian reservation (or former reservation in the case of tribes with whom the special Federal relationship with Indians has been

terminated) shall not be regarded as a cooperative organization within the purview of this clause”.

(c) Section 331(c) of the Act is amended by striking out “June 30, 1966” and inserting in lieu thereof “June 30, 1967”. 78 Stat. 525;  
79 Stat. 977.  
42 USC 2881.

#### TITLE III PROGRAMS—DURATION

SEC. 302. Part C of title III of the Act is amended to read as follows: 42 USC 2871.

##### “PART C—DURATION OF PROGRAM

“SEC. 321. The Director shall carry out the programs provided for in this title during the fiscal year ending June 30, 1967, and the three succeeding fiscal years. For each such fiscal year only such sums may be appropriated as the Congress may authorize by law.”

#### TITLE IV—AMENDMENTS TO TITLE IV OF THE ACT

SEC. 401. Sections 402, 405, and 406 of the Act are amended by striking out “Director” where it appears in such sections and inserting in lieu thereof “Administrator of the Small Business Administration”. 42 USC 2902,  
2905, 2906.

SEC. 402. (a) Section 402 of the Act is hereby redesignated section 402(a) and there is added at the end thereof a new subsection (b) as follows:

“(b) The Director is authorized to make grants to, or contract with, public or private nonprofit agencies, or combinations thereof, to pay all or part of the costs necessary to enable such agencies to provide screening, counseling, management guidance, or similar assistance with respect to persons or small business concerns which receive or may be eligible for assistance under subsection (a). Financial assistance under this subsection shall be subject to the provisions of section 208 of this Act.” 42 USC 2788.

SEC. 403. Sections 403 and 404 of the Act are hereby repealed.

SEC. 404. Section 407 of the Act is amended to read as follows: Repeal.  
42 USC 2903,  
2904.  
42 USC 2907.

##### “DURATION OF PROGRAM

“SEC. 407. The Administrator of the Small Business Administration shall carry out the programs provided for in this title during the fiscal year ending June 30, 1967, and the three succeeding fiscal years.”

SEC. 405. Section 402 of the Act is amended by inserting “(a)” after “SEC. 402.” and by adding at the end thereof the following new subsection:

“(b) To the extent necessary or appropriate to carry out the programs provided for in this title the Administrator of the Small Business Administration shall have the same powers as are conferred upon the Director by section 602 of this Act.” Post, p. 1468.  
42 USC 2942.

SEC. 406. Sections 405, 406, and 407 of the Act, as amended by these Economic Opportunity Amendments of 1966, are respectively renumbered as sections 403, 404, and 405 of the Act.

SEC. 407. Section 606 of the Act is amended by striking out “and IV” where it appears in subsections (a) and (d) thereof. 42 USC 2946.

## TITLE V—REVISION OF TITLE V OF THE ACT

SEC. 501. (a) Title V of the Act is amended to read as follows:

“TITLE V—WORK EXPERIENCE AND TRAINING PROGRAMS

“STATEMENT OF PURPOSE

“SEC. 501. It is the purpose of this title to expand the opportunities for constructive work experience and other needed training available to persons (including workers in farm families with less than \$1,200 net family income, unemployed heads of families and other needy persons) who are unable to support themselves or their families.

“TRANSFER OF FUNDS

“SEC. 502. In order to permit the carrying out of work experience and training programs meeting the criteria set forth in part E of title II of the Manpower Development and Training Act of 1962, the Director is authorized to transfer funds to the Secretary of Health, Education, and Welfare to enable him (1) to make payments under section 1115 of the Social Security Act for experimental, pilot, or demonstration projects which provide pretraining services and basic maintenance, health, family, basic education, day care, counseling, and similar supportive services required for such programs, and (2) to reimburse the Secretary of Labor for carrying out the activities described in such part E of title II of the Manpower Development and Training Act of 1962. Costs of such projects and activities shall, notwithstanding the provisions of the Social Security Act and the Manpower Development and Training Act of 1962, be met entirely from funds appropriated to carry out this title: *Provided*, That such funds may not be used to assist families and individuals insofar as they are otherwise receiving or eligible to receive assistance or social services through a State plan approved under titles I, IV, X, XIV, XVI, or XIX of the Social Security Act.

“LIMITATIONS ON WORK EXPERIENCE AND TRAINING PROGRAMS

“SEC. 503. (a) The provisions of paragraphs (1) to (6), inclusive, of section 409 of the Social Security Act, unless otherwise inconsistent with the provisions of this title, shall be applicable with respect to work experience and training programs assisted with funds under this title. The costs of such programs to the United States shall, notwithstanding the provisions of such Act, be met entirely from funds appropriated or allocated to carry out the purpose of this title.

“(b) Work experience and training programs shall be so designed that participation of individuals in such programs will not ordinarily exceed 36 months, except that nothing in this subsection shall prevent the provision of necessary and appropriate follow-up services for a reasonable period after an individual has completed work experience and training.

“(c) Not more than 12½ percent of the sums appropriated or allocated for any fiscal year to carry out the purposes of this title shall be used within any one state. In the case of any work experience and training program approved on or after July 1, 1968, not more than 80

78 Stat. 527.  
42 USC 2921-  
2923.

Post, p. 1475.

76 Stat. 192.  
42 USC 1315.

42 USC 301, 601,  
1201, 1351, 1381,  
1396.

76 Stat. 186.  
42 USC 609.

percent of the costs of projects or activities referred to in section 502 may be paid from funds appropriated or allocated to carry out this title, unless the Secretary of Health, Education, and Welfare determines, pursuant to regulations prescribed by him establishing objective criteria for such determinations, that assistance in excess of such percentage is required in furtherance of the purposes of this title. Non-Federal contributions may be in cash or in kind, fairly evaluated, including but not limited to plant, equipment, and services.

#### "DURATION OF PROGRAMS

"SEC. 504. The Director shall carry out the programs provided for in this title during the fiscal year ending June 30, 1967, and the three succeeding fiscal years. For each such fiscal year only such sums may be appropriated as the Congress may authorize by law.

#### "TRANSITION

"SEC. 505. The Secretary of Labor is authorized to provide work experience and training programs authorized by section 261(a) (3) and (4) of part E of title II of the Manpower Development and Training Act of 1962, commencing July 1, 1967. The Secretary of Health, Education, and Welfare is authorized to provide such work experience and training programs through June 30, 1967, and may also continue to completion those work experience and training programs commenced prior to that date, but in no event shall such programs be extended beyond June 30, 1968. After June 30, 1967, the Secretary of Health, Education, and Welfare, pursuant to agreement with the Secretary of Labor which shall include provisions for joint evaluation and approval of the training and work experience aspect of each project or program, may also—

"(1) with the concurrence of the Secretary of Labor, renew existing projects and programs, or develop and provide new projects or programs, to accomplish the purposes of this title and of part E of title II of the Manpower Development and Training Act of 1962; and

"(2) with the concurrence of the Secretary of Labor, develop and provide other work experience and training programs pursuant to such part E, with respect to such projects or parts of projects which the Secretary of Labor is unable to provide after being given notice and a reasonable opportunity to do so.

Before July 1, 1967, the Secretary of Health, Education, and Welfare may, for the purposes of this title and part E of title II of the Manpower Development and Training Act of 1962, utilize the services and facilities available under the manpower development and utilization programs administered by the Department of Labor which may include, but not be limited to, testing, counseling, job referral and follow-up services required to assist participants in securing and obtaining employment, training opportunities, either on or off the job, available under the Manpower Development and Training Act of 1962, and relocation assistance to involuntarily unemployed individuals in accordance with the standards prescribed in section 104 of the Manpower Development and Training Act of 1962, and shall compensate the Secretary of Labor for the reasonable costs thereof either by advance or reimbursement."

*Post*, p. 1475.

79 Stat. 76.  
42 USC 2572b.

## TITLE VI—AMENDMENTS TO TITLE VI OF THE ACT

## ELDERLY POOR

78 Stat. 528.  
42 USC 2941.

SEC. 601. (a) Section 601(a) of the Act is amended by striking out "three" in the third sentence thereof and inserting in lieu thereof "four".

79 Stat. 978.  
42 USC 2950.

(b) Section 610 of the Act is amended by inserting at the end thereof the following: "The Director shall carry out such investigations and studies, including consultations with appropriate agencies and organizations, as may be necessary (1) to develop programs providing employment opportunities, public service opportunities, and education for the elderly poor under the provisions of this Act, and (2) to determine and recommend to the President and the Congress such programs requiring additional authority and the necessary legislation to provide such authority."

## LIAISON BETWEEN AGENCIES

42 USC 2942.

SEC. 602. Section 602(d) of the Act is amended by adding immediately before the semicolon at the end thereof the following: "subject to provisions to assure the maximum possible liaison between the Office of Economic Opportunity and such other agencies at all operating levels, which shall include the furnishing of complete operational information by such other agencies to the Office of Economic Opportunity and the furnishing of such information by such Office to such other agencies".

## ELIMINATION OF SPECIAL PRINTING AUTHORITY OF DIRECTOR

SEC. 603. Section 602(m) of the Act is amended to read as follows:

"(m) expend funds made available for purposes of this Act—

"(1) for printing and binding, in accordance with applicable law and regulation; and

"(2) without regard to any other law or regulation, for rent of buildings and space in buildings and for repair, alteration, and improvement of buildings and space in buildings rented by him; but the Director shall not utilize the authority contained in this subparagraph (2)—

"(A) except when necessary to obtain an item, service, or facility, which is required in the proper administration of this Act, and which otherwise could not be obtained, or could not be obtained in the quantity or quality needed, or at the time, in the form, or under the conditions in which, it is needed, and

"(B) prior to having given written notification to the Administrator of General Services (if the exercise of such authority would affect an activity which otherwise would be under the jurisdiction of the General Services Administration) of his intention to exercise such authority, the item, service, or facility with respect to which such authority is proposed to be exercised, and the reasons and justifications for the exercise of such authority; and".

## ADMINISTRATION—POLITICAL ACTIVITIES

SEC. 604. Section 603 of the Act is amended to read as follows:

78 Stat. 530;  
79 Stat. 977.  
42 USC 2943.

## "POLITICAL ACTIVITIES

"SEC. 603. (a) For purposes of chapter 15 of title 5 of the United States Code any overall community action agency which assumes responsibility for planning, developing, and coordinating community-wide antipoverty programs and receives assistance under this Act shall be deemed to be a State or local agency; and for purposes of clauses (1) and (2) of section 1502(a) of such title any agency receiving assistance under this Act (other than part C of title I) shall be deemed to be a State or local agency.

Ante, p. 403.

"(b) The Director, after consultation with the Civil Service Commission, is authorized to issue such regulations or impose such requirements as may be necessary or appropriate to supplement the provisions of subsection (a) of this section or otherwise to insure that programs assisted under this Act are not carried on in a manner involving the use of program funds, the provision of services, or the employment or assignment of personnel in a manner supporting, or resulting in the identification of such program with, any partisan political activity or any activity designed to further the election or defeat of any candidate for public office."

## NATIONAL ADVISORY COUNCIL ON ECONOMIC OPPORTUNITY

SEC. 605. Section 605 of the Act is amended to read as follows:

42 USC 2945.

## "NATIONAL ADVISORY COUNCIL ON ECONOMIC OPPORTUNITY

"SEC. 605. (a) There is hereby established in the Office a National Advisory Council on Economic Opportunity (hereinafter referred to as the Advisory Council), to be composed of twenty-one members appointed, for staggered terms and without regard to the civil service laws, by the President. Such members shall be representative of the public in general and appropriate fields of endeavor related to the purposes of this Act. The President shall designate the chairman from among such members. The Advisory Council shall meet at the call of the chairman but not less often than four times a year. The Director shall be an ex officio member of the Advisory Council.

"(b) The Advisory Council shall—

"(1) advise the Director with respect to policy matters arising in the administration of this Act; and

"(2) review the effectiveness and the operation of programs under this Act and make recommendations concerning (A) the improvement of such programs, (B) the elimination of duplication of effort, and (C) the coordination of such programs with other Federal programs designed to assist low income individuals and families.

Such recommendations shall include such proposals for changes in this Act as the Advisory Council deems appropriate.

"(c) The Advisory Council shall make an annual report of its findings and recommendations to the President not later than March 31 of each calendar year beginning with the calendar year 1967. The President shall transmit each such report to the Congress together with his comments and recommendations."

Report to President and Congress.

## ADMINISTRATION—COMPARABILITY OF WAGES

78 Stat. 528.  
42 USC 2941 et  
seq.

SEC. 606. Part A of title VI of the Act is amended by adding at the end thereof the following new section:

## "COMPARABILITY OF WAGES

42 USC 2711,  
2781.

"SEC. 610-1. (a) The Director shall take such action as may be necessary to assure that persons employed in carrying out programs financed under part A of title I or part A of title II (except a person compensated as provided in section 602) shall not receive compensation at a rate which is (1) in excess of the average rate of compensation paid in the area where the program is carried out to persons providing substantially comparable services, or in excess of the average rate of compensation paid to persons providing substantially comparable services in the area of the person's immediately preceding employment, whichever is higher or (2) less than the minimum wage rate prescribed in section 6(a)(1) of the Fair Labor Standards Act of 1938.

Ante, p. 838.  
Report to Presi-  
dent and Congress.

"(b) Not later than sixty days after the close of the fiscal year 1967 and each fiscal year thereafter the Director shall prepare and submit to the President for submission to the Congress a list of the names of all officers or employees whose compensation is subject to the limitations set forth in subsection (a) of this section and who were receiving at the end of such fiscal year a salary of \$10,000 or more per year, together with the amount of compensation paid to each such person and the amount of such compensation paid from funds advanced or granted pursuant to this Act. No grant, contract or agreement shall be made under any of the provisions of this Act referred to in subsection (a) of this section which does not contain adequate provisions to assure the furnishing of information required by the preceding sentence.

"(c) No person whose compensation exceeds \$6,000 per annum and is paid pursuant to any grant, contract, or agreement authorized under part A of title I or part A of title II (except a person compensated as provided in section 602) shall be employed at a rate of compensation which exceeds by more than 20 percent the salary which he was receiving in his immediately preceding employment, but the Director may grant exceptions for specific cases. In determining salary in preceding employment for one regularly employed for a period of less than 12 months per year, the salary shall be adjusted to an annual basis."

## COORDINATION OF PROGRAMS WITHIN EXECUTIVE BRANCH

SEC. 607. Section 611 of the Act is amended by adding at the end thereof the following:

"(c) It shall be the responsibility of the Director, the Secretary of Labor, the Secretary of Health, Education, and Welfare, and the heads of all other departments and agencies concerned, acting through the President's Committee on Manpower, to provide for, and take such steps as may be necessary and appropriate to implement, the effective coordination of all programs and activities within the executive branch of the Government relating to the training of individuals for the purpose of improving or restoring employability.

"(d) The Secretary of Labor, pursuant to such agreements as may be necessary or appropriate (which may include arrangements for reimbursement), shall—

"(1) be responsible for assuring that the Federal-State employment service provides and develops its capacity for providing

maximum support for the programs described in subsection (c); and

“(2) obtain from the Secretary of Commerce, the Secretary of Health, Education, and Welfare, the Director of the Office of Economic Opportunity, and the head of any other Federal agency administering a training program, such employment information as will facilitate the placement of individuals being trained.”

#### INFORMATION—CATALOG AND DISSEMINATION

SEC. 608. Section 613 of the Act is amended by inserting “(a)” after “SEC. 613.” and by adding at the end thereof the following new subsections:

78 Stat. 533.  
42 USC 2963.

“(b) The Director shall publish and maintain on a current basis, a catalog of Federal programs relating to individual and community improvement. The Director is further authorized to make grants from funds appropriated to carry out title II of this Act, to States and communities to establish information service centers for the collection, correlation, and distribution of information required to further the purposes of this Act.

42 USC 2781-  
2831.

“(c) In order to insure that all Federal programs related to the purposes of this Act are utilized to the maximum possible extent, and in order to insure that all appropriate officials are kept fully informed of such programs, the Director shall establish procedures to assure prompt distribution to States and local agencies of all current information, including administrative rules, regulations and guidelines, required by such agencies for the effective performance of their responsibilities.”

#### TITLE VI PROGRAMS—DURATION

SEC. 609. Section 615 of the Act is amended to read as follows:

42 USC 2965.

#### “DURATION OF PROGRAM

“SEC. 615. The Director shall carry out the programs provided for in this title during the fiscal year ending June 30, 1967, and the three succeeding fiscal years. For each such fiscal year only such sums may be appropriated as the Congress may authorize by law.”

#### COORDINATION—TRANSFERS OF FUNDS

SEC. 610. Section 616 of the Act is amended by inserting after “this Act,” the following: “or any Act authorizing appropriations for any such title (other than part C of title I),”.

#### ADDITIONAL SUPER GRADES

SEC. 611. Title VI of the Act is amended by inserting after section 617 the following new section:

#### “LIMITATION ON ADDITIONAL SUPER GRADES

“SEC. 618. No additional positions above those authorized on the date of enactment of this section shall be created or filled in fiscal year ending June 30, 1967 in the classification categories of GS 16, 17, and 18 of the General Schedule of section 5332, title 5, United States Code in the Office of Economic Opportunity and its field offices.”

Ante, pp. 451,  
288, 467.

## ADMINISTRATIVE EXPENSES

78 Stat. 528.  
42 USC 2941 et  
seq.

SEC. 612. Title VI of the Act is amended by inserting after section 618 the following new section:

## "LIMITATION ON FEDERAL ADMINISTRATIVE EXPENSES

"SEC. 619. The total administrative expenses, including the compensation of Federal employees, incurred by Federal agencies under the authority of this Act for any fiscal year shall not exceed ten percent of the amount authorized to be appropriated by this Act for that year: *Provided, however,* That grants, subsidies, and contributions, and payments to individuals, other than Federal employees shall not be counted as an administrative expense."

## PRIVATE ENTERPRISE PARTICIPATION

SEC. 614. (a) Title VI of the act is amended by inserting after section 619 (added by section 612) the following new section:

## "PRIVATE ENTERPRISE PARTICIPATION

"SEC. 620. The Director and the heads of any other Federal departments or agencies to which the conduct of programs described in this Act have been delegated shall take such steps as may be desirable and appropriate to insure that the resources of private enterprise are employed to the maximum feasible extent in the programs described in this Act. The Director and such other agency heads shall submit at least annually to the Congress a joint or combined report describing the actions taken and the progress made under this section."

(b) Section 2 of the Act is amended by adding at the end thereof the following new paragraph: "It is the sense of the Congress that it is highly desirable to employ the resources of the private sector of the economy of the United States in all such efforts to further the policy of this Act."

Report to Con-  
gress.

42 USC 2701.

## TITLE VII—TECHNICAL AMENDMENT TO TITLE VII OF THE ACT

42 USC 2981.

SEC. 701. (a) Section 701(a) of the Act is amended by striking out "and XVI" and inserting in lieu thereof "XVI, and XIX".

(b) No funds to which a State is otherwise entitled under title XIX of the Social Security Act for any period before October 1, 1967, shall be withheld by reason of any action taken pursuant to a State statute which prevents such State from complying with the requirements resulting from the amendment made by subsection (a).

79 Stat. 343.  
42 USC 1396.

## TITLE VIII—REVISION OF PROVISIONS RELATING TO VISTA

SEC. 801. The Act is amended by adding at the end thereof the following new title:

## "TITLE VIII—VOLUNTEERS IN SERVICE TO AMERICA

## "STATEMENT OF PURPOSE

"SEC. 801. It is the purpose of this title to enable and encourage volunteers to participate in a personal way in the war on poverty, by living and working among deprived people of all ages in urban areas,

rural communities, on Indian reservations, in migrant worker camps, and Job Corps camps and centers; to stimulate, develop and coordinate programs of volunteer training and service; and, through such programs, to encourage individuals from all walks of life to make a commitment to combating poverty in their home communities, both as volunteers and as members of the helping professions.

“AUTHORITY TO ESTABLISH VISTA PROGRAM

“SEC. 802. (a) The Director is authorized to recruit, select, train, and—

“(1) upon request of State or local agencies or private nonprofit organizations, refer volunteers to perform duties in furtherance of programs combating poverty at a State or local level; and

“(2) in cooperation with other Federal, State, or local agencies involved, assign volunteers to work (A) in meeting the health, education, welfare, or related needs of Indians living on reservations, of migratory workers and their families, or of residents of the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, or the Trust Territory of the Pacific Islands; (B) in the care and rehabilitation of the mentally ill or mentally retarded under treatment at nonprofit mental health or mental retardation facilities assisted in their construction or operation by Federal funds; and (C) in connection with programs or activities authorized, supported, or of a character eligible for assistance under this Act.

“(b) The referral or assignment of volunteers under this section shall be on such terms and conditions (including restrictions on political activities that appropriately recognize the special status of volunteers living among the persons or groups served by programs to which they have been assigned) as the Director may determine; but volunteers shall not be so referred or assigned to duties or work in any State, nor shall programs under section 805 be conducted in any State without the consent of the Governor.

“VOLUNTEER SUPPORT

“SEC. 803. The Director is authorized to provide to all volunteers during training pursuant to section 802(a) and to volunteers assigned pursuant to section 802(a)(2) such stipend, not to exceed \$50 per month (or, in the case of volunteer leaders designated in accordance with standards prescribed by the Director, not to exceed \$75 per month), such living, travel, and leave allowances, and such housing, transportation (including travel to and from the place of training), supplies, equipment, subsistence, clothing, and health and dental care as the Director may deem necessary or appropriate for their needs.

“APPLICATION OF PROVISIONS OF FEDERAL LAW

“SEC. 804. (a) Each volunteer under section 802 shall take and subscribe to an oath or affirmation in the form prescribed by section 104(d) of this Act, and the provisions of section 1001 of title 18, United States Code, shall be applicable with respect to such oath or

affirmation; but except as provided in subsection (b) of this section, such volunteers shall not be deemed to be Federal employees and shall not be subject to the provisions of laws relating to Federal employment, including those relating to hours of work, rates of compensation, and Federal employee benefits.

“(b) All volunteers during training pursuant to section 802(a) and such volunteers as are assigned pursuant to section 802(a) (2) shall be deemed Federal employees to the same extent as enrollees of the Job Corps under section 106 (b), (c), and (d) of this Act except that for purposes of the computation described in paragraph (2) (B) of section 106(c) the monthly pay of a volunteer shall be deemed to be that received under the entrance salary for GS-7 of the General Schedule of section 5332, title 5, United States Code.

“(c) For the purposes of subchapter III, chapter 73 of title V of the United States Code, a volunteer under this title shall be deemed to be a person employed in the executive branch of the Federal Government.

Ante, pp. 288,  
467.

Ante, p. 525.

#### “SPECIAL PROGRAMS AND PROJECTS

“SEC. 805. The Director is authorized to conduct, or to make grants, contracts, or other arrangements with appropriate public or private nonprofit organizations for the conduct of, special programs in furtherance of the purposes of this title. Such programs shall be designed to encourage more effective or better coordinated use of volunteer services, including services of low-income persons, or to make opportunities for volunteer experience available, under proper supervision and for appropriate periods, to qualified persons who are unable to make long-term commitments or who are engaged in or preparing to enter work where such experience may be of special value and in the public interest. Individuals who serve or receive training in such programs shall not, by virtue of such service or training, be deemed to be Federal employees and shall not be subject to the provisions of laws relating to Federal employment, including those related to hours of work, rates of compensation, and Federal employee benefits; except that such individuals who receive their principal support or compensation with respect to such service or training directly from the Director or his agent for payment shall be deemed Federal employees to the same extent as volunteers assigned pursuant to section 802(a) (2) of this Act. Not to exceed 15 per centum of the sums appropriated or allocated from any appropriation to carry out this title for any fiscal year may be used for programs under this section.

#### “DURATION OF PROGRAM

“SEC. 806. The Director shall carry out the programs provided for in this title during the fiscal year ending June 30, 1967, and the three succeeding fiscal years. For each such fiscal year only such sums may be appropriated as the Congress may authorize by law.”

## TITLE IX—TECHNICAL AMENDMENTS

SEC. 901. (a) Title I of the Act is amended by inserting immediately before section 110 a heading for such section to read as follows:

78 Stat. 511.  
42 USC 2720.

“YOUTH CONSERVATION CORPS”

(b) Title II of the Act is amended by redesignating section 219 of part C as section 219-1.

42 USC 2821.

(c) Section 213 of the Act is amended by striking out “this section” and inserting in lieu thereof “section 214”.

42 USC 2802.

(d) Section 604(b) of the Act is amended by striking out “Housing and Home Finance Administrator” and inserting in lieu thereof “Secretary of Housing and Urban Development”.

42 USC 2944.

## TITLE X—AMENDMENTS TO MANPOWER DEVELOPMENT AND TRAINING ACT OF 1962

SEC. 1001. (a) The Manpower Development and Training Act of 1962 is amended by inserting the following after the period at the end of section 201: “Whenever appropriate, the Secretary of Labor shall coordinate and provide for combinations of programs, to be pursued concurrently or sequentially, under this Act with programs under other Federal Acts, where the purposes of this Act would be accomplished thereby.”

76 Stat. 25.  
42 USC 2581.

(b) The Manpower Development and Training Act of 1962 is amended by adding at the end of section 203(c) the following: “Notwithstanding any provision to the contrary in this subsection or in subsection (h), the Secretary may refer any individual who has completed a program under part B of title I of the Economic Opportunity Act of 1964 to training under this Act, and such individual may be paid a training allowance as provided in section 203(a) of this Act without regard to the requirements imposed on such payments by the preceding sentences of subsection (c) or by subsection (h) of this section. Such payments shall not exceed the average weekly gross unemployment compensation payment (including allowances for dependents) for a week of total unemployment in the State making such payments during the most recent four-calendar-quarter period for which such data are available. Such persons shall not be deemed youths for the purpose of applying the provision under this subsection limiting the number of youths who may receive training allowances.”

79 Stat. 78.  
42 USC 2583.

*Ante*, p. 1454.

(c) The Manpower Development and Training Act of 1962 is amended by inserting the following after part D of title II:

*Ante*, p. 1437.

## “PART E—WORK EXPERIENCE AND TRAINING PROGRAMS

“SEC. 261. (a) The Secretary of Labor in cooperation with the Secretary of Health, Education, and Welfare shall provide, under this part, programs for needy persons who require work experience or special family and supportive services, as well as training, in order that they may be assisted to secure and hold regular employment in a competitive labor market. Such programs shall—

"(1) provide for the selection of participants pursuant to procedures and criteria jointly prescribed by the Secretary of Labor and the Secretary of Health, Education, and Welfare;

"(2) include pretraining services and basic maintenance, health, family and day care, counseling, and similar social services, and basic education, as provided by the Secretary of Health, Education, and Welfare pursuant to section 502 of the Economic Opportunity Act of 1964, as amended;

"(3) provide through agreements with appropriate public or private nonprofit agencies, work experience to the extent required to assist participants in developing necessary work attitudes or to prepare them for work or training involving the acquisition of needed skills;

"(4) provide testing, counseling, training either on or off the job (including classroom instruction where needed through appropriate arrangements agreed to by the Secretary of Labor and the Secretary of Health, Education, and Welfare), to assist participants to develop their occupational potential, improve their occupational level and secure promotion or advancement;

"(5) provide, through appropriate arrangements with employers, labor organizations, and other public and private agencies, for development where needed of additional employment opportunities for participants, for job referral and follow-up services required to assist participants in securing and retaining employment and securing possibilities for advancement; and

"(6) provide, in accordance with the criteria prescribed in section 104 of this Act, relocation assistance to involuntarily unemployed individuals where the Secretary of Labor determines they cannot reasonably be expected to secure full-time employment in the community in which they reside.

"(b) In developing and approving programs under this part, the Secretary of Labor shall give priority to programs with a high-training potential and which afford the best prospects for contributing to the upward mobility of participants.

"(c) Notwithstanding any other provision of this Act, the provisions of section 503 of the Economic Opportunity Act of 1964, as amended, shall govern the use and apportionment among the several States of funds provided pursuant to such Act for the purpose of carrying out this part."

#### TITLE XI—AMENDMENTS TO CERTAIN OTHER ACTS

SEC. 1101. (a) Section 205(b)(2)(A)(iv) of the National Defense Education Act of 1958 is amended by striking out "section 603" and inserting in lieu thereof "title VIII".

(b) (1) Section 427(a)(2)(C) of the Higher Education Act of 1965 is amended (1) by striking out "or" before "(iii)", and (2) by inserting immediately after "Peace Corps Act," the following: "or (iv) not in excess of three years during which the borrower is in service as a volunteer under title VIII of the Economic Opportunity Act of 1964,".

(2) The amendments made by this section shall not apply to any loan outstanding on the effective date of this Act without the consent of the borrowers.

Ante, p. 1466.

79 Stat. 76.  
42 USC 2572b.

Ante, p. 1466.

79 Stat. 979.  
20 USC 425.

79 Stat. 1238.  
20 USC 1077.

Ante, p. 1472.

SEC. 1102. Clause (3) of section 401(b) of the Public Works and Economic Development Act of 1965 is amended to read as follows:

79 Stat. 561.  
42 USC 3161.

“(3) no area shall be designated which does not have a population of at least one thousand five hundred persons, except that this limitation shall not apply to any area designated under section 401(a)(3); and”.

## TITLE XII—GENERAL PROVISIONS

SEC. 1201. No part of the funds appropriated under this Act to carry out the provisions of the Economic Opportunity Act of 1964 shall be used to provide payments, assistance, or services, in any form, with respect to any individual who is convicted, in any Federal, State, or local court of competent jurisdiction, of inciting, promoting, or carrying on a riot, or any group activity resulting in material damage to property or injury to persons, found to be in violation of Federal, State, or local laws designed to protect persons or property in the community concerned.

Prohibition on  
payments to per-  
sons inciting  
riots.

Approved November 8, 1966.

### Public Law 89-795

#### AN ACT

To provide a border highway along the United States bank of the Rio Grande River in connection with the settlement of the Chamizal boundary dispute between the United States and Mexico.

November 8, 1966  
[H. R. 11555]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of Transportation, hereinafter referred to as the Secretary, is authorized to (1) construct a border highway in the city of El Paso, Texas, between the approximate point of the beginning of the rectified boundary channel, two blocks west of Santa Fe Street in El Paso, thence along the international boundary to the International Bridge at Zaragoza Road—about twelve and a half miles east: *Provided,* That the design plans and specifications for this highway shall be developed to meet design and construction standards established by the Secretary; that the Secretary may work through the Texas State Highway Department in accomplishing any part of this project; that the planning, design, and construction schedule, and works shall be subject to review by the United States Commissioner, International Boundary and Water Commission, United States and Mexico, to assure coordination with the relocation of the river channel and relocation of related facilities, pursuant to the American-Mexican Chamizal Convention Act of 1964 (78 Stat. 184): *And provided further,* That the Secretary may at his discretion request that the United States Commissioner, International Boundary and Water Commission, plan and perform such part of the engineering and construction of the highway as may be warranted to assure coordination and efficient construction, and the Secretary may transfer to the Secretary of State funds necessary for such purpose; (2) acquire lands necessary for the border highway in accordance with the approved plans, through the United States Commissioner, International Boundary and Water Commission: *Provided,* That the provisions of the American-Mexican Chamizal Convention Act of 1964 (78 Stat. 184) for the acquisition of lands

El Paso, Tex.  
Border highway.

22 USC 277d-17  
note.

for the purposes of that Act will also apply to the acquisition of adjoining lands required for the border highway, and the Secretary may transfer to the Secretary of State funds necessary for such purposes.

U.S. interest,  
conveyance.

SEC. 2. The Secretary is authorized to convey all right, title, and interest of the United States in and to the highway authorized to be constructed by this Act to the State of Texas or the city of El Paso, Texas, except that the Secretary shall not construct any highway under authority of this Act until such time as he shall have entered into an agreement with the State of Texas or the city of El Paso, Texas, wherein such State or city agrees to pay to the Secretary of the Treasury at such time as may be specified by the Secretary an amount equal to 50 per centum of the cost of constructing such highway, excluding all costs of acquiring lands or interests in lands as may be required for the construction of the highway authorized by this Act and all preliminary engineering costs, and the State of Texas or the city of El Paso, Texas, agrees to accept all right, title, and interest to the highway upon completion of construction and agrees to maintain such highway for such period and in accordance with such terms and conditions as the Secretary determines necessary to protect the interests of the United States. Amounts paid by the State of Texas or the city of El Paso, Texas, under this section shall be available to the Secretary, together with sums appropriated pursuant to section 3, for use in carrying out the provisions of this Act.

Appropriation.

SEC. 3. There is hereby authorized to be appropriated from the general fund of the Treasury not to exceed \$8,000,000, which shall be available for paying the Federal share of the costs of carrying out the provisions of this Act.

Approved November 8, 1966.

## Public Law 89-796

### AN ACT

November 8, 1966  
[S. 688]

To amend title III of the Bankhead-Jones Farm Tenant Act, as amended, to provide for additional means and measures for land conservation and land utilization, and for other purposes.

Agriculture,  
Land conserva-  
tion and utiliza-  
tion, provision.  
50 Stat. 525;  
76 Stat. 607.

7 USC 1011.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) section 31 of title III of the Bankhead-Jones Farm Tenant Act, as amended (7 U.S.C. 1010), is amended by inserting "developing and protecting recreational facilities," immediately after "protecting fish and wildlife,"

(b) Section 32(e) of title III of such Act is amended by—

(1) inserting "and local nonprofit organizations" immediately after "public agencies" each place it occurs in the first sentence thereof; and

(2) inserting "and to local nonprofit organizations" immediately after "local public agencies" in the second sentence thereof.

Approved November 8, 1966.

## Public Law 89-797

## AN ACT

Making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1967, and for other purposes.

November 8, 1966  
[H. R. 18119]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1967, and for other purposes, namely:

Departments of State, Justice, and Commerce, the Judiciary, and related agencies Appropriation Act, 1967.

## TITLE I—DEPARTMENT OF STATE

## ADMINISTRATION OF FOREIGN AFFAIRS

## SALARIES AND EXPENSES

For necessary expenses of the Department of State, not otherwise provided for, including expenses authorized by the Foreign Service Act of 1946, as amended (22 U.S.C. 801-1158), and allowances as authorized by the Overseas Differentials and Allowances Act (5 U.S.C. 3031-3039); expenses of bi-national arbitrations arising under international air transport agreements; expenses necessary to meet the responsibilities and obligations of the United States in Germany (including those arising under the supreme authority assumed by the United States on June 5, 1945, and under contractual arrangements with the Federal Republic of Germany); purchase (not to exceed four) and hire of passenger motor vehicles; services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); dues for library membership in organizations which issue publications to members only, or to members at a price lower than to others; expenses authorized by section 2 of the Act of August 1, 1956, as amended (5 U.S.C. 170g); refund of fees erroneously charged and paid for passports; radio communications; payment in advance for subscriptions to commercial information, telephone and similar services abroad; care and transportation of prisoners and persons declared insane; expenses, as authorized by law (18 U.S.C. 3192), of bringing to the United States from foreign countries persons charged with crime; expenses necessary to provide maximum physical security in Government-owned and leased properties abroad; and procurement by contract or otherwise, of services, supplies, and facilities, as follows: (1) translating, (2) analysis and tabulation of technical information, and (3) preparation of special maps, globes, and geographic aids; \$186,500,000, of which not less than \$12,000,000 shall be used for payments in foreign currencies or credits owed to or owned by the Treasury of the United States: *Provided*, That passenger motor vehicles in possession of the Foreign Service abroad may be replaced in accordance with section 7 of the Act of August 1, 1956 (70 Stat. 891), and the cost, including the exchange allowance, of each such replacement shall not exceed \$3,800 in the case of the chief of mission automobile at each diplomatic mission (except that three such vehicles may be purchased at not to exceed \$7,800 each) and \$1,500 in the case of all other such vehicles except station wagons and buses.

60 Stat. 999.

74 Stat. 792.

60 Stat. 810.

70 Stat. 890;  
76 Stat. 263.

62 Stat. 825.

5 USC 170l.

## REPRESENTATION ALLOWANCES

For representation allowances as authorized by section 901 of the Foreign Service Act of 1946 (22 U.S.C. 1131), \$993,000.

74 Stat. 801.

## ACQUISITION, OPERATION, AND MAINTENANCE OF BUILDINGS ABROAD

44 Stat. 403;  
77 Stat. 121.

60 Stat. 999.

74 Stat. 792.

60 Stat. 810.

For necessary expenses of carrying into effect the Foreign Service Buildings Act, 1926, as amended (22 U.S.C. 292-300), including personal services in the United States and abroad; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1946, as amended (22 U.S.C. 801-1158); allowances as authorized by the Overseas Differentials and Allowances Act (5 U.S.C. 3031-3039); and services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); \$15,500,000, of which not less than \$11,000,000 shall be used for payments in foreign currencies or credits owed to or owned by the Treasury of the United States, to remain available until expended: *Provided*, That not to exceed \$1,250,000 may be used for administrative expenses during the current fiscal year.

ACQUISITION, OPERATION, AND MAINTENANCE OF BUILDINGS ABROAD  
(SPECIAL FOREIGN CURRENCY PROGRAM)

72 Stat. 1790.

For payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States, for the purposes authorized by section 104(1) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704), to be credited to and expended under the appropriation account for "Acquisition, operation, and maintenance of buildings abroad", to remain available until expended, \$6,250,000.

## EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For expenses necessary to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service, to be expended pursuant to the requirement of section 291 of the Revised Statutes (31 U.S.C. 107), \$1,600,000.

## INTERNATIONAL ORGANIZATIONS AND CONFERENCES

## CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For expenses, not otherwise provided for, necessary to meet annual obligations of membership in international multilateral organizations, pursuant to treaties, conventions, or specific Acts of Congress, \$100,826,000.

## MISSIONS TO INTERNATIONAL ORGANIZATIONS

For expenses necessary for permanent representation to certain international organizations in which the United States participates pursuant to treaties, conventions, or specific Acts of Congress, including expenses authorized by the pertinent Acts and conventions providing for such representation; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1946, as amended (22 U.S.C. 801-1158); allowances as authorized by the Overseas Differentials and Allowances Act (5 U.S.C. 3031-3039); and expenses authorized by section 2 (a) and (e) of the Act of August 1, 1956, as amended (5 U.S.C. 170g); \$3,700,000.

70 Stat. 890;  
76 Stat. 263.

## INTERNATIONAL CONFERENCES AND CONTINGENCIES

For necessary expenses of participation by the United States, upon approval by the Secretary of State, in international activities which

arise from time to time in the conduct of foreign affairs and for which specific appropriations have not been provided pursuant to treaties, conventions, or special Acts of Congress, including personal services without regard to civil service and classification laws; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1946, as amended (22 U.S.C. 801-1158); allowances as authorized by the Overseas Differentials and Allowances Act (5 U.S.C. 3031-3039); hire of passenger motor vehicles; contributions for the share of the United States in expenses of international organizations; and expenses authorized by section 2(a) of the Act of August 1, 1956, as amended (5 U.S.C. 170g); \$1,943,000, of which not to exceed a total of \$70,000 may be expended for representation allowances as authorized by section 901 of the Act of August 13, 1946, as amended (22 U.S.C. 1131) and for official entertainment.

60 Stat. 999.

74 Stat. 792.

70 Stat. 890;  
76 Stat. 263.

74 Stat. 801.

#### INTERNATIONAL TARIFF NEGOTIATIONS

For necessary expenses of participation by the United States in the sixth round of tariff negotiations, \$850,000, of which not to exceed a total of \$5,000 may be expended for representation allowances: *Provided*, That this appropriation shall be available in accordance with authority specified in the current appropriation for "International conferences and contingencies."

#### INTERNATIONAL COMMISSIONS

##### INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

For expenses necessary to enable the United States to meet its obligations under the treaties of 1884, 1889, 1905, 1906, 1933, 1944, and 1963 between the United States and Mexico, and to comply with the other laws applicable to the United States Section, International Boundary and Water Commission, United States and Mexico, including operation and maintenance of the Rio Grande rectification, canalization, flood control, bank protection, water supply, power, irrigation, boundary demarcation, and sanitation projects; detailed plan preparation and construction (including surveys and operation and maintenance and protection during construction); Rio Grande emergency flood protection; expenditures for the purposes set forth in sections 101 through 104 of the Act of September 13, 1950 (22 U.S.C. 277d-1-277d-4); purchase of four passenger motor vehicles for replacement only; purchase of planographs and lithographs; uniforms or allowances therefor, as authorized by the Act of September 1, 1954, as amended (5 U.S.C. 2131); and leasing of private property to remove therefrom sand, gravel, stone, and other materials, without regard to section 3709 of the Revised Statutes, as amended (41 U.S.C. 5); as follows:

24 Stat. 1011;  
26 Stat. 1512;  
35 Stat. 1863;  
34 Stat. 2953;  
48 Stat. 1621;  
59 Stat. 1219;  
15 UST 21.

64 Stat. 846.

68 Stat. 1114;  
79 Stat. 1122.

##### SALARIES AND EXPENSES

For salaries and expenses not otherwise provided for, including examinations, preliminary surveys, and investigations, \$831,000.

##### OPERATION AND MAINTENANCE

For operation and maintenance of projects or parts thereof, as enumerated above, including gaging stations, \$1,985,000: *Provided*, That expenditures for the Rio Grande bank protection project shall be

subject to the provisions and conditions contained in the appropriation for said project as provided by the Act approved April 25, 1945 (59 Stat. 89).

#### CONSTRUCTION

For detailed plan preparation and construction of projects authorized by the convention concluded February 1, 1933, between the United States and Mexico, the Acts approved August 19, 1935, as amended (22 U.S.C. 277-277f), August 29, 1935 (49 Stat. 961), June 4, 1936 (49 Stat. 1463), June 28, 1941 (22 U.S.C. 277f), September 13, 1950 (22 U.S.C. 277d-1-9), and the projects stipulated in the treaty between the United States and Mexico signed at Washington on February 3, 1944, \$5,754,000, to remain available until expended: *Provided*, That no expenditures shall be made for the Lower Rio Grande flood-control project for construction on any land, site, or easement in connection with this project except such as has been acquired by donation and the title thereto has been approved by the Attorney General of the United States: *Provided further*, That the Anzalduas diversion dam shall not be operated for irrigation or water supply purposes in the United States unless suitable arrangements have been made with the prospective water users for repayment to the Government of such portions of the costs of said dam as shall have been allocated to such purposes by the Secretary of State.

#### CHAMIZAL SETTLEMENT

For expenses necessary to enable the United States to meet its obligations under the Convention between the United States and Mexico, signed August 29, 1963, and to carry out the American-Mexican Chamizal Convention Act of 1964, \$4,200,000, to remain available until expended: *Provided*, That this appropriation shall not be available for expenses of operation and maintenance of works provided for in said Convention and Act.

#### AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For expenses necessary to enable the President to perform the obligations of the United States pursuant to treaties between the United States and Great Britain, in respect to Canada, signed January 11, 1909 (36 Stat. 2448), and February 24, 1925 (44 Stat. 2102), the treaty between the United States and Canada, signed February 27, 1950, the agreement between the United States and Canada, signed March 25, 1965; including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); hire of passenger motor vehicles; \$650,000, to be disbursed under the direction of the Secretary of State, and to be available also for additional expenses of the American Sections, International Commissions, as hereinafter set forth:

International Joint Commission, United States and Canada, the salary of two Commissioners on the part of the United States who shall serve at the pleasure of the President (the other Commissioners to serve in that capacity without compensation therefor); salaries of clerks and other employees appointed by the Commissioners on the part of the United States with the approval solely of the Secretary of State; travel expenses and compensation of witnesses in attending hearings of the Commission at such places in the United States and Canada as the Commission or the American Commissioners shall determine to be necessary; and special and technical investigations in connection with matters falling within the Commission's jurisdiction: *Provided*, That transfers of funds may be made to other agencies of the Govern-

48 Stat. 1621.

49 Stat. 660.  
22 USC 277-  
277d.

55 Stat. 338.  
64 Stat. 846.

59 Stat. 1219.

15 USC 21.

78 Stat. 184.  
22 USC 277d-17  
note.

1 UST 694.

60 Stat. 810.

ment for the performance of work for which this appropriation is made.

International Boundary Commission, United States and Canada, the completion of such remaining work as may be required under the award of the Alaskan Boundary Tribunal and the existing treaties between the United States and Great Britain; commutation of subsistence to employees while on field duty, not to exceed \$8 per day each (but not to exceed \$5 per day each when a member of a field party and subsisting in camp); hire of freight and passenger motor vehicles from temporary field employees; and payment for timber necessarily cut in keeping the boundary line clear.

Lake Ontario Claims Tribunal, United States and Canada, the salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1946, as amended (22 U.S.C. 801-1158); and allowances as authorized by the Overseas Differentials and Allowances Act (5 U.S.C. 3031-3039).

60 Stat. 999.

74 Stat. 792.

#### INTERNATIONAL FISHERIES COMMISSIONS

For expenses, not otherwise provided for, necessary to enable the United States to meet its obligations in connection with participation in international fisheries commissions pursuant to treaties or conventions, and implementing Acts of Congress, \$2,125,000: *Provided*, That the United States share of such expenses may be advanced to the respective commissions.

#### EDUCATIONAL EXCHANGE

##### MUTUAL EDUCATIONAL AND CULTURAL EXCHANGE ACTIVITIES

For expenses, not otherwise provided for, necessary to enable the Secretary of State to carry out the functions of the Department of State under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 (75 Stat. 527) and the Act of August 9, 1939 (22 U.S.C. 501), including expenses authorized by the Foreign Service Act of 1946, as amended (22 U.S.C. 801-1158); expenses of the National Commission on Education, Scientific, and Cultural Cooperation as authorized by sections 3, 5, and 6 of the Act of July 30, 1946 (22 U.S.C. 287o, 287q, 287r); hire of passenger motor vehicles; not to exceed \$18,000 for representation expenses; not to exceed \$1,000 for official entertainment within the United States; services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); and advance of funds notwithstanding section 3648 of the Revised Statutes, as amended; \$47,000,000, of which not less than \$23,500,000 shall be used for payments in foreign currencies or credits owed to or owned by the Treasury of the United States: *Provided*, That not to exceed \$2,450,000 may be used for administrative expenses during the current fiscal year.

22 USC 2451  
note.  
53 Stat. 1290.60 Stat. 713;  
75 Stat. 341.

60 Stat. 810.

31 USC 529.

##### CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN EAST AND WEST

To enable the Secretary of State to provide for carrying out the provisions of the Center for Cultural and Technical Interchange Between East and West Act of 1960, by grant to any appropriate agency of the State of Hawaii, \$6,050,000: *Provided*, That none of the funds appropriated herein shall be used to pay any salary, or to enter into any contract providing for the payment thereof, in excess of the highest rate authorized in the General Schedule of the Classification Act of 1949, as amended.

74 Stat. 141.  
22 USC 2054  
note.

Ante, p. 288.

## GENERAL PROVISIONS—DEPARTMENT OF STATE

Security guard services.

SEC. 102. Appropriations under this title for "Salaries and expenses", "International conferences and contingencies", and "Missions to international organizations" are available for reimbursement of the General Services Administration for security guard services for protection of confidential files.

Salaries and expenses, restriction.

SEC. 103. No part of any appropriation contained in this title shall be used to pay the salary or expenses of any person assigned to or serving in any office of any of the several States of the United States or any political subdivision thereof.

Advocates of one world government.

SEC. 104. None of the funds appropriated in this title shall be used (1) to pay the United States contribution to any international organization which engages in the direct or indirect promotion of the principle or doctrine of one world government or one world citizenship; (2) for the promotion, direct or indirect, of the principle or doctrine of one world government or one world citizenship.

Communist China.

SEC. 105. It is the sense of the Congress that the Communist Chinese Government should not be admitted to membership in the United Nations as the representative of China.

Foreign Service Reserve.

SEC. 106. Existing appointments and assignments to the Foreign Service Reserve in the Department of State which expire during the current fiscal year may be extended in the discretion of the Secretary of State for a period of one year in addition to the period of appointment or assignment otherwise authorized.

Citation of title.

This title may be cited as the "Department of State Appropriation Act, 1967".

## TITLE II—DEPARTMENT OF JUSTICE

## LEGAL ACTIVITIES AND GENERAL ADMINISTRATION

## SALARIES AND EXPENSES, GENERAL ADMINISTRATION

For expenses necessary for the administration of the Department of Justice and for examination of judicial offices, including purchase (one for replacement only) and hire of passenger motor vehicles; and miscellaneous and emergency expenses authorized or approved by the Attorney General or the Assistant Attorney General for Administration; \$5,600,000.

## SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including miscellaneous and emergency expenses authorized or approved by the Attorney General or the Assistant Attorney General for Administration; not to exceed \$20,000 for expenses of collecting evidence, to be expended under the direction of the Attorney General and accounted for solely on his certificate; and advances of public moneys pursuant to law (31 U.S.C. 529); \$21,850,000.

## ALIEN PROPERTY ACTIVITIES

## LIMITATION ON GENERAL ADMINISTRATIVE EXPENSES

The Attorney General, or such officer as he may designate, is hereby authorized to pay out of any funds or other property or interest vested in him or transferred to him pursuant to or with respect to the Trading

With the Enemy Act of October 6, 1917, as amended (50 U.S.C. App.), and the International Claims Settlement Act, as amended (22 U.S.C. 1631), necessary expenses incurred in carrying out the powers and duties conferred on the Attorney General pursuant to said Acts: *Provided*, That not to exceed \$80,000 shall be available in the current fiscal year for transfer to the appropriation for "Salaries and expenses, general legal activities", for the general administrative expenses of alien property activities, including rent of private or Government-owned space in the District of Columbia.

40 Stat. 411.  
50 USC app. 1.  
64 Stat. 12;  
69 Stat. 562.  
22 USC 1621 note.

#### SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, \$7,409,000: *Provided*, That none of this appropriation shall be expended for the establishment and maintenance of permanent regional offices of the Antitrust Division.

#### SALARIES AND EXPENSES, UNITED STATES ATTORNEYS AND MARSHALS

For necessary expenses of the offices of the United States attorneys and marshals, including purchase of firearms and ammunition; \$35,000,000, of which not to exceed \$50,000 shall be available for the employment of temporary deputy marshals in lieu of bailiffs at a rate of not to exceed \$12 per day: *Provided*, That of the amount herein appropriated \$17,500 may be used for the emergency replacement of one prisoner-carrying bus upon certificate of the Attorney General: *Provided further*, That of the amount herein appropriated not to exceed \$200,000 shall be available for payment of compensation and expenses of Commissioners appointed in condemnation cases under Rule 71A (h) of the Federal Rules of Civil Procedure.

28 USC app.

#### FEES AND EXPENSES OF WITNESSES

For expenses, mileage, and per diems of witnesses and for per diems in lieu of subsistence, as authorized by law, and not to exceed \$425,000 for such compensation and expenses of witnesses (including expert witnesses) pursuant to section 1 of the Act of July 28, 1950 (5 U.S.C. 341) and sections 4244-48 of title 18, United States Code; \$2,800,000: *Provided*, That no part of the sum herein appropriated shall be used to pay any witness more than one attendance fee for any one calendar day.

64 Stat. 380.  
63 Stat. 686.

#### FEDERAL BUREAU OF INVESTIGATION

##### SALARIES AND EXPENSES

For expenses necessary for the detection and prosecution of crimes against the United States; protection of the person of the President of the United States; acquisition, collection, classification and preservation of identification and other records and their exchange with, and for the official use of, the duly authorized officials of the Federal Government, of States, cities, and other institutions, such exchange to be subject to cancellation if dissemination is made outside the receiving departments or related agencies; and such other investigations regarding official matters under the control of the Department of Justice and the Department of State as may be directed by the Attorney General, including purchase for police-type use without regard to the general purchase price limitation for the current fiscal year (not to exceed nine hundred twenty-six, including one armored

vehicle, of which eight hundred seventy-six shall be for replacement only) and hire of passenger motor vehicles; firearms and ammunition; not to exceed \$10,000 for taxicab hire to be used exclusively for the purposes set forth in this paragraph; payment of rewards; and not to exceed \$70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Attorney General, and to be accounted for solely on his certificate; \$175,465,000: *Provided*, That the compensation of the Director of the Bureau shall be \$30,000 per annum so long as the position is held by the present incumbent.

FBI Director,  
compensation.

None of the funds appropriated for the Federal Bureau of Investigation shall be used to pay the compensation of any civil-service employee.

## IMMIGRATION AND NATURALIZATION SERVICE

### SALARIES AND EXPENSES

For expenses, not otherwise provided for, necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, including advance of cash to aliens for meals and lodging while en route; payment of allowances (at a rate not in excess of \$1 per day) to aliens, while held in custody under the immigration laws, for work performed; payment of rewards; not to exceed \$50,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Attorney General and accounted for solely on his certificate; purchase for police-type use, without regard to the general purchase price limitation for the current fiscal year (not to exceed two hundred and fifty for replacement only) and hire of passenger motor vehicles; purchase (not to exceed six for replacement only) and maintenance and operation of aircraft; firearms and ammunition, attendance at firearms matches; refunds of head tax, maintenance bills, immigration fines, and other items properly returnable, except deposits of aliens who become public charges and deposits to secure payment of fines and passage money; operation, maintenance, remodeling, and repair of buildings and the purchase of equipment incident thereto; acquisition of land as sites for enforcement fence and construction incident to such fence; reimbursement of the General Services Administration for security guard services for protection of confidential files; and maintenance, care, detention, surveillance, parole, and transportation of alien enemies and their wives and dependent children, including return of such persons to place of bona fide residence or to such other place as may be authorized by the Attorney General; \$75,500,000: *Provided*, That of the amount herein appropriated, not to exceed \$50,000 may be used for the emergency replacement of aircraft upon certificate of the Attorney General.

## FEDERAL PRISON SYSTEM

### SALARIES AND EXPENSES, BUREAU OF PRISONS

For expenses necessary for the administration, operation, and maintenance of Federal penal and correctional institutions, including supervision of United States prisoners in non-Federal institutions; purchase of not to exceed twenty-four for replacement only, and hire of passenger motor vehicles; compilation of statistics relating to prisoners in Federal and non-Federal penal and correctional institutions; firearms and ammunition; medals and other awards; payment of rewards;

purchase and exchange of farm products and livestock; construction of buildings at prison camps; and acquisition of land as authorized by section 7 of the Act of July 28, 1950 (5 U.S.C. 341f); \$58,595,000: *Provided*, That there may be transferred to the Public Health Service such amounts as may be necessary, in the discretion of the Attorney General, for direct expenditure by that Service for medical relief for inmates of Federal penal and correctional institutions.

64 Stat. 381.

## BUILDINGS AND FACILITIES

Not to exceed \$3,500,000 of funds previously appropriated under this heading shall be available for constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, and for site acquisition for a replacement institution for the Federal Detention Headquarters, including all necessary expenses incident thereto, by contract or force account: *Provided*, That labor of United States prisoners may be used for work performed under this appropriation.

## SUPPORT OF UNITED STATES PRISONERS

For support of United States prisoners in non-Federal institutions, including necessary clothing and medical aid, payment of rewards, and reimbursement to St. Elizabeths Hospital for the care and treatment of United States prisoners, at per diem rates approved by the Bureau of the Budget, as authorized by law (24 U.S.C. 168a), \$4,700,000.

61 Stat. 751.

## GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

SEC. 202. None of the funds appropriated by this title may be used to pay the compensation of any person hereafter employed as an attorney (except foreign counsel employed in special cases) unless such person shall be duly licensed and authorized to practice as an attorney under the laws of a State, territory, or the District of Columbia.

Attorneys, qualifications.

SEC. 203. Seventy-five per centum of the expenditures for the offices of the United States attorney and the United States marshal for the District of Columbia from all appropriations in this title shall be reimbursed to the United States from any funds in the Treasury of the United States to the credit of the District of Columbia.

Reimbursements to U.S.

SEC. 204. Appropriations and authorizations made in this title which are available for expenses of attendance at meetings shall be expended for such purposes in accordance with regulations prescribed by the Attorney General.

Attendance at meetings.

SEC. 205. Appropriations and authorizations made in this title for salaries and expenses shall be available for services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a).

Experts and consultants.

SEC. 206. Appropriations for the current fiscal year for "Salaries and expenses, general administration", "Salaries and expenses, United States Attorneys and Marshals", "Salaries and expenses, Federal Bureau of Investigation", "Salaries and expenses, Immigration and Naturalization Service", and "Salaries and expenses, Bureau of Prisons", shall be available for uniforms and allowances therefor as authorized by the Act of September 1, 1954, as amended (5 U.S.C. 2131).

60 Stat. 810.  
Uniform allowances.

This title may be cited as the "Department of Justice Appropriation Act, 1967".

68 Stat. 1114;  
79 Stat. 1122.  
Citation of title.

## TITLE III—DEPARTMENT OF COMMERCE

## GENERAL ADMINISTRATION

## SALARIES AND EXPENSES

46 USC 216 note. For expenses necessary for the general administration of the Department of Commerce, including expenses necessary to carry out the provisions of the Great Lakes Pilotage Act of 1960 (74 Stat. 259), and not to exceed \$1,500 for official entertainment, \$4,500,000.

## AVIATION WAR RISK INSURANCE REVOLVING FUND

72 Stat. 803.  
61 Stat. 584. The Secretary of Commerce is hereby authorized to make such expenditures, within the limits of funds available pursuant to section 1306 of the Act of August 23, 1958 (49 U.S.C. 1536), and in accordance with section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 849), as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for aviation war risk insurance activities under said Act.

## APPALACHIAN ASSISTANCE

## GRANTS FOR LOCAL DEVELOPMENT DISTRICTS AND FOR RESEARCH AND DEMONSTRATION

40 USC app. 302. For grants for administrative expenses of local development districts and for research and demonstration projects, as authorized by section 302 of the Appalachian Regional Development Act of 1965 (79 Stat. 19), and for related administrative expenses, \$2,750,000, to remain available until expended.

## SUPPLEMENTAL GRANTS-IN-AID

40 USC app. 214. For supplementing grants-in-aid for the Appalachian Region, as authorized by section 214 of the Appalachian Regional Development Act of 1965 (79 Stat. 17), and for related administrative expenses, \$30,000,000, to remain available until expended.

## ECONOMIC DEVELOPMENT ADMINISTRATION

## DEVELOPMENT FACILITIES GRANTS

42 USC 3131-3136. For grants as authorized by title I of the Public Works and Economic Development Act of 1965 (79 Stat. 552), \$170,000,000, of which not to exceed \$4,500,000 shall be for administrative expenses.

## TECHNICAL AND COMMUNITY ASSISTANCE

42 USC 3151, 3152. For technical assistance, research, information, and other necessary expenses of the Economic Development Administration not otherwise provided for, as authorized by the Public Works and Economic Development Act of 1965 (79 Stat. 558), \$25,000,000, of which not to exceed \$7,000,000 shall be for administrative expenses.

## ECONOMIC DEVELOPMENT CENTER ASSISTANCE

42 USC 3171 and note. For loans, grants, and other payments, as authorized by section 403 of the Public Works and Economic Development Act of 1965 (79 Stat. 563), including not to exceed \$250,000 for administrative expenses in connection therewith, \$10,000,000.

## ECONOMIC DEVELOPMENT

For the purpose of extending financial assistance under sections 201 and 202 of the Public Works and Economic Development Act of 1965, (79 Stat. 558), \$85,000,000, of which not to exceed \$3,500,000 shall be available for administrative expenses and of said administrative expenses not less than \$2,300,000 shall be advanced to the Small Business Administration for the processing of loan applications: *Provided*, That no part of any appropriation contained in this Act shall be used for administrative or any other expenses in the creation or operation of an economic development revolving fund.

42 USC 3141,  
3142.Revolving fund,  
restriction.

## REGIONAL PLANNING ASSISTANCE

## REGIONAL ECONOMIC PLANNING

For necessary expenses of regional commissions and of technical planning assistance, as authorized by title V of the Public Works and Economic Development Act of 1965 (79 Stat. 567, 574), \$6,100,000, of which not to exceed \$750,000 shall be available for administrative expenses.

42 USC 3181-  
3189.

## OFFICE OF BUSINESS ECONOMICS

## SALARIES AND EXPENSES

For necessary expenses of the Office of Business Economics, \$2,750,000.

## BUREAU OF THE CENSUS

## SALARIES AND EXPENSES

For expenses necessary for collecting, compiling, and publishing current census statistics, provided for by law, and modernization or development of automatic data processing equipment, \$16,000,000.

## 1964 CENSUS OF AGRICULTURE

For an additional amount for expenses necessary to prepare for taking, compiling, and publishing the 1964 census of agriculture, as authorized by law, \$1,800,000, to remain available until December 31, 1967.

## PREPARATION FOR NINETEENTH DECENNIAL CENSUS

For an additional amount for expenses necessary to prepare for taking, compiling, and publishing the nineteenth decennial census, as authorized by law, \$2,750,000, to remain available until December 31, 1972.

## 1967 ECONOMIC CENSUSES

For an additional amount for expenses necessary to prepare for taking, compiling, and publishing the 1967 censuses of business, transportation, manufactures, and mineral industries, as authorized by law, \$3,000,000, to remain available until December 31, 1970.

## 1967 CENSUS OF GOVERNMENTS

For an additional amount for expenses necessary to prepare for taking, compiling, and publishing the 1967 census of governments, as authorized by law, \$1,300,000, to remain available until December 31, 1969.

## MODERNIZATION OF COMPUTING EQUIPMENT

For expenses necessary for preparing for replacement of two electronic computers with one electronic computer and peripheral equipment, \$1,900,000.

## BUSINESS AND DEFENSE SERVICES ADMINISTRATION

## SALARIES AND EXPENSES

For necessary expenses of the Business and Defense Services Administration, \$5,500,000.

## INTERNATIONAL ACTIVITIES

## SALARIES AND EXPENSES

For necessary expenses for the promotion of foreign commerce, including trade centers, mobile trade fairs, and trade and industrial exhibits, abroad, without regard to the provisions of law set forth in 41 U.S.C. 5 and 13; 44 U.S.C. 111, 322, and 324; purchase of commercial and trade reports; employment of aliens by contract for services abroad; rental of space abroad, for periods not exceeding five years, and expenses of alteration, repair, or improvement; advance of funds under contracts abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28 of the United States Code, when such claims arise in foreign countries; and not to exceed \$8,000 for official representation expenses abroad; \$11,250,000, of which \$3,000,000 shall remain available for trade and industrial exhibits until June 30, 1968: *Provided*, That the provisions of the first sentence of section 105(f) and all of 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (Public Law 87-256) shall apply in carrying out the activities concerned with exhibits and missions.

63 Stat. 405;  
20 Stat. 216.

*Ante*, p. 306.

75 Stat. 531.  
22 USC 2455,  
2458.

## SALARIES AND EXPENSES (SPECIAL FOREIGN CURRENCY PROGRAM)

For payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States for necessary expenses for the promotion of foreign commerce, as authorized herein under the appropriation for "Salaries and expenses," \$200,000, to remain available until expended.

## EXPORT CONTROL

For expenses necessary for carrying out the provisions of the Export Control Act of 1949, as amended, relating to export controls, including awards of compensation to informers under said Act and as authorized by the Act of August 13, 1953 (22 U.S.C. 401), \$5,050,000, of which not to exceed \$1,678,000 may be advanced to the Bureau of Customs, Treasury Department, for enforcement of the export control program.

63 Stat. 7.  
50 USC app.  
2021 note.  
67 Stat. 577.

## OFFICE OF FIELD SERVICES

## SALARIES AND EXPENSES

For expenses necessary to operate and maintain field offices for the collection and dissemination of information useful in the development and improvement of commerce throughout the United States and its possessions, \$4,450,000.

## COMMUNITY RELATIONS SERVICE

## SALARIES AND EXPENSES

For necessary expenses of the Community Relations Service established by title X of the Civil Rights Act of 1964 (Public Law 88-352), \$1,500,000.

78 Stat. 267.  
42 USC 2000g-  
2000g-3.

## UNITED STATES TRAVEL SERVICE

## SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the International Travel Act of 1961 (75 Stat. 129), including employment of aliens by contract for service abroad; rental of space abroad, for periods not exceeding five years, and expenses of alteration, repair or improvement; advance of funds under contracts abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28 of the United States Code, when such claims arise in foreign countries; and not to exceed \$3,500 for representation expenses abroad; \$3,000,000.

22 USC 2121  
note.

Ante, p. 306.

## ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION

## SALARIES AND EXPENSES

For expenses necessary for the Environmental Science Services Administration, including maintenance, operation, and hire of aircraft; expenses of an authorized strength of 285 commissioned officers on the active list; pay of commissioned officers retired in accordance with law; purchase of supplies for the upper-air weather measurements program for delivery through December 31 of the next fiscal year; and operation of a printing office in the Washington metropolitan area; \$99,400,000, of which \$1,055,500 shall be available for retirement pay of commissioned officers and payments under the Retired Serviceman's Family Protection Plan: *Provided*, That this appropriation shall be reimbursed for at least press costs and costs of paper for navigational charts furnished for official use of other Government departments and agencies.

70A Stat. 108;  
75 Stat. 810.  
10 USC 1431-  
1446.

## RESEARCH AND DEVELOPMENT

For expenses necessary for the conduct of research by the Environmental Science Services Administration, including development, testing, and evaluation of new operational systems and equipment; maintenance, operation, and hire of aircraft; and the acquisition and installation of research instrumentation; \$20,250,000, to remain available until expended: *Provided*, That appropriations heretofore made to the Weather Bureau for "Research and development" shall be merged with this appropriation.

## RESEARCH AND DEVELOPMENT (SPECIAL FOREIGN CURRENCY PROGRAM)

For payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States, for necessary expenses of the Environmental Science Services Administration, as authorized by law, \$500,000, to remain available until expended: *Provided*, That this appropriation shall be available in addition to other appropriations to the Administration for payments in the foregoing currencies: *Provided further*, That appropriations heretofore made to the Weather Bureau for "Research and

development (special foreign currency program)" shall be merged with this appropriation.

#### FACILITIES, EQUIPMENT, AND CONSTRUCTION

For an additional amount for expenses necessary for the construction of surveying ships, magnetic, seismological, oceanographic, and meteorological facilities, including the initial equipment and outfitting of new facilities; alteration, modernization, and relocation of operational facilities; acquisition, establishment, and relocation of research facilities and related equipment; and the acquisition of land for the foregoing facilities; \$6,000,000, to remain available until expended: *Provided*, That appropriations heretofore made to the Weather Bureau for "Establishment of meteorological facilities," to the Coast and Geodetic Survey for "Construction of surveying ships" and "Construction and equipment," and to the National Bureau of Standards for "Plant and facilities" for the Central Radio Propagation Laboratory, shall be merged with this appropriation.

#### SATELLITE OPERATIONS

For expenses necessary to observe environmental conditions from space satellites, and for the reporting and processing of the data obtained for use in environmental forecasting, \$27,000,000, to remain available until expended: *Provided*, That this appropriation shall be available for payment to the National Aeronautics and Space Administration for procurement, in accordance with the authority available to that Administration, of such equipment or facilities as may be necessary, for the purposes of this appropriation: *Provided further*, That appropriations heretofore made to the Weather Bureau for "Meteorological satellite operations" shall be merged with this appropriation.

#### PATENT OFFICE

##### SALARIES AND EXPENSES

For necessary expenses of the Patent Office, including defense of suits instituted against the Commissioner of Patents, \$35,500,000.

#### NATIONAL BUREAU OF STANDARDS

##### RESEARCH AND TECHNICAL SERVICES

For expenses, necessary in performing the functions authorized by the Act of March 3, 1901, as amended (15 U.S.C. 271-278e), including general administration; operation, maintenance, alteration, and protection of grounds and facilities; and improvement and construction of facilities as authorized by the Act of September 2, 1958 (15 U.S.C. 278d); \$30,500,000.

31 Stat. 1449.

72 Stat. 1711.

##### RESEARCH AND TECHNICAL SERVICES (SPECIAL FOREIGN CURRENCY PROGRAM)

For payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States, for necessary expenses of the National Bureau of Standards, as authorized by law, \$500,000, to remain available until expended: *Provided*, That this appropriation shall be available, in addition to other appropriations to the Bureau, for payments in the foregoing currencies.

## PLANT AND FACILITIES

For expenses incurred, as authorized by section 1 of the Act of September 2, 1958 (15 U.S.C. 278c-278e), in the acquisition, construction, improvement, alteration, or emergency repair of buildings, grounds, and other facilities, including procurement and installation of special research equipment and facilities, therefor; and provisions of standards of weight and measure to the States; \$550,000, to remain available until expended.

72 Stat. 1711.

## CONSTRUCTION OF FACILITIES

For an additional amount for "Construction of Facilities", including construction, equipment, and expenses of occupying the facilities, \$1,200,000, to remain available until expended.

## OFFICE OF STATE TECHNICAL SERVICES

## GRANTS AND EXPENSES

For grants and expenses as authorized by the State Technical Services Act of 1965 (79 Stat. 679), \$5,500,000.

15 USC 1351  
note.

## MARITIME ADMINISTRATION

## SHIP CONSTRUCTION

For construction-differential subsidy and cost of national-defense features incident to construction of ships for operation in foreign commerce (46 U.S.C. 1152, 1154); for construction-differential subsidy and cost of national-defense features incident to the reconstruction and reconditioning of ships under title V of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1154); and for acquisition of used ships pursuant to section 510 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1160); to remain available until expended, \$106,685,000: *Provided*, That transfers may be made to the appropriation for the current fiscal year for "Salaries and expenses" for administrative and warehouse expenses (not to exceed \$3,150,000) and for reserve fleet expenses (not to exceed \$700,000), and any such transfers shall be without regard to the limitations under that appropriation on the amounts available for such expenses.

49 Stat. 1996;  
52 Stat. 955-958.

53 Stat. 1183.

## OPERATING-DIFFERENTIAL SUBSIDIES (LIQUIDATION OF CONTRACT AUTHORIZATION)

For the payment of obligations incurred for operating-differential subsidies granted on or after January 1, 1947, as authorized by the Merchant Marine Act, 1936, as amended, and in appropriations heretofore made to the United States Maritime Commission, \$175,000,000, to remain available until expended: *Provided*, That no contracts shall be executed during the current fiscal year by the Secretary of Commerce which will obligate the Government to pay operating-differential subsidy on more than two thousand four hundred voyages in any one calendar year, including voyages covered by contracts in effect at the beginning of the current fiscal year.

49 Stat. 1985.  
46 USC 1245.

## RESEARCH AND DEVELOPMENT

For expenses necessary for research, development, fabrication, and test operation of experimental facilities and equipment; collection and dissemination of maritime technical and engineering information;

studies to improve water transportation systems; and supporting services related to nuclear ship operation; \$7,500,000, to remain available until expended: *Provided*, That transfers may be made to the appropriation for the current fiscal year for "Salaries and expenses" for administrative expenses (not to exceed \$900,000) and any such transfers shall be without regard to the limitation under that appropriation on the amount available for such expenses: *Provided further*, That transfers may be made from this appropriation to the "Vessel operations revolving fund" for losses resulting from expenses of experimental ship operations.

#### SALARIES AND EXPENSES

For expenses necessary for carrying into effect the Merchant Marine Act, 1936, and other laws administered by the Maritime Administration, \$15,790,000, within limitations as follows:

49 Stat. 1985.  
46 USC 1245.

Administrative expenses, including not to exceed \$1,125 for entertainment of officials of other countries when specifically authorized by the Maritime Administrator, and not to exceed \$1,250 for representation allowances, \$9,962,000;

Maintenance of shipyard facilities and operation of warehouses, \$240,000;

Reserve fleet expenses, \$5,588,000.

#### MARITIME TRAINING

For training cadets as officers of the Merchant Marine at the Merchant Marine Academy at Kings Point, New York; not to exceed \$2,500 for contingencies for the Superintendent, United States Merchant Marine Academy, to be expended in his discretion; and uniform and textbook allowances for cadet midshipmen, at an average yearly cost of not to exceed \$400 per cadet; \$4,470,000 of which \$250,000 shall remain available until expended for library equipment and furnishings: *Provided*, That, except as herein provided for uniform and textbook allowances, this appropriation shall not be used for compensation or allowances for cadets: *Provided further*, That reimbursement may be made to this appropriation for expenses in support of activities financed from the appropriations for "Research and development" and "Ship construction".

#### STATE MARINE SCHOOLS

For financial assistance to State marine schools and the students thereof as authorized by the Maritime Academy Act of 1958 (72 Stat. 622-624), \$1,635,000, of which \$360,000 is for maintenance and repair of vessels loaned by the United States for use in connection with such State marine schools, and \$1,275,000, to remain available until expended, is for liquidation of obligations incurred under authority granted by said Act, to enter into contracts to make payments for expenses incurred in the maintenance and support of marine schools, and to pay allowances for uniforms, textbooks, and subsistence of cadets at State marine schools.

46 USC 1381  
note.

#### GENERAL PROVISIONS—MARITIME ADMINISTRATION

No additional vessel shall be allocated under charter, nor shall any vessel be continued under charter by reason of any extension of chartering authority beyond June 30, 1949, unless the charterer shall agree that the Maritime Administration shall have no obligation upon redelivery to accept or pay for consumable stores, bunkers, and slop-chest

items, except with respect to such minimum amounts of bunkers as the Maritime Administration considers advisable to be retained on the vessel and that prior to such redelivery all consumable stores, slop-chest items, and bunkers over and above such minimums shall be removed from the vessel by the charterer at his own expense.

Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration, and payments received by the Maritime Administration for utilities, services, and repairs so furnished or made shall be credited to the appropriation charged with the cost thereof: *Provided*, That rental payments under any such lease, contract, or occupancy on account of items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

No obligations shall be incurred during the current fiscal year from the construction fund established by the Merchant Marine Act, 1936, or otherwise, in excess of the appropriations and limitations contained in this Act, or in any prior appropriation Act, and all receipts which otherwise would be deposited to the credit of said fund shall be covered into the Treasury as miscellaneous receipts.

49 Stat. 1985.  
46 USC 1245.

## BUREAU OF PUBLIC ROADS

### LIMITATION ON GENERAL ADMINISTRATIVE EXPENSES

Necessary expenses of administration and research (not to exceed \$56,000,000), including maintenance of a National Register of Revoked Motor Vehicle Operators' Licenses, as authorized by law (74 Stat. 526), and purchase of one passenger motor vehicle for replacement only, shall be paid, in accordance with law, from appropriations made available by this Act to the Bureau of Public Roads and from advances and reimbursements received by the Bureau of Public Roads.

*Ante*, p. 730.

Of the total amount available from appropriations of the Bureau of Public Roads for general administrative and research expenses pursuant to the provisions of title 23, United States Code, section 104(a), \$100,000 shall be available for carrying out the provisions of title 23, United States Code, section 309.

72 Stat. 889,  
914.

### FEDERAL-AID HIGHWAYS (TRUST FUND)

For carrying out the provisions of title 23, United States Code, which are attributable to Federal-aid highways, to remain available until expended, \$3,968,400,000, or so much thereof as may be available in and derived from the "Highway trust fund"; which sum is composed of \$856,883,262, the balance of the amount authorized for the fiscal year 1965, and \$3,094,396,796 (or so much thereof as may be available in and derived from the "Highway trust fund"), a part of the amount authorized to be appropriated for the fiscal year 1966, \$17,076,056 for reimbursement of the sum expended for the repair or reconstruction of highways and bridges which have been damaged or destroyed by floods, hurricanes, or landslides, as provided by title 23, United States Code, section 125, and \$43,886 for reimbursement of the sums expended for the design and construction of bridges upon and across dams, as provided by title 23, United States Code, section 320.

73 Stat. 612.

72 Stat. 917.

## FOREST HIGHWAYS (LIQUIDATION OF CONTRACT AUTHORIZATION)

72 Stat. 906.

For payment of obligations incurred in carrying out the provisions of title 23, United States Code, section 204, pursuant to contract authorization granted by title 23, United States Code, section 203, to remain available until expended, \$32,000,000, which sum is composed of \$5,950,000, the balance of the amount authorized to be appropriated for the fiscal year 1965, and \$26,050,000, a part of the amount authorized to be appropriated for the fiscal year 1966: *Provided*, That this appropriation shall be available for the rental, purchase, construction, or alteration of buildings and sites necessary for the storage and repair of equipment and supplies used for road construction and maintenance but the total cost of any such item under this authorization shall not exceed \$15,000.

## PUBLIC LANDS HIGHWAYS (LIQUIDATION OF CONTRACT AUTHORIZATION)

For payment of obligations incurred in carrying out the provisions of title 23, United States Code, section 209, pursuant to the contract authorization granted by title 23, United States Code, section 203, to remain available until expended, \$8,000,000, which sum is composed of \$6,300,000, the balance of the amount authorized for the fiscal year 1965, and \$1,700,000, a part of the amount authorized to be appropriated for the fiscal year 1966.

## HIGHWAY BEAUTIFICATION

79 Stat. 1028-1032.

23 USC 131 note.

For carrying out the provisions of title 23, United States Code, sections 131, 136 and 319(b), and for necessary administrative expenses as authorized by section 402 of the Highway Beautification Act of 1965, \$80,000,000.

## HIGHWAY SAFETY

79 Stat. 578.

For necessary expenses for carrying out the provisions of title 23, United States Code, section 135, \$210,000.

## APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM

79 Stat. 5.  
40 USC app. 1.

For necessary expenses for construction of an Appalachian Development Highway System, including local access roads as authorized by the Appalachian Regional Development Act of 1965, \$100,000,000, to remain available until expended.

## REPAYABLE ADVANCES TO THE HIGHWAY TRUST FUND

23 USC 120 note.

For repayable advances to the "Highway trust fund" during the current fiscal year, as authorized by section 209(d) of the Highway Revenue Act of 1956 (70 Stat. 399), \$65,000,000.

## TRANSPORTATION RESEARCH AND DEVELOPMENT

## TRANSPORTATION RESEARCH

For necessary expenses for conducting transportation research activities, \$3,000,000, to remain available until expended.

## HIGH-SPEED GROUND TRANSPORTATION RESEARCH AND DEVELOPMENT

For necessary expenses for research, development, and demonstrations in high-speed ground transportation, including the collection of national transportation statistics, \$22,000,000, to remain available until expended.

## HIGHWAY AND TRAFFIC SAFETY

## TRAFFIC AND HIGHWAY SAFETY PROGRAMS

For expenses necessary to carry out the provisions of the National Traffic and Motor Vehicle Safety Act of 1966, and the Highway Safety Act of 1966, \$10,000,000.

Ante, p. 718.

Ante, p. 731.

STATE AND COMMUNITY HIGHWAY SAFETY PROGRAMS  
(LIQUIDATION OF CONTRACT AUTHORIZATION)

For the payment of obligations incurred in carrying out the provisions of title 23, United States Code, section 402, as added by the Highway Safety Act of 1966, \$10,000,000.

## LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary administrative expenses for carrying out the provisions of the National Traffic and Motor Vehicle Safety Act of 1966, and the Highway Safety Act of 1966, \$2,000,000, to be derived by transfer of \$880,000 from the appropriation for the current fiscal year for "Traffic and highway safety programs"; and \$1,120,000 from the appropriation for the current fiscal year from "State and community highway safety programs (liquidation of contract authorization)": *Provided*, That funds available under this head shall be available for services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a).

60 Stat. 810.

## GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

SEC. 302. During the current fiscal year applicable appropriations and funds available to the Department of Commerce shall be available for the activities specified in the Act of October 26, 1949 (5 U.S.C. 596a), to the extent and in the manner prescribed by said Act.

63 Stat. 907.

SEC. 303. During the current fiscal year appropriations to the Department of Commerce which are available for salaries and expenses shall be available for hire of passenger motor vehicles; services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); and uniforms, or allowances therefor, as authorized by the Act of September 1, 1954, as amended (5 U.S.C. 2131).

68 Stat. 1114;  
79 Stat. 1122.

SEC. 304. No part of any appropriation contained in this title shall be used for the enforcement of any export control order on cattle hides, calf and kip skins and bovine leather.

This title may be cited as the "Department of Commerce Appropriation Act, 1967".

Citation of title.

## TITLE IV—THE JUDICIARY

## SUPREME COURT OF THE UNITED STATES

## SALARIES

For the Chief Justice and eight Associate Justices, and all other officers and employees, whose compensation shall be fixed by the Court,

except as otherwise provided by law, and who may be employed and assigned by the Chief Justice to any office or work of the Court, \$2,000,000.

#### PRINTING AND BINDING SUPREME COURT REPORTS

For printing and binding the advance opinions, preliminary prints, and bound reports of the Court, \$138,000.

#### MISCELLANEOUS EXPENSES

For miscellaneous expenses, to be expended as the Chief Justice may approve, \$120,000.

#### CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon him by the Act approved May 7, 1934 (40 U.S.C. 13a-13b), including improvements, maintenance, repairs, equipment, supplies, materials, and appurtenances; special clothing for workmen; and personal and other services (including temporary labor without reference to the Classification and Retirement Acts, as amended), and for snow removal by hire of men and equipment or under contract without compliance with section 3709 of the Revised Statutes, as amended (41 U.S.C. 5); \$318,700.

48 Stat. 668.

63 Stat. 954;  
70 Stat. 743,  
5 USC 1071 note,  
2251 note.

#### AUTOMOBILE FOR THE CHIEF JUSTICE

For purchase, exchange, lease, driving, maintenance, and operation of an automobile for the Chief Justice of the United States, \$8,900.

#### BOOKS FOR THE SUPREME COURT

For books and periodicals for the Supreme Court, to be purchased by the Librarian of the Supreme Court, under the direction of the Chief Justice, \$38,000.

#### COURT OF CUSTOMS AND PATENT APPEALS

##### SALARIES AND EXPENSES

For salaries of the chief judge, four associate judges, and all other officers and employees of the court, and necessary expenses of the court, including exchange of books, and traveling expenses, as may be approved by the chief judge, \$465,000.

##### CUSTOMS COURT

##### SALARIES AND EXPENSES

For salaries of the chief judge and eight judges; salaries of the officers and employees of the court; services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); and necessary expenses of the court, including exchange of books, and traveling expenses, as may be approved by the court; \$1,265,000: *Provided*, That traveling expenses of judges of the Customs Court shall be paid upon written certificate of the judge.

60 Stat. 810.

COURT OF CLAIMS

SALARIES AND EXPENSES

For salaries of the chief judge, six associate judges, and all other officers and employees of the court, and for other necessary expenses, including stenographic and other fees and charges necessary in the taking of testimony, and travel, \$1,425,000.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES OF JUDGES

For salaries of circuit judges; district judges (including judges of the district courts of the Virgin Islands, the Panama Canal Zone, and Guam); justices and judges retired or resigned under title 28, United States Code, sections 371, 372, and 373; and annuities of widows of Justices of the Supreme Court of the United States in accordance with title 28, United States Code, section 375; \$15,857,000.

68 Stat. 12.  
68 Stat. 918.

SALARIES OF SUPPORTING PERSONNEL

For salaries of all officials and employees of the Federal Judiciary, not otherwise specifically provided for, \$37,350,000: *Provided*, That the compensation of secretaries and law clerks of circuit and district judges shall be fixed by the Director of the Administrative Office of the United States Courts without regard to the Classification Act of 1949, as amended, except that the salary of a secretary shall conform with that of the General Schedule grades (GS) 5, 6, 7, 8, 9, or 10, as the appointing judge shall determine, and the salary of a law clerk shall conform with that of the General Schedule grades (GS) 7, 8, 9, 10, 11, or 12, as the appointing judge shall determine, subject to review by the Judicial Conference of the United States if requested by the Director, such determination by the judge otherwise to be final: *Provided further*, That (exclusive of step increases corresponding with those provided for by title VII of the Classification Act of 1949, as amended, and of compensation paid for temporary assistance needed because of an emergency) the aggregate salaries paid to secretaries and law clerks appointed by one judge shall not exceed \$18,803 per annum, except in the case of the chief judge of each circuit and the chief judge of each district court having five or more district judges, in which case the aggregate salaries shall not exceed \$25,072 per annum.

63 Stat. 954.  
5 USC 1071  
note.  
Ante, p. 288.  
76 Stat. 847.  
5 USC 1121-  
1123.

FEES AND EXPENSES OF COURT-APPOINTED COUNSEL

For compensation and reimbursement of expenses of attorneys appointed to represent defendants in criminal cases and for investigative, expert or other services pursuant to the Criminal Justice Act of 1964 (62 Stat. 684), \$3,000,000.

78 Stat. 552.  
18 USC 3006A  
note.

FEES OF JURORS AND COMMISSIONERS

For fees, expenses, and costs of jurors; compensation of jury commissioners; fees of United States commissioners and other committing magistrates acting under title 18, United States Code, section 3041; \$7,700,000.

62 Stat. 815.

## TRAVEL AND MISCELLANEOUS EXPENSES

For necessary travel and miscellaneous expenses, not otherwise provided for, incurred by the Judiciary, including the purchase of firearms and ammunition, and the cost of contract statistical services for the office of Register of Wills of the District of Columbia, \$6,000,000: *Provided*, That this sum shall be available in an amount not to exceed \$16,500 for expenses of attendance at meetings concerned with the work of Federal probation when incurred on the written authorization of the Director of the Administrative Office of the United States Courts.

## ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

For necessary expenses of the Administrative Office of the United States Courts, including travel, advertising, and rent in the District of Columbia and elsewhere, \$1,910,000: *Provided*, That not to exceed \$90,000 of the appropriations contained in this title shall be available for the study of rules of practice and procedure.

## SALARIES OF REFEREES

For salaries of referees as authorized by the Act of June 28, 1946, as amended (11 U.S.C. 68), not to exceed \$4,314,000, to be derived from the Referees' salary and expense fund established in pursuance of said Act.

## EXPENSES OF REFEREES

For expenses of referees as authorized by the Act of June 28, 1946, as amended (11 U.S.C. 68, 102), not to exceed \$6,760,000, to be derived from the Referees' salary and expense fund established in pursuance of said Act.

## GENERAL PROVISIONS—THE JUDICIARY

SEC. 402. Sixty per centum of the expenditures for the District Court of the United States for the District of Columbia from all appropriations under this title and 30 per centum of the expenditures for the United States Court of Appeals for the District of Columbia from all appropriations under this title shall be reimbursed to the United States from any funds in the Treasury to the credit of the District of Columbia.

SEC. 403. The reports of the United States Court of Appeals for the District of Columbia shall not be sold for a price exceeding that approved by the court and for not more than \$6.50 per volume.

This title may be cited as the "Judiciary Appropriation Act, 1967".

## TITLE V—RELATED AGENCIES

## AMERICAN BATTLE MONUMENTS COMMISSION

## SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchase and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; not to exceed \$63,000 for expenses of travel; rent of office and garage space in foreign countries; purchase (one for replacement only) and hire of passenger motor vehicles; and insurance of official motor vehicles in foreign coun-

60 Stat. 326,  
329.

Reimbursement  
to U.S.

U.S. Court of  
Appeals reports.

Citation of  
title.

tries when required by law of such countries; \$2,092,000: *Provided*, That where station allowance has been authorized by the Department of the Army for officers of the Army serving the Army at certain foreign stations, the same allowance shall be authorized for officers of the Armed Forces assigned to the Commission while serving at the same foreign stations, and this appropriation is hereby made available for the payment of such allowance: *Provided further*, That when traveling on business of the Commission, officers of the Armed Forces serving as members or as secretary of the Commission may be reimbursed for expenses as provided for civilian members of the Commission: *Provided further*, That the Commission shall reimburse other Government agencies, including the Armed Forces, for salary, pay, and allowances of personnel assigned to it.

### COMMISSION ON CIVIL RIGHTS

#### SALARIES AND EXPENSES

For expenses necessary for the Commission on Civil Rights, including hire of passenger motor vehicles, \$2,500,000.

### DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

#### OFFICE OF EDUCATION

##### CIVIL RIGHTS EDUCATIONAL ACTIVITIES

For carrying out the provisions of title IV of the Civil Rights Act of 1964 relating to functions of the Commissioner of Education, \$8,000,000, of which not to exceed \$1,465,000 shall be for salaries and expenses, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a).

78 Stat. 246.  
42 USC 2000c-2000c-9.

60 Stat. 810.

### EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

#### SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission established by title VII of the Civil Rights Act of 1964, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); hire of passenger motor vehicles; and not to exceed \$700,000 for payments to State and local agencies for services to the Commission pursuant to title VII of the Civil Rights Act, \$5,200,000.

42 USC 2000e-2000e-15.

### FEDERAL MARITIME COMMISSION

#### SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); hire of passenger motor vehicles; and uniforms, or allowances therefor, as authorized by the Act of September 1, 1954, as amended (5 U.S.C. 2131); \$3,375,000.

68 Stat. 1114;  
79 Stat. 1122.

### FOREIGN CLAIMS SETTLEMENT COMMISSION

#### SALARIES AND EXPENSES

For expenses necessary to carry on the activities of the Foreign Claims Settlement Commission, including services as authorized by

60 Stat. 810.

60 Stat. 1025.  
22 USC 1131-  
1158.

section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); allowances and benefits similar to those provided by title IX of the Foreign Service Act of 1946, as amended, as determined by the Commission; expenses of packing, shipping, and storing personal effects of personnel assigned abroad; rental or lease, for such periods as may be necessary, of office space and living quarters for personnel assigned abroad; maintenance, improvement, and repair of properties rented or leased abroad, and furnishing fuel, water, and utilities for such properties; insurance on official motor vehicles abroad; and advances of funds abroad; not to exceed \$31,000 for expenses of travel; advances or reimbursements to other Government agencies for use of their facilities and services in carrying out the functions of the Commission; hire of motor vehicles for field use only; and employment of aliens; \$2,000,000.

PRESIDENT'S COMMISSIONS ON LAW ENFORCEMENT AND THE ADMINISTRATION OF JUSTICE AND ON CRIME IN THE DISTRICT OF COLUMBIA

SALARIES AND EXPENSES

79 Stat. 827.

For expenses necessary to carry out the provisions of Public Law 89-196, including services as authorized by Section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), \$550,000.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

31 USC 665.

For necessary expenses, not otherwise provided for, of the Small Business Administration, including hire of passenger motor vehicles, \$8,100,000, and in addition there may be transferred to this appropriation not to exceed a total of \$45,750,000 from the "Disaster loan fund" and the "Business loan and investment fund," in such amounts as may be necessary for administrative expenses in connection with activities respectively financed under said funds: *Provided*, That 10 per centum of the amount authorized to be transferred from these revolving funds shall be apportioned for use, pursuant to section 3679 of the Revised Statutes, as amended, only in such amounts and at such times as may be necessary to carry out the business and disaster loan programs.

DISASTER LOAN FUND

BUSINESS LOAN AND INVESTMENT FUND

61 Stat. 584.  
31 USC 849.

The Small Business Administration is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the following funds, and in accord with the law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for the "Disaster loan fund" and the "Business loan and investment fund."

FUNDS APPROPRIATED TO THE PRESIDENT

SOUTHEAST HURRICANE DISASTER

79 Stat. 1301.

For an additional amount for expenses necessary to enable the President to carry out the provisions of the Southeast Hurricane Disaster Relief Act of 1965, Public Law 89-339, \$9,000,000, to remain available until expended.

## SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS

## SALARIES AND EXPENSES

For expenses necessary for the Special Representative for Trade Negotiations, including hire of passenger motor vehicles, and services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), \$566,000.

60 Stat. 810.

## SUBVERSIVE ACTIVITIES CONTROL BOARD

## SALARIES AND EXPENSES

For necessary expenses of the Subversive Activities Control Board, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), not to exceed \$3,500 for expenses of travel, and not to exceed \$500 for the purchase of newspapers and periodicals, \$280,000.

## TARIFF COMMISSION

## SALARIES AND EXPENSES

For necessary expenses of the Tariff Commission, including subscriptions to newspapers (not to exceed \$300), not to exceed \$70,000 for expenses of travel, and services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), \$3,500,000: *Provided*, That no part of this appropriation shall be used to pay the salary of any member of the Tariff Commission who shall hereafter participate in any proceedings under sections 336, 337, and 338 of the Tariff Act of 1930, wherein he or any member of his family has any special, direct, and pecuniary interest, or in which he has acted as attorney or special representative: *Provided further*, That no part of the foregoing appropriation shall be used for making any special study, investigation, or report at the request of any other agency of the executive branch of the Government unless reimbursement is made for the cost thereof.

46 Stat. 701.  
19 USC 1336-1338.

## UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY

## ARMS CONTROL AND DISARMAMENT ACTIVITIES

For necessary expenses, not otherwise provided for, for arms control and disarmament activities authorized by the Act of September 26, 1961, as amended (75 Stat. 631; 77 Stat. 341), \$9,000,000.

22 USC 2551  
note.

## UNITED STATES INFORMATION AGENCY

## SALARIES AND EXPENSES

For expenses necessary to enable the United States Information Agency, as authorized by Reorganization Plan No. 8 of 1953, the Mutual Educational and Cultural Exchange Act (75 Stat. 527), and the United States Information and Educational Exchange Act, as amended (22 U.S.C. 1431 et seq.), to carry out international information activities, including employment, without regard to the civil service and classification laws, of (1) persons on a temporary basis (not to exceed \$20,000), (2) aliens within the United States, and (3) aliens abroad for service in the United States relating to the translation or narration of colloquial speech in foreign languages (such as aliens to be investigated for such employment in accordance with procedures established by the Director of the Agency and the Attorney General); travel expenses of aliens employed abroad for service

67 Stat. 642.  
5 USC 1332-15  
note.  
22 USC 2451  
note.  
62 Stat. 6.

in the United States and their dependents to and from the United States; salaries, expenses, and allowances of personnel and dependents as authorized by the Foreign Service Act of 1946, as amended (22 U.S.C. 801-1158); entertainment within the United States not to exceed \$500; hire of passenger motor vehicles; insurance on official motor vehicles in foreign countries; services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); payment of tort claims, in the manner authorized in the first paragraph of section 2672, as amended, of title 28 of the United State Code when such claims arise in foreign countries; advance of funds notwithstanding section 3648 of the Revised Statutes, as amended; dues for library membership in organizations which issue publications to members only, or to members at a price lower than to others; employment of aliens, by contract, for service abroad; purchase of ice and drinking water abroad; payment of excise taxes on negotiable instruments abroad; purchase of uniforms for not to exceed fourteen guards; actual expenses of preparing and transporting to their former homes the remains of persons, not United States Government employees, who may die away from their homes while participating in activities authorized under this appropriation; radio activities and acquisition and production of motion pictures and visual materials and purchase or rental of technical equipment and facilities therefor, narration, script-writing, translation, and engineering services, by contract or otherwise; maintenance, improvement, and repair of properties used for information activities in foreign countries; fuel and utilities for Government-owned or leased property abroad; rental or lease for periods not exceeding five years of offices, buildings, grounds, and living quarters for officers and employees engaged in informational activities abroad; travel expenses for employees attending official international conferences, without regard to the Standardized Government Travel Regulations and to the rates of per diem allowances in lieu of subsistence expenses under the Travel Expense Act of 1949, but at rates not in excess of comparable allowances approved for such conferences by the Secretary of State; and purchase of objects for presentation to foreign governments, schools, or organizations; \$148,818,000, of which not less than \$11,000,000 shall be used for payments in foreign currencies or credits owed to or owned by the Treasury of the United States: *Provided*, That not to exceed \$110,000 may be used for representation abroad: *Provided further*, That this appropriation shall be available for expenses in connection with travel of personnel outside the continental United States, including travel of dependents and transportation of personal effects, household goods, or automobiles of such personnel, when any part of such travel or transportation begins in the current fiscal year pursuant to travel orders issued in that year, notwithstanding the fact that such travel or transportation may not be completed during the current year: *Provided further*, That passenger motor vehicles used abroad exclusively for the purposes of this appropriation may be exchanged or sold, pursuant to section 201(c) of the Act of June 30, 1949 (40 U.S.C. 481(c)), and the exchange allowances or proceeds of such sales shall be available for replacement of an equal number of such vehicles and the cost, including the exchange allowance of each such replacement, except buses and station wagons, shall not exceed \$1,500: *Provided further*, That, notwithstanding the provisions of section 3679 of the Revised Statutes, as amended (31 U.S.C. 665), the United States Information Agency is authorized, in making contracts for the use of international short-wave radio stations and facilities, to agree on behalf of the United States to indemnify the

60 Stat. 999.

60 Stat. 810.

Ante, p. 306.

31 USC 529.

63 Stat. 166;  
75 Stat. 339, 340.  
5 USC 835 note.

63 Stat. 384.

owners and operators of said radio stations and facilities from such funds as may be hereafter appropriated for the purpose against loss or damage on account of injury to persons or property arising from such use of said radio stations and facilities: *Provided further*, That existing appointments and assignments to the Foreign Service Reserve for the purposes of foreign information and educational activities which expire during the current fiscal year may be extended for a period of one year in addition to the period of appointment or assignment otherwise authorized.

#### SALARIES AND EXPENSES (SPECIAL FOREIGN CURRENCY PROGRAM)

For payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States, for necessary expenses of the United States Information Agency, as authorized by law, \$10,941,000, to remain available until expended.

#### SPECIAL INTERNATIONAL EXHIBITIONS

For expenses necessary to carry out the functions of the United States Information Agency under section 102(a)(3) of the "Mutual Educational and Cultural Exchange Act of 1961" (75 Stat. 527), \$2,709,000, to remain available until expended: *Provided*, That not to exceed a total of \$7,200 may be expended for representation.

76 Stat. 263.  
22 USC 2452.

#### SPECIAL INTERNATIONAL EXHIBITIONS (SPECIAL FOREIGN CURRENCY PROGRAM)

For payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States, for necessary expenses of the United States Information Agency in connection with special international exhibitions under the Mutual Educational and Cultural Exchange Act of 1961 (75 Stat. 527), \$350,000, to remain available until expended: *Provided*, That not to exceed \$1,250 may be expended for representation.

#### ACQUISITION AND CONSTRUCTION OF RADIO FACILITIES

For an additional amount for the purchase, rent, construction, and improvement of facilities for radio transmission and reception, purchase and installation of necessary equipment for radio transmission and reception, without regard to the provisions of the Act of June 30, 1932 (40 U.S.C. 278a), and acquisition of land and interests in land by purchase, lease, rental, or otherwise, \$6,510,000, to remain available until expended: *Provided*, That this appropriation shall be available for acquisition of land outside the continental United States without regard to section 355 of the Revised Statutes (40 U.S.C. 255), and title to any land so acquired shall be approved by the Director of the United States Information Agency.

47 Stat. 412,  
1517.

#### TITLE VI—FEDERAL PRISON INDUSTRIES, INCORPORATED

The following corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to such corporation, and in accord with the law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the program set forth

61 Stat. 584.  
31 USC 849.

in the budget for the fiscal year 1967 for such corporation, including purchase of not to exceed four and hire of passenger motor vehicles, except as hereinafter provided:

LIMITATION ON ADMINISTRATIVE AND VOCATIONAL TRAINING EXPENSES,  
FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed \$697,000 of the funds of the corporation shall be available for its administrative expenses, and not to exceed \$1,815,000 for the expenses of vocational training of prisoners, both amounts to be available for services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), and to be computed on an accrual basis and to be determined in accordance with the corporation's prescribed accounting system in effect on July 1, 1946, and shall be exclusive of depreciation, payment of claims, expenditures which the said accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

60 Stat. 810.

TITLE VII—GENERAL PROVISIONS

Publicity or  
propaganda.

SEC. 701. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 702. No part of any appropriation contained in this Act shall be used to administer any program which is funded in whole or in part from foreign currencies or credits for which a specific dollar appropriation therefor has not been made.

SEC. 703. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

Short title.

This Act may be cited as the "Departments of State, Justice, and Commerce, the Judiciary, and related agencies Appropriation Act, 1967".

Approved November 8, 1966.

Public Law 89-798

November 8, 1966  
[H. R. 13551]

AN ACT

To amend the Law Enforcement Assistance Act of 1965, and for other purposes.

Law enforce-  
ment assistance,  
extension.

18 USC prec.  
3001 note.

Appropriation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 9 of the Law Enforcement Assistance Act of 1965 (79 Stat. 828) is amended by deleting the word "two" and by inserting in lieu thereof the word "four".

SEC. 2. Section 10 of said Act is amended by striking out all after the semicolon and inserting in lieu thereof "and for the fiscal year ending June 30, 1967, the sum of \$15,000,000, and for the fiscal year ending June 30, 1968, the sum of \$30,000,000, and for the fiscal years ending June 30, 1969, and June 30, 1970, such sums as the Congress may hereafter authorize.

Approved November 8, 1966.

## Public Law 89-799

## JOINT RESOLUTION

November 8, 1966  
[S. J. Res. 167]

To enable the United States to organize and hold an International Conference on Water for Peace in the United States in 1967 and authorize an appropriation therefor.

Whereas there exists throughout the world a common problem in planning the use of water to meet adequately the needs of the world's rapidly expanding population; and

Whereas the President, in announcing the Water for Peace Program of the United States Government, recognized the great value of a mutual sharing of knowledge in this important field with other countries in a worldwide cooperative effort to find solutions of man's water problems; and

Whereas a worldwide conference would be the most effective means of bringing together representatives of all governments and agencies concerned, as well as experts, on the varying aspects of the water problems; would focus attention on current and future water problems; and would contribute to the development of policies and programs necessary to meet these problems: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of State and the Secretary of the Interior, in consultation with other concerned departments and agencies, are authorized to take all necessary steps to organize and hold an International Conference on Water for Peace in Washington, District of Columbia, in 1967.

International  
Conference on  
Water for Peace.

SEC. 2. There is authorized to be appropriated to the Department of State, out of any money in the Treasury not otherwise appropriated, a sum not to exceed \$900,000 for the purpose of defraying the expenses incident to organizing and holding such an international conference. Funds appropriated pursuant to this authorization shall be available for expenses incurred on behalf of the United States as host government, including personal services without regard to civil service and classification laws, except no salary rate shall exceed the maximum rate payable under the General Schedule of the Classification Act of 1949, as amended; employment of aliens, printing and binding without regard to the provisions of any other law; travel expenses without regard to the Standardized Government Travel Regulations and to the rates of per diem allowances in lieu of subsistence expenses under the Travel Expense Act of 1949, as amended, of principal foreign delegates in the United States and of United States personnel and foreign technical experts; rent of facilities by contract or otherwise; hire of passenger motor vehicles; official functions and courtesies; and design, construction, and display of exhibits. Sums appropriated pursuant to this authorization shall remain available for obligation until December 31, 1967.

Appropriation  
for expenses.*Ante*, p. 288.63 Stat. 166;  
75 Stat. 339, 340.  
5 USC 835 note.

SEC. 3. The Secretary of State and the Secretary of the Interior are authorized to accept and use contributions of funds, property, services, and facilities, including the loan of articles, specimens, and exhibits for display, for the purpose of organizing and holding such an international conference.

Contributions.

SEC. 4. The head of any department, agency, or establishment of the United States Government is authorized, on request, to assist with or without reimbursement the Department of State and the Department of the Interior in carrying out the functions herein authorized, including the furnishing of personnel and facilities and the procurement, installation, and display of exhibits.

Federal depart-  
ments, assist-  
ance.

Approved November 8, 1966.

## Public Law 89-800

November 8, 1966  
[H. R. 17607]

## AN ACT

To suspend the investment credit and the allowance of accelerated depreciation in the case of certain real property.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) section 48 of the Internal Revenue Code of 1954 (relating to definition; special rules) is amended by redesignating subsection (h) as subsection (k), and by inserting before such subsection the following new subsections:

“(h) **SUSPENSION OF INVESTMENT CREDIT.**—For purposes of this subpart—

“(1) **GENERAL RULE.**—Section 38 property which is suspension period property shall not be treated as new or used section 38 property.

“(2) **SUSPENSION PERIOD PROPERTY DEFINED.**—Except as otherwise provided in this subsection and subsection (i), the term ‘suspension period property’ means section 38 property—

“(A) the physical construction, reconstruction, or erection of which begins either during the suspension period or pursuant to an order placed during such period, or

“(B) which is acquired by the taxpayer either during the suspension period or pursuant to an order placed during such period.

“(3) **BINDING CONTRACTS.**—To the extent that any property is constructed, reconstructed, erected, or acquired pursuant to a contract which was, on October 9, 1966, and at all times thereafter, binding on the taxpayer, such property shall not be deemed to be suspension period property.

“(4) **EQUIPPED BUILDING RULE.**—If—

“(A) pursuant to a plan of the taxpayer in existence on October 9, 1966 (which plan was not substantially modified at any time after such date and before the taxpayer placed the equipped building in service), the taxpayer has constructed, reconstructed, erected, or acquired a building and the machinery and equipment necessary to the planned use of the building by the taxpayer, and

“(B) more than 50 percent of the aggregate adjusted basis of all the property of a character subject to the allowance for depreciation making up such building as so equipped is attributable to either property the construction, reconstruction, or erection of which was begun by the taxpayer before October 10, 1966, or property the acquisition of which by the taxpayer occurred before such date,

then all section 38 property comprising such building as so equipped (and any incidental section 38 property adjacent to such building which is necessary to the planned use of the building) shall be treated as section 38 property which is not suspension period property. For purposes of subparagraph (B) of the preceding sentence, the rules of paragraphs (3) and (6) shall be applied. For purposes of this paragraph, a special purpose structure shall be treated as a building.

“(5) **PLANT FACILITY RULE.**—

“(A) **GENERAL RULE.**—If—

“(i) pursuant to a plan of the taxpayer in existence on October 9, 1966 (which plan was not substantially modified at any time after such date and before the taxpayer

Taxes.  
Depreciable  
property, invest-  
ment credit sus-  
pension.

76 Stat. 967.  
26 USC 48.

76 Stat. 962.  
26 USC 38.

Post, p. 1512.

placed the plant facility in service), the taxpayer has constructed, reconstructed, or erected a plant facility, and either

“(ii) the construction, reconstruction, or erection of such plant facility was commenced by the taxpayer before October 10, 1966, or

“(iii) more than 50 percent of the aggregate adjusted basis of all the property of a character subject to the allowance for depreciation making up such plant facility is attributable to either property the construction, reconstruction, or erection of which was begun by the taxpayer before October 10, 1966, or property the acquisition of which by the taxpayer occurred before such date,

then all section 38 property comprising such plant facility shall be treated as section 38 property which is not suspension period property. For purposes of clause (iii) of the preceding sentence, the rules of paragraphs (3) and (6) shall be applied.

“(B) PLANT FACILITY DEFINED.—For purposes of this paragraph, the term ‘plant facility’ means a facility which does not include any building (or of which buildings constitute an insignificant portion) and which is—

“(i) a self-contained, single operating unit or processing operation,

“(ii) located on a single site, and

“(iii) identified, on October 9, 1966, in the purchasing and internal financial plans of the taxpayer as a single unitary project.

“(C) SPECIAL RULE.—For purposes of this subsection, if—

“(i) a certificate of convenience and necessity has been issued before October 10, 1966, by a Federal regulatory agency with respect to two or more plant facilities which are included under a single plan of the taxpayer to construct, reconstruct, or erect such plant facilities, and

“(ii) more than 50 percent of the aggregate adjusted basis of all the property of a character subject to the allowance for depreciation making up such plant facilities is attributable to either property the construction, reconstruction, or erection of which was begun by the taxpayer before October 10, 1966, or property the acquisition of which by the taxpayer occurred before such date,

such plant facilities shall be treated as a single plant facility.

“(D) COMMENCEMENT OF CONSTRUCTION.—For purposes of subparagraph (A) (ii), the construction, reconstruction, or erection of a plant facility shall not be considered to have commenced until construction, reconstruction, or erection has commenced at the site of such plant facility. The preceding sentence shall not apply if the site of such plant facility is not located on land.

“(6) MACHINERY OR EQUIPMENT RULE.—Any piece of machinery or equipment—

“(A) more than 50 percent of the parts and components of which (determined on the basis of cost) were held by the taxpayer on October 9, 1966, or are acquired by the taxpayer pursuant to a binding contract which was in effect on such date, for inclusion or use in such piece of machinery or equipment, and

“(B) the cost of the parts and components of which is not an insignificant portion of the total cost, shall be treated as property which is not suspension period property.

“(7) CERTAIN LEASE-BACK TRANSACTIONS, ETC.—Where a person who is a party to a binding contract described in paragraph (3) transfers rights in such contract (or in the property to which such contract relates) to another person but a party to such contract retains a right to use the property under a lease with such other person, then to the extent of the transferred rights such other person shall, for purposes of paragraph (3), succeed to the position of the transferor with respect to such binding contract and such property. The preceding sentence shall apply, in any case in which the lessor does not make an election under subsection (d), only if a party to such contract retains a right to use the property under a long-term lease.

Post, p. 1513.

“(8) CERTAIN LEASE AND CONTRACT OBLIGATIONS.—Where, pursuant to a binding lease or contract to lease in effect on October 9, 1966, a lessor or lessee is obligated to construct, reconstruct, erect, or acquire property specified in such lease or contract, any property so constructed, reconstructed, erected, or acquired by the lessor or lessee which is section 38 property shall be treated as property which is not suspension period property. In the case of any project which includes property other than the property to be leased to such lessee, the preceding sentence shall be applied, in the case of the lessor, to such other property only if the binding leases and contracts with all lessees in effect on October 9, 1966, cover real property constituting 25 percent or more of the project (determined on the basis of rental value). For purposes of the preceding sentences of this paragraph, in the case of any project where one or more vendor-vendee relationships exist, such vendors and vendees shall be treated as lessors and lessees. Where, pursuant to a binding contract in effect on October 9, 1966, (i) the taxpayer is required to construct, reconstruct, erect, or acquire property specified in the contract, to be used to produce one or more products, and (ii) the other party is required to take substantially all of the products to be produced over a substantial portion of the expected useful life of the property, then such property shall be treated as property which is not suspension period property. Clause (ii) of the preceding sentence shall not apply if a political subdivision of a State is the other party to the contract and is required by the contract to make substantial expenditures which benefit the taxpayer.

“(9) CERTAIN TRANSFERS TO BE DISREGARDED.—

“(A) If property or rights under a contract are transferred in—

“(i) a transfer by reason of death, or

“(ii) a transaction as a result of which the basis of the property in the hands of the transferee is determined by reference to its basis in the hands of the transferor by reason of the application of section 332, 351, 361, 371 (a), 374 (a), 721, or 731,

and such property (or the property acquired under such contract) would not be treated as suspension period property in the hands of the decedent or the transferor, such property shall not be treated as suspension period property in the hands of the transferee.

“(B) If—

“(i) property or rights under a contract are acquired in a transaction to which section 334(b)(2) applies,

“(ii) the stock of the distributing corporation was acquired before October 10, 1966, or pursuant to a binding contract in effect October 9, 1966, and

“(iii) such property (or the property acquired under such contract) would not be treated as suspension period property in the hands of the distributing corporation, such property shall not be treated as suspension period property in the hands of the distributee.

“(10) PROPERTY ACQUIRED FROM AFFILIATED CORPORATION.—For purposes of this subsection, in the case of property acquired by a corporation which is a member of an affiliated group from another member of the same group—

“(A) such corporation shall be treated as having acquired such property on the date on which it was acquired by such other member,

“(B) such corporation shall be treated as having entered into a binding contract for the construction, reconstruction, erection, or acquisition of such property on the date on which such other member entered into a contract for the construction, reconstruction, erection, or acquisition of such property, and

“(C) such corporation shall be treated as having commenced the construction, reconstruction, or erection of such property on the date on which such other member commenced such construction, reconstruction, or erection.

For purposes of the preceding sentence, the term ‘affiliated group’ has the meaning assigned to it by section 1504(a), except that all corporations shall be treated as includible corporations (without any exclusion under section 1504(b)).

“(11) CERTAIN TANGIBLE PROPERTY CONSTRUCTED DURING SUSPENSION PERIOD AND LEASED NEW THEREAFTER.—Tangible personal property constructed or reconstructed by a person shall not be suspension period property if—

“(A) such person leases such property after the close of the suspension period and the original use of such property commences after the close of such period,

“(B) such construction or reconstruction, and such lease transaction, was not pursuant to an order placed during the suspension period, and

“(C) an election is made under subsection (d) with respect to such property which satisfies the requirements of such subsection.

“(12) WATER AND AIR POLLUTION CONTROL FACILITIES.—

“(A) IN GENERAL.—Any water pollution control facility or air pollution control facility shall be treated as property which is not suspension period property.

“(B) WATER POLLUTION CONTROL FACILITY.—For purposes of subparagraph (A), the term ‘water pollution control facility’ means any section 38 property which—

“(i) is used primarily to control water pollution by removing, altering, or disposing of wastes, including the necessary intercepting sewers, outfall sewers, pumping,

power, and other equipment, and their appurtenances; and

“(ii) is certified by the State water pollution control agency (as defined in section 13(a) of the Federal Water Pollution Control Act) as being in conformity with the State program or requirements for control of water pollution and is certified by the Secretary of Interior as being in compliance with the applicable regulations of Federal agencies and the general policies of the United States for cooperation with the States in the prevention and abatement of water pollution under the Federal Water Pollution Control Act.

“(C) AIR POLLUTION CONTROL FACILITY.—For purposes of subparagraph (A), the term ‘air pollution control facility’ means any section 38 property which—

“(i) is used primarily to control atmospheric pollution or contamination by removing, altering, or disposing of atmospheric pollutants or contaminants; and

“(ii) is certified by the State air pollution control agency (as defined in section 302(b) of the Clean Air Act) as being in conformity with the State program or requirements for control of air pollution and is certified by the Secretary of Health, Education, and Welfare as being in compliance with the applicable regulations of Federal agencies and the general policies of the United States for cooperation with the States in the prevention and abatement of air pollution under the Clean Air Act.

“(D) STANDARDS FOR FACILITY.—Subparagraph (A) shall apply in the case of any facility only if the taxpayer constructs, reconstructs, erects, or acquires such facility in furtherance of Federal, State, or local standards for the control of water pollution or atmospheric pollution or contaminants.

“(13) CERTAIN REPLACEMENT PROPERTY.—Section 38 property constructed, reconstructed, erected, or acquired by the taxpayer shall be treated as property which is not suspension period property to the extent such property is placed in service to replace property which was—

“(A) destroyed or damaged by fire, storm, shipwreck, or other casualty, or

“(B) stolen,

but only to the extent the basis (in the case of new section 38 property) or cost (in the case of used section 38 property) of such section 38 property does not exceed the adjusted basis of the property destroyed, damaged, or stolen.

“(i) EXEMPTION FROM SUSPENSION OF \$20,000 OF INVESTMENT.—

“(1) IN GENERAL.—In the case of property acquired by the taxpayer by purchase for use in his trade or business which would (but for this subsection) be suspension period property, the taxpayer may select items to which this subsection applies, to the extent of an aggregate cost, for the suspension period, of \$20,000. Any item so selected shall be treated as property which is not suspension period property for purposes of this subpart (other than for purposes of paragraphs (4), (5), (6), (7), (8), (9), and (10) of subsection (h)).

70 Stat. 506;  
79 Stat. 903.  
33 USC 466j.

77 Stat. 400;  
79 Stat. 992.  
42 USC 1857h.

“(2) **APPLICABLE RULES.**—Under regulations prescribed by the Secretary or his delegate, rules similar to the rules provided by paragraphs (2) and (3) of subsection (c) shall be applied for purposes of this subsection. Subsection (d) shall not apply with respect to any item to which this subsection applies.

“(j) **SUSPENSION PERIOD.**—For purposes of this subpart, the term ‘suspension period’ means the period beginning on October 10, 1966, and ending on December 31, 1967.”

(b) Section 48(d) of such Code (relating to certain leased property) is amended by adding at the end thereof the following new sentences: “In the case of suspension period property which is leased and is property of a kind which the lessor ordinarily leases to one lessee for a substantial portion of the useful life of the property, the lessor of the property shall be deemed to have elected to treat the first such lessee as having acquired such property for purposes of applying the last sentence of section 46(a)(2). In the case of section 38 property which (i) is leased after October 9, 1966 (other than pursuant to a binding contract to lease entered into before October 10, 1966), (ii) is not suspension period property with respect to the lessor but is suspension period property if acquired by the lessee, and (iii) is property of the same kind which the lessor ordinarily sold to customers before October 10, 1966, or ordinarily leased before such date and made an election under this subsection, the lessor of such property shall be deemed to have made an election under this subsection with respect to such property.”

76 Stat. 967.

SEC. 2. Section 167 of the Internal Revenue Code of 1954 (relating to depreciation) is amended by redesignating subsection (i) as subsection (j) and by inserting after subsection (h) the following new subsection:

68A Stat. 51;  
76 Stat. 1034.

“(i) **LIMITATION IN CASE OF PROPERTY CONSTRUCTED OR ACQUIRED DURING THE SUSPENSION PERIOD.**—

“(1) **IN GENERAL.**—Under regulations prescribed by the Secretary or his delegate, paragraphs (2), (3), and (4) of subsection (b) shall not apply in the case of real property which is not section 38 property (as defined in section 48(a)) if—

“(A) the physical construction, reconstruction, or erection of such property by any person begins during the suspension period, or

“(B) an order for such construction, reconstruction, or erection is placed by any person during the suspension period. Under regulations prescribed by the Secretary or his delegate, rules similar to the rules provided by paragraphs (3), (4), (7), (8), (9), and (10) of section 48(h) shall be applied for purposes of the preceding sentence.

Ante, p. 1508.

“(2) **EXCEPTION.**—Paragraph (1) shall not apply to any item of real property selected by the taxpayer if the cost of such property (when added to the cost of all other items of real property selected by the taxpayer under this paragraph) does not exceed \$50,000. Under regulations prescribed by the Secretary or his delegate, rules similar to the rules provided by paragraph (2) of section 48(c) shall be applied for purposes of this paragraph.

“(3) **SUSPENSION PERIOD.**—For purposes of this subsection, the

term 'suspension period' means the period beginning on October 10, 1966, and ending on December 31, 1967."

76 Stat. 963.

SEC. 3. (a) Section 46(a) of the Internal Revenue Code of 1954 (relating to determination of amount of credit) is amended by striking out paragraph (2) and inserting in lieu thereof the following:

"(2) LIMITATION BASED ON AMOUNT OF TAX.—Notwithstanding paragraph (1), the credit allowed by section 38 for the taxable year shall not exceed—

"(A) so much of the liability for tax for the taxable year as does not exceed \$25,000, plus

Ante, p. 1513.

"(B) for taxable years ending on or before the last day of the suspension period (as defined in section 48(j)), 25 percent of so much of the liability for tax for the taxable year as exceeds \$25,000, or

"(C) for taxable years ending after the last day of such suspension period, 50 percent of so much of the liability for tax for the taxable year as exceeds \$25,000.

In applying subparagraph (C) to a taxable year beginning on or before the last day of such suspension period and ending after the last day of such suspension period, the percent referred to in such subparagraph shall be the sum of 25 percent plus the percent which bears the same ratio to 25 percent as the number of days in such year after the last day of the suspension period bears to the total number of days in such year. The amount otherwise determined under this paragraph shall be reduced (but not below zero) by the credit which would have been allowable under paragraph (1) for such taxable year with respect to suspension period property but for the application of section 48(h)(1)."

Ante, p. 1508.

(b) Section 46(b)(1) of such Code (relating to allowance of carry-back and carryover of unused credits) is amended—

(1) by striking out subparagraph (B) and inserting in lieu thereof the following:

"(B) an investment credit carryover to each of the 7 taxable years following the unused credit year,"; and

(2) by striking out in the last sentence "8 taxable years" and "other 7 taxable years" and inserting in lieu thereof "10 taxable years" and "other 9 taxable years", respectively.

SEC. 4. The amendments made by this Act shall apply to taxable years ending after October 9, 1966, except that the amendments made by section 3(b) shall apply only if the fifth taxable year following the unused credit year ends after December 31, 1966.

SEC. 5. The Second Liberty Bond Act, as amended, is amended by inserting after section 22 the following new section:

"SEC. 22A. (a) In addition to the United States savings bonds authorized to be issued under section 22 of this Act, the Secretary of the Treasury, with the approval of the President, is authorized to issue from time to time, through the Postal Service or otherwise, United States retirement and savings bonds, the proceeds of which shall be available to meet any public expenditures authorized by law and to retire any outstanding obligations of the United States bearing interest or issued on a discount basis. The various issues and series of United

Retirement and  
savings bonds.  
40 Stat. 288.  
31 USC 774.  
55 Stat. 7.  
31 USC 757c.

States retirement and savings bonds shall be in such forms, shall be offered in such amounts, subject to the limitations imposed by section 21 of this Act, and shall be issued in such manner and subject to such terms and conditions consistent with subsections (b), (c), and (d) of this section, including any restrictions on their transfer, as the Secretary of the Treasury may from time to time prescribe.

72 Stat. 1758;  
79 Stat. 172.  
31 USC 757b and  
note.

“(b) (1) Retirement and savings bonds shall be issued only on a discount basis, and shall mature not less than ten nor more than thirty years from the date as of which issued, as the terms thereof may provide. Such bonds shall be sold at such price or prices and shall be redeemable before maturity upon such terms and conditions as the Secretary of the Treasury may prescribe, except that the issue price of such bonds, and the terms upon which they may be redeemed at maturity, shall be such as to afford an investment yield of not more than 5 per centum per annum, compounded semiannually. The denominations of such bonds shall be such as the Secretary of the Treasury may from time to time determine and shall be expressed in terms of their maturity values. The Secretary of the Treasury is authorized by regulations to fix the maximum amount of such bonds issued in any one year that may be held by any one person at any one time, except that such maximum amount shall not be less than \$3,000.

“(2) The Secretary of the Treasury, with the approval of the President, is authorized to provide by regulations that owners of retirement and savings bonds may, at their option, retain the bonds after maturity and continue to earn interest upon them at rates which are consistent with the rate of investment yield afforded by retirement and savings bonds.

“(c) For purposes of taxation, any increment in value represented by the difference between the price paid and the redemption value received (whether at, before, or after maturity) for savings and retirement bonds shall be considered as interest. Such bonds shall not bear the circulation privilege.

“(d) The provisions of subsections (c), (e), (g), (h), and (i) of section 22 shall, to the extent not inconsistent with the provisions of this section, apply with respect to retirement and savings bonds issued under this section.”

55 Stat. 7;  
59 Stat. 47.  
31 USC 757c.

SEC. 6. (a) Section 501(c)(6) of the Internal Revenue Code of 1954 (relating to exemption of business leagues, boards of trade, etc.) is amended by striking out “or boards of trade” and inserting in lieu thereof “boards of trade, or professional football leagues (whether or not administering a pension fund for football players)”.

Football leagues,  
merger.  
68A Stat. 163.

(b) (1) Section 1 of the Act of September 30, 1961 (75 Stat. 732; 15 U.S.C. 1291), is amended by adding at the end thereof: “In addition, such laws shall not apply to a joint agreement by which the member clubs of two or more professional football leagues, which are exempt from income tax under section 501(c)(6) of the Internal Revenue Code of 1954, combine their operations in expanded single league so exempt from income tax, if such agreement increases rather than decreases the number of professional football clubs so operating, and the provisions of which are directly relevant thereto.”

(2) Section 2 of such Act is amended by striking out “described in section 1” and inserting in lieu thereof “described in the first sentence in section 1”.

(3) Section 3 of such Act is amended (A) by striking out “Section 1 of this Act” and inserting in lieu thereof “The first sentence of section 1 of this Act”; (B) by striking out the word “intercollegiate”

Interscholastic  
football contests.

the first and last time it appears in such section and inserting in lieu thereof "intercollegiate or interscholastic"; (C) by striking out the words "daily newspaper of general circulation prior to March 1" and inserting in lieu thereof "newspaper of general circulation prior to August 1"; (D) by redesignating paragraph (2) as paragraph (3); (E) by striking out the word "and" at the end of paragraph (1) and inserting in lieu thereof the word "or"; and (F) by adding after paragraph (1) the following new paragraph:

"(2) in the case of an interscholastic football contest, such contest is between secondary schools, both of which are accredited or certified under the laws of the State or States in which they are situated and offer courses continuing through the twelfth grade of the standard school curriculum, or the equivalent, and"

(c) The amendment made by subsection (a) shall apply to taxable years ending after the date of the enactment of this Act.

Approved November 8, 1966.

## Public Law 89-801

November 8, 1966  
[H. R. 15766]

### AN ACT

To establish a National Commission on Reform of Federal Criminal Laws.

National Commission on Reform of Federal Criminal Laws.  
Establishment.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the National Commission on Reform of Federal Criminal Laws is hereby established.

#### MEMBERSHIP OF COMMISSION

SEC. 2. (a) The Commission shall be composed of—

- (1) three Members of the Senate appointed by the President of the Senate,
- (2) three Members of the House of Representatives appointed by the Speaker of the House of Representatives,
- (3) three members appointed by the President of the United States, one of whom he shall designate as Chairman,
- (4) one United States circuit judge and two United States district judges appointed by the Chief Justice of the United States.

(b) At no time shall more than two of the members appointed under paragraph (1), paragraph (2), or paragraph (3) be persons who are members of the same political party.

(c) Any vacancy in the Commission shall not affect its powers but shall be filled in the same manner in which the original appointment was made, and subject to the same limitations with respect to party affiliations as the original appointment was made.

(d) Seven members shall constitute a quorum, but a lesser number may conduct hearings.

#### DUTIES OF THE COMMISSION

SEC. 3. The Commission shall make a full and complete review and study of the statutory and case law of the United States which constitutes the federal system of criminal justice for the purpose of formulating and recommending to the Congress legislation which would improve the federal system of criminal justice. It shall be the further duty of the Commission to make recommendations for revision and recodification of the criminal laws of the United States, including the

repeal of unnecessary or undesirable statutes and such changes in the penalty structure as the Commission may feel will better serve the ends of justice.

#### COMPENSATION OF MEMBERS OF THE COMMISSION

SEC. 4. (a) A member of the Commission who is a Member of Congress, in the executive branch of the Government, or a judge shall serve without additional compensation, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred in the performance of duties vested in the Commission.

(b) A member of the Commission from private life shall receive \$75 per diem when engaged in the actual performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred in the performance of such duties.

#### THE DIRECTOR AND STAFF

SEC. 5. (a) The Director of the Commission shall be appointed by the Commission without regard to the civil service laws and Classification Act of 1949, as amended, 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 such other duties as may be assigned him within the scope of the functions of the Commission.

(c) Within the limits of funds appropriated for such purpose, individuals may be employed by the Commission for service with the Commission staff without regard to civil service laws and the Classification Act of 1949.

(d) The Chairman of the Commission is authorized to procure services to the same extent as is authorized for departments by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), at rates not to exceed \$75 per diem for individuals.

60 Stat. 810.

#### ESTABLISHMENT OF THE ADVISORY COMMITTEE

SEC. 6. (a) There is hereby established a committee of fifteen members to be known as the Advisory Committee on Reform of Federal Criminal Laws (hereinafter referred to as the "Advisory Committee"), to advise and consult with the Commission. The Advisory Committee shall be appointed by the Commission and shall include lawyers, United States attorneys, 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, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them by virtue of such service to the Commission.

#### GOVERNMENT AGENCY COOPERATION

SEC. 7. The Commission is authorized to request from any department, agency, or independent instrumentality of the Government any information and assistance it deems necessary to carry out its functions under this Act; and each such department, agency, and instru-

mentality is authorized to cooperate with the Commission and, to the extent permitted by law, to furnish such information and assistance to the Commission upon request made by the Chairman or any other member when acting as Chairman.

#### REPORT OF THE COMMISSION; TERMINATION

SEC. 8. The Commission shall submit interim reports to the President and the Congress at such times as the Commission may deem appropriate, and in any event within two years after the date of this Act, and shall submit its final report within three years after the date of this Act. The Commission shall cease to exist sixty days after the date of the submission of its final report.

#### ADMINISTRATIVE SERVICES

SEC. 9. The General Services Administration shall provide administrative services for the Commission on a reimbursable basis.

#### AUTHORIZATION OF APPROPRIATIONS

SEC. 10. 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 \$500,000, as may be necessary to carry out the provisions of this Act.

Approved November 8, 1966.

### Public Law 89-802

#### AN ACT

November 9, 1966  
[S. 3887]

To amend title 10, United States Code, to permit persons from countries friendly to the United States to receive instruction at the United States Military Academy, the United States Naval Academy, and the United States Air Force Academy, and for other purposes.

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

(a) Notwithstanding any other provision of law, upon designation by the President, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force, respectively, may permit persons from foreign countries to receive instruction at the Military Academy, the Naval Academy, and the Air Force Academy.

(b) A person may not be admitted to an Academy for instruction under this Act unless his country at the time of his admission is assisting the United States in Vietnam by the provision of manpower or bases.

(c) Not more than four persons may receive instruction under this Act at any one Academy at any one time.

(d) No person may be admitted to an Academy under this Act after October 1, 1970.

(e) A person receiving instruction under this Act is entitled to the pay, allowances, and emoluments of a cadet or midshipman appointed from the United States and from the same appropriations.

(f) Except as the Secretary determines, a person receiving instruction under this Act is subject to the same regulations governing admission, attendance, discipline, resignation, discharge, dismissal and graduation as a cadet or midshipman appointed from the United

Persons from countries assisting U.S. in Vietnam.  
Eligibility to attend U.S. service academies.

Expiration date.

States. However, a person receiving instruction under this Act is not entitled to an appointment in the Armed Forces of the United States by reason of his graduation from an Academy.

(g) A person receiving instruction under this Act is not subject to section 4346(d) of title 10, United States Code.

Approved November 9, 1966.

70A Stat. 242.

Public Law 89-803

AN ACT

November 10, 1966  
[S. 1319]

To authorize a work release program for persons sentenced by the courts of the District of Columbia; to define the powers and duties in relation thereto, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "District of Columbia Work Release Act".

District of  
Columbia Work  
Release Act.

SEC. 2. There is hereby authorized to be established in the District of Columbia a work release program under which any person who is (1) convicted of a misdemeanor or of violating a municipal regulation or an Act of Congress in the nature of a municipal regulation, and is sentenced to serve in a penal institution a term of one year or less, (2) imprisoned for nonpayment of a fine, or for contempt of court, or (3) committed to jail after revocation of probation pursuant to section 16-2350, District of Columbia Code, may, whenever the judge of the sentencing court is satisfied that the ends of justice and the best interests of society as well as of such person would be subserved thereby, be granted the privilege of a work release for the purpose of working at his employment or seeking employment. Such a work release privilege may also be granted, in the discretion of the sentencing court, whenever there exist such special circumstances as merit the granting of the privilege. As used in this Act, the word "sentence" and its derivatives shall be construed to include sentencing, imprisonment, and commitment as referred to in this section.

77 Stat. 593.

"Sentence."

SEC. 3. At the time of imposition of sentence, or at any time subsequent thereto, the probation officers of the courts or the Director, Department of Corrections of the District of Columbia, may recommend to, or the person sentenced may request, the sentencing court that such person be granted the privilege of a work release. No person shall be given work release privileges except by order of the sentencing court.

Granting of work  
release privilege.

SEC. 4. The sentencing court shall provide in its original order of commitment or in a modification thereof the terms and conditions under which a person granted work release privileges may be released from actual custody during the time necessary to proceed to his place of employment or other authorized places, perform specified activities, and return to a place of confinement designated by the Director, Department of Corrections.

Terms.

SEC. 5. The Commissioners of the District of Columbia are authorized to promulgate from time to time such rules and regulations as they deem necessary for the administration by the Department of Corrections of the work release program. Subject to the terms and conditions prescribed in the order of the sentencing court, the Commissioners are authorized to prepare an individual plan to meet the specific needs of each prisoner granted the privilege of a work release.

Regulations.

SEC. 6. (a) The Director, Department of Corrections, may suspend the work release privilege of a prisoner for not to exceed five successive days for any breach of discipline or infraction of institution regula-

Temporary sus-  
pension or revoca-  
tion.

tions. The court may revoke the work release privilege at any time, either upon its own motion or upon recommendation of the Director, Department of Corrections.

Penalty.

(b) Any prisoner who willfully fails to return at the time and to the place of confinement designated in his work release plan shall be fined not more than \$300 or imprisoned not more than ninety days, or both, such sentence of imprisonment to run consecutively with the remainder of previously imposed sentences. All prosecutions for violation of this subsection shall be in the District of Columbia Court of General Sessions upon information filed by the Corporation Counsel of the District of Columbia or any of his assistants.

Collection of wages.

SEC. 7. The Commissioners are authorized to include in individual work release plans provisions for the collection of the wages, salary, earnings, and other income of each gainfully employed prisoner when paid, or require that the same be surrendered when received, less payroll deductions required or authorized by law, and to deposit the amount so received in a trust fund account in the Treasury of the United States. Such wages, salary, or earnings in the hands of either the employer or the Commissioners during such prisoner's terms shall not be subject to garnishment or attachment. The Commissioners are further authorized in individual work release plans to provide for disbursements from the trust fund account established under this section for any or all of the following purposes: (a) the payment of an amount not to exceed the lesser of 20 per centum of the prisoner's earnings, or \$4 per day, as the cost of his room and board; (b) necessary travel expenses to and from work or other business and incidental expenses of the prisoner; (c) support of the prisoner's dependents, if any; (d) support of minor children pursuant to court order; (e) payment of court fines or forfeitures; or (f) payment, either in full or ratably, of the prisoner's debts which have been acknowledged by him in writing or have been reduced to judgment. The balance of such earnings, if any there be after payments therefrom for the foregoing purposes, shall be paid to the prisoner upon the completion of the period during which he is subject to confinement.

Support payments.

SEC. 8. Payments for support pursuant to section 7 of this Act shall be made through the clerks of the respective courts. In cases where there is no outstanding court order of support or judgment against the prisoner, the Director, Department of Public Welfare, or his designated agent, shall, after investigation, report to the Commissioners the amounts deemed necessary for support of the prisoner's dependents.

SEC. 9. The Attorney General of the United States may, in order to carry out the purposes of this Act, designate the Commissioners as his authorized representative to perform the functions vested in him by section 11 of the Act entitled "An Act to establish a Board of Indeterminate Sentence and Parole for the District of Columbia and to determine its functions, and for other purposes", approved July 15, 1932, as amended (D.C. Code, 1961 edition, sec. 24-425).

54 Stat. 244.

SEC. 10. (a) As used in this Act the term "Commissioners" means the Board of Commissioners of the District of Columbia or its designated agents.

(b) Nothing in this Act shall be construed so as to affect the authority vested in the Commissioners by Reorganization Plan Numbered 5 of 1952 (66 Stat. 824). The performance of any function vested by this Act in the Commissioners or in any office or agency under the jurisdiction and control of said Commissioners may be performed by the Commissioners or may be delegated by said Commissioners in accordance with section 3 of such plan.

SEC. 11. Section 9 of the District of Columbia Unemployment Compensation Act (D.C. Code, sec. 46-309) is amended (1) by striking out

D.C. Code 1  
app; 3 CFR 1949-  
53 Comp., p. 1020.

57 Stat. 114.

the period at the end of clause (e) and inserting in lieu thereof a semicolon, and (2) by adding after clause (e) the following new clause:

“(f) that he is not a prisoner in a District of Columbia correctional or penal institution who was employed in the free community under authority of the District of Columbia Work Release Act, or that he has not made a claim for benefits with respect to a week during which he was a prisoner in a District of Columbia correctional or penal institution.”

SEC. 12. Except when employed and paid by the District of Columbia for the performance of work for the District of Columbia government, no prisoner employed in the free community under the provisions of this Act shall, while working in such employment in the free community or going to or from such employment, be deemed to be an agent, employee, or servant of the District of Columbia government.

SEC. 13. This Act shall take effect on the first day of the first month which follows its approval by at least ninety days.

Approved November 10, 1966.

Effective date.

Public Law 89-804

AN ACT

November 10, 1966  
[S. 2893]

To amend section 208(c) to provide that certificates issued to motor common carriers of passengers pursuant to future applications shall not confer, as an incident to the grant of regular route authority, the right to transport special or chartered parties.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 208(c) of the Interstate Commerce Act is amended to read as follows:

“(c) Any common carrier by motor vehicle transporting passengers under a certificate issued under this part pursuant to an application filed on or before January 1, 1967, or under any reissuance of the operating rights contained in such certificate, may transport in interstate or foreign commerce to any place special or chartered parties under such rules and regulations as the Commission shall have prescribed.”

Approved November 10, 1966.

Motor common  
carriers.  
Charter opera-  
tions.  
49 Stat. 552.  
49 USC 308.

Public Law 89-805

AN ACT

November 10, 1966  
[H. R. 8436]

To amend the Tariff Schedules of the United States with respect to the dutiable status of watches, clocks, and timing apparatus from insular possessions of the United States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) paragraph (a) of general headnote 3 of the Tariff Schedules of the United States (19 U.S.C. § 1202) is amended—

(1) by striking out “Articles” in subparagraph (i) and inserting in lieu thereof “Except as provided in headnote 6 of schedule 7, part 2, subpart E, articles”; and

(2) by striking out “except that all articles” in subparagraph (i) and inserting in lieu thereof “except that all such articles”.

(b) The headnotes of schedule 7, part 2, subpart E of the Tariff Schedules of the United States are amended by adding at the end thereof the following new headnote:

Tariff Schedules.  
Watches, clocks,  
etc.  
77A Stat. 11.  
Post, p. 1523.

Products of in-  
sular possessions.  
77A Stat. 347;  
79 Stat. 946.

"6. Products of Insular Possessions.—(a) Except as provided in paragraph (b) of this headnote, any article provided for in this subpart which is the product of an insular possession of the United States outside the customs territory of the United States and which contains any foreign component shall be subject to duty—

"(i) at the rates set forth in column numbered 1, if the countries of origin of more than 50 percent in value of the foreign components are countries to products of which column numbered 1 rates apply, and

"(ii) at the rates set forth in column numbered 2, if the countries of origin of 50 percent or more in value of the foreign components are countries to products of which column numbered 2 rates apply.

"(b) If the requirements for free entry set forth in general headnote 3(a) are complied with, watches (provided for in item 715.05) and watch movements (provided for in items 716.08 through 719.--) which are the product of the Virgin Islands, Guam, or American Samoa and which contain any foreign component may be admitted free of duty, but the total quantity of such articles entered free of duty during each calendar year shall not exceed a number equal to  $\frac{1}{9}$  of the apparent United States consumption of watch movements during the preceding calendar year (as determined by the Tariff Commission), of which total quantity—

"(i) not to exceed 87.5 percent shall be the product of the Virgin Islands,

"(ii) not to exceed 8.33 percent shall be the product of Guam, and

"(iii) not to exceed 4.17 percent shall be the product of American Samoa.

"(c) On or before April 1 of each calendar year (beginning with 1967), the Tariff Commission shall determine the apparent United States consumption of watch movements during the preceding calendar year, shall report such determination to the Secretary of the Treasury, the Secretary of the Interior, and Secretary of Commerce, and shall publish such determination in the Federal Register, together with the number of watches and watch movements which are the product of the Virgin Islands, Guam, and American Samoa which may be entered free of duty under paragraph (b) during the calendar year.

"(d) The Secretary of the Interior and the Secretary of Commerce, acting jointly, shall allocate on a fair and equitable basis among producers of watches and watch movements located in the Virgin Islands, Guam, and American Samoa the quotas for each calendar year provided by paragraph (b) for articles which are the product of the Virgin Islands, Guam, and American Samoa, respectively. Allocations made by the Secretaries shall be final. The Secretaries are authorized to issue such regulations as they determine necessary to carry out their duties under this paragraph."

(c) The amendments made by subsections (a) and (b) shall apply only with respect to articles entered, or withdrawn from warehouse, for consumption on or after January 1, 1967.

SEC. 2. (a) The Secretary of the Treasury is authorized and directed to admit free of duty one variable pressure water channel (one-seventh scale model) imported for the use of the Stevens Institute of Technology and one ionosonde (and accompanying spare parts) for the use of the University of Illinois.

(b) If the liquidation of the entry of the articles described in subsection (a) of this section has become final, such entry shall be reliquidated and the appropriate refund of duty shall be made.

Approved November 10, 1966.

77A Stat. 349.

U.S. consumption of watch movements.  
Publication in Federal Register.

Variable pressure water channel and ionosonde, duty-free entry.

## Public Law 89-806

## AN ACT

November 10, 1966  
[H. R. 11216]

Relating to the tariff treatment of articles assembled abroad of products of the United States, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) the article description of item 807.00 of the Tariff Schedules of the United States is amended by striking out the comma after "exported" in clause (a) and by striking out "for the purpose of such assembly and return to the United States,".

U.S. products assembled abroad.  
Tariff treatment.  
79 Stat. 949.  
19 USC 1202.

(b) The amendments made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act. Upon request therefor filed with the customs officer concerned on or before the 120th day after the date of the enactment of this Act, the entry or withdrawal of any article—

(1) which was made after August 30, 1963, and before the date of the enactment of this Act, and

(2) with respect to which the amount of duty would be smaller if the amendments made by subsection (a) applied to such entry or withdrawal,

shall, notwithstanding the provisions of section 514 of the Tariff Act of 1930 or any other provision of law, be liquidated or reliquidated as though such entry or withdrawal had been made on the date of the enactment of this Act.

46 Stat. 734.  
19 USC 1514.

SEC. 2. (a) The headnotes of schedule 7, part 7, subpart A of the Tariff Schedules of the United States are amended by adding at the end thereof the following new headnote:

77A Stat. 379.  
19 USC 1202.

"4. Buttons (whether finished or not finished) provided for in item 745.32 which are the product of an insular possession of the United States outside the customs territory of the United States and which are manufactured or produced from button blanks or unfinished buttons which were the product of any foreign country shall be subject to duty under item 745.32 at the rate which applies to products of such foreign country."

(b) Paragraph (a) of general headnote 3 of the Tariff Schedules of the United States is amended by striking out "Articles" in subparagraph (i) and inserting in lieu thereof "Except as provided in headnote 4 of schedule 7, part 7, subpart A, articles".

77A Stat. 11;  
Ante, p. 1521.

(c) The amendments made by subsections (a) and (b) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption after the 120th day after the date of the enactment of this Act.

SEC. 3. (a) Schedule 8, part 4 of the Tariff Schedules of the United States is amended by inserting after item 851.10 the following new item:

“ 851.15	Letters, numbers, and other symbols; number cards and other arithmetical materials; printed matter; blocks and other dimensional shapes; geometrical figures, plane or solid; geographical globes; tuned bells and basic materials for understanding music; model articles and figures of animate objects; puzzles and games; flags; dressing frames; dummy clocks; bottles, boxes, and other containers or holders; all the foregoing, whether or not in sets, fabricated to specification and designed for the classroom instruction of children; and containers or holders fabricated to specification and designed for the storage of such instructional articles when not in use.....	Free	The column 2 rate applicable in the absence of this item ”
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(b) The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act.

Duty-free entries.

SEC. 4. (a) The Secretary of the Treasury is authorized and directed to admit the following articles free of duty:

- (1) one Weissenberg rheogoniometer imported for the use of the Case Institute of Technology,
- (2) one mass spectrometer imported for the use of the University of Nebraska,
- (3) one mass spectrometer imported for the use of Utah State University,
- (4) one mass spectrometer imported for the use of the University of Hawaii, and
- (5) one Weissenberg rheogoniometer imported for the use of the University of Utah.

The Secretary of the Treasury shall also admit free of duty all equipment, parts, accessories, and appurtenances for the articles enumerated in the preceding sentence which accompany such articles and are imported for the use of the respective institutions.

(b) Upon request therefor filed with the customs officer concerned on or before the 120th day after the date of the enactment of this Act, the entry or withdrawal of any article described in subsection (a) which was made before the date of the enactment of this Act shall, notwithstanding the provisions of section 514 of the Tariff Act of 1930 or any other provision of law, be liquidated or reliquidated in accordance with the provisions of subsection (a).

46 Stat. 734.  
19 USC 1514.

SEC. 5. (a) The Secretary of the Treasury is authorized and directed to admit free of duty any article which is entered, or withdrawn from warehouse, for consumption on or after June 8, 1962, solely for use at the International Peace Garden, Dunseith, North Dakota, and which is the gift to the International Peace Garden of a citizen or resident of Canada, of a Canadian corporation or organization, or of the Government of Canada or of any Province or political subdivision thereof.

(b) Upon request therefor filed with the customs officer concerned on or before the 120th day after the date of the enactment of this Act, the entry or withdrawal of any article described in subsection (a) which was made before the date of the enactment of this Act shall, notwithstanding the provisions of section 514 of the Tariff Act of 1930 or any other provision of law, be liquidated or reliquidated in accordance with the provisions of subsection (a).

(c) If, within 5 years after the entry of any article admitted free of duty under subsection (a), such article is used within the United States at any place other than the International Peace Garden, is transferred by the International Peace Garden to any person other than the donor of such article, or is sold by it to any person, the International Peace Garden shall promptly notify customs officers at the port of entry and shall be liable for the payment of duty on such article in an amount determined on the basis of its condition as imported and the rate applicable to it when entered (determined without regard to subsection (a)).

Approved November 10, 1966.

Public Law 89-807

AN ACT

November 11, 1966  
[S.2770]

To amend title 18 of the United States Code so as to prohibit the use of likenesses of the great seal of the United States falsely to indicate Federal agency, sponsorship, or approval.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 33 of title 18, United States Code, is amended by adding at the end thereof the following new section:*

Great seal of United States. Use of likenesses prohibited.

**“§ 713. Use of the great seal of the United States**

“Whoever knowingly displays any printed or other likeness of the great seal of the United States, or any facsimile thereof, in, or in connection with, any advertisement, circular, book, pamphlet, or other publication, play, motion picture, telecast, or other production for the purpose of conveying and in a manner reasonably calculated to convey the false impression that all or any part of such advertisement, circular, book, pamphlet, or other publication, play, motion picture, telecast, or other production, is sponsored or approved by the Government of the United States, or any department, agency, or instrumentality thereof, shall be fined not more than \$250 or imprisoned not more than six months, or both.”

(b) The analysis of chapter 33 of title 18, United States Code, immediately preceding section 701 of such title is amended by adding at the end thereof:

“713. Use of likenesses of the great seal of the United States.”

Approved November 11, 1966.

## Public Law 89-808

## AN ACT

November 11, 1966  
[H. R. 14929]

To promote international trade in agricultural commodities, to combat hunger and malnutrition, to further economic development, and for other purposes.

Food for Peace  
Act of 1966.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Food for Peace Act of 1966".*

SEC. 2. The Agricultural Trade Development and Assistance Act of 1954, as amended, is amended—

68 Stat. 454,  
7 USC 1691.  
Declaration of  
policy.

(A) By amending section 2 to read as follows:

“SEC. 2. The Congress hereby declares it to be the policy of the United States to expand international trade; to develop and expand export markets for United States agricultural commodities; to use the abundant agricultural productivity of the United States to combat hunger and malnutrition and to encourage economic development in the developing countries, with particular emphasis on assistance to those countries that are determined to improve their own agricultural production; and to promote in other ways the foreign policy of the United States.”

7 USC 1701-  
1709.

(B) By amending title I to read as follows:

## “TITLE I

Agreements  
with friendly  
countries.

“SEC. 101. In order to carry out the policies and accomplish the objectives set forth in section 2 of this Act, the President is authorized to negotiate and carry out agreements with friendly countries to provide for the sale of agricultural commodities for dollars on credit terms or for foreign currencies.

“SEC. 102. For the purpose of carrying out agreements concluded under this Act the Commodity Credit Corporation is authorized to finance the sale and exportation of agricultural commodities whether from private stocks or from stocks of the Commodity Credit Corporation.

“SEC. 103. In exercising the authorities conferred upon him by this title, the President shall—

“(a) take into account efforts of friendly countries to help themselves toward a greater degree of self-reliance, including efforts to meet their problems of food production and population growth;

“(b) take steps to assure a progressive transition from sales for foreign currencies to sales for dollars (or to the extent that transition to sales for dollars under the terms applicable to such sales is not possible, transition to sales for foreign currencies on credit terms no less favorable to the United States than those for development loans made under section 201 of the Foreign Assistance Act of 1961, as amended, and on terms which permit conversion to dollars at the exchange rate applicable to the sales agreement) at a rate whereby the transition can be completed by December 31, 1971: *Provided*, That provision may be included in any agreement for payment in foreign currencies to the extent that the President determines that such currencies are needed for the purpose of subsections (a), (b), (c), (e), and (h) of section 104;

“(c) take reasonable precautions to safeguard usual marketings of the United States and to assure that sales under this title will not unduly disrupt world prices of agricultural commodities or normal patterns of commercial trade with friendly countries;

75 Stat. 426;  
*Ante*, p. 796.  
22 USC 2161.

“(d) make sales agreements only with those countries which he determines to be friendly to the United States: *Provided*, That the President shall periodically review the status of those countries which are eligible under this subsection and report the results of such review to the Congress. As used in this Act, ‘friendly country’ shall not include (1) any country or area dominated or controlled by a foreign government or organization controlling a world Communist movement, or (2) for the purpose only of sales of agricultural commodities for foreign currencies under title I of this Act, any country or area dominated by a Communist government, or (3) for the purpose only of sales of agricultural commodities under title I of this Act, any nation which sells or furnishes or permits ships or aircraft under its registry to transport to or from Cuba or North Vietnam (excluding United States installations in Cuba) any equipment, materials, or commodities so long as they are governed by a Communist regime: *Provided*, That with respect to furnishing, selling, or selling and transporting to Cuba medical supplies, non-strategic raw materials for agriculture, and non-strategic agricultural or food commodities, sales agreements may be entered into if the President finds with respect to each such country, and so informs the Senate and the House of Representatives of the reasons therefor, that the making of each such agreement would be in the national interest of the United States and all such findings and reasons therefor shall be published in the Federal Register, or (4) for the purposes only of sales under title I of this Act the United Arab Republic, unless the President determines that such sale is in the national interest of the United States. No sales to the United Arab Republic shall be based upon the requirements of that nation for more than one fiscal year. The President shall keep the President of the Senate and the Speaker of the House of Representatives fully and currently informed with respect to sales made to the United Arab Republic under title I of this Act. Notwithstanding any other Act, the President may enter into agreements for the sale of agricultural commodities for dollars on credit terms under title I of this Act with countries which fall within the definition of ‘friendly country’ for the purpose of such sales and no sales under this Act shall be made with any country if the President finds such country is (a) an aggressor, in a military sense, against any country having diplomatic relations with the United States, or (b) using funds, of any sort, from the United States for purposes inimical to the foreign policies of the United States;

“(e) take appropriate steps to assure that private trade channels are used to the maximum extent practicable both with respect to sales from privately owned stocks and with respect to sales from stocks owned by the Commodity Credit Corporation and that small business has adequate and fair opportunity to participate in sales made under the authority of this Act;

“(f) give special consideration to the development and expansion of foreign markets for United States agricultural commodities, with appropriate emphasis on more adequate storage, handling, and food distribution facilities as well as long-term development of new and expanding markets by encouraging economic growth;

“(g) obtain commitments from purchasing countries that will prevent resale or transshipment to other countries, or use for other than domestic purposes, of agricultural commodities purchased under this title, without specific approval of the President;

Reports to Congress.

“Friendly country,” exclusions.

Publication in Federal Register.

"(h) obtain rates of exchange applicable to the sale of commodities under such agreements which are not less favorable than the highest of exchange rates legally obtainable in the respective countries and which are not less favorable than the highest of exchange rates obtainable by any other nation;

"(i) promote progress toward assurance of an adequate food supply by encouraging countries with which agreements are made to give higher emphasis to the production of food crops than to the production of such nonfood crops as are in world surplus;

"(j) exercise the authority contained in title I of this Act to assist friendly countries to be independent of domination or control by any world Communist movement. Nothing in this Act shall be construed as authorizing sales agreements under title I with any government or organization controlling a world Communist movement or with any country with which the United States does not have diplomatic relations;

"(k) whenever practicable require upon delivery that not less than 5 per centum of the purchase price of any agricultural commodities sold under title I of this Act be payable in dollars or in the types or kinds of currencies which can be converted into dollars;

"(l) obtain commitments from friendly purchasing countries that will insure, insofar as practicable, that food commodities sold for foreign currencies under title I of this Act shall be marked or identified at point of distribution or sale as being provided on a concessional basis to the recipient government through the generosity of the people of the United States of America, and obtain commitments from purchasing countries to publicize widely to their people, by public media and other means, that the commodities are being provided on a concessional basis through the friendship of the American people as food for peace;

"(m) require foreign currencies to be convertible to dollars to the extent consistent with the effectuation of the purposes of this Act, but in any event to the extent necessary to (1) permit that portion of such currencies made available for payment of United States obligations to be used to meet obligations or charges payable by the United States or any of its agencies to the government of the importing country or any of its agencies, and (2) in the case of excess currency countries, assure convertibility by sale to American tourists, or otherwise, of such additional amount (up to twenty-five per centum of the foreign currencies received pursuant to each agreement entered into after the effective date of the Food for Peace Act of 1966) as may be necessary to cover all normal expenditures of American tourists in the importing country;

"(n) take maximum precautions to assure that sales for dollars on credit terms under this Act shall not displace any sales of United States agricultural commodities which would otherwise be made for cash dollars.

"SEC. 104. Notwithstanding any other provision of law, the President may use or enter into agreements with foreign countries or international organizations to use the foreign currencies, including principal and interest from loan repayments, which accrue in connection with sales for foreign currencies under this title for one or more of the following purposes:

"(a) For payment of United States obligations (including obligations entered into pursuant to other legislation);

Uses of foreign currencies.

“(b) For carrying out programs of United States Government agencies to—

“(1) help develop new markets for United States agricultural commodities on a mutually benefitting basis. From sale proceeds and loan repayments under this title not less than the equivalent of 5 per centum of the total sales made each year under this title shall be set aside in the amounts and kinds of foreign currencies specified by the Secretary of Agriculture and made available in advance for use as provided by this paragraph over such period of years as the Secretary of Agriculture determines will most effectively carry out the purpose of this paragraph: *Provided*, That the Secretary of Agriculture may release such amounts of the foreign currencies so set aside as he determines cannot be effectively used for agricultural market development purposes under this section, except that no release shall be made until the expiration of thirty days following the date on which notice of such proposed release is transmitted by the President to the Senate Committee on Agriculture and Forestry and to the House Committee on Agriculture, if transmitted while Congress is in session, or sixty days following the date of transmittal if transmitted while Congress is not in session. Provision shall be made in sale and loan agreements for the convertibility of such amount of the proceeds thereof (not less than 2 per centum) as the Secretary of Agriculture determines to be needed to carry out the purpose of this paragraph in those countries which are or offer reasonable potential of becoming dollar markets for United States agricultural commodities. Such sums shall be converted into the types and kinds of foreign currencies as the Secretary deems necessary to carry out the provisions of this paragraph and such sums shall be deposited to a special Treasury account and shall not be made available or expended except for carrying out the provisions of this paragraph. Notwithstanding any other provision of law, if sufficient foreign currencies for carrying out the purpose of this paragraph in such countries are not otherwise available, the Secretary of Agriculture is authorized and directed to enter into agreements with such countries for the sale of agricultural commodities in such amounts as the Secretary of Agriculture determines to be adequate and for the use of the proceeds to carry out the purpose of this paragraph. In carrying out agricultural market development activities, nonprofit agricultural trade organizations shall be utilized to the maximum extent practicable. The purpose of this paragraph shall include such representation of agricultural industries as may be required during the course of discussions on trade programs relating either to individual commodities or groups of commodities;

“(2) finance international educational and cultural exchange activities under the programs authorized by the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2451 et seq.);

“(3) collect, collate, translate, abstract, and disseminate scientific and technological information and conduct research and support scientific activities overseas including programs and projects of scientific cooperation between the United States and other countries such as coordinated research

Notice of release  
of foreign currencies.

Transmittal to  
congressional  
committees.

Special Treasury  
account.

against diseases common to all of mankind or unique to individual regions of the globe, and promote and support programs of medical and scientific research, cultural and educational development, family planning, health, nutrition, and sanitation:

“(4) acquire by purchase, lease, rental, or otherwise, sites and buildings and grounds abroad, for United States Government use including offices, residence quarters, community and other facilities, and construct, repair, alter, and furnish such buildings and facilities;

“(5) finance under the direction of the Librarian of Congress, in consultation with the National Science Foundation and other interested agencies, (A) programs outside the United States for the analysis and evaluation of foreign books, periodicals, and other materials to determine whether they would provide information of technical or scientific significance in the United States and whether such books, periodicals, and other materials are of cultural or educational significance, (B) the registry, indexing, binding, reproduction, cataloging, abstracting, translating, and dissemination of books, periodicals, and related materials determined to have such significance; and (C) the acquisition of such books, periodicals, and other materials and the deposit thereof in libraries and research centers in the United States specializing in the areas to which they relate;

“(c) To procure equipment, materials, facilities, and services for the common defense including internal security;

“(d) For assistance to meet emergency or extraordinary relief requirements other than requirements for food commodities: *Provided*, That not more than a total amount equivalent to \$5,000,000 may be made available for this purpose during any fiscal year;

Limitation.

“(e) For use to the maximum extent under the procedures established by such agency as the President shall designate for loans to United States business firms (including cooperatives) and branches, subsidiaries, or affiliates of such firms for business development and trade expansion in such countries, including loans for private home construction, and for loans to domestic or foreign firms (including cooperatives) for the establishment of facilities for aiding in the utilization, distribution, or otherwise increasing the consumption of, and markets for, United States agricultural products: *Provided, however*, That no such loans shall be made for the manufacture of any products intended to be exported to the United States in competition with products produced in the United States and due consideration shall be given to the continued expansion of markets for United States agricultural commodities or the products thereof. Foreign currencies may be accepted in repayment of such loans;

“(f) To promote multilateral trade and agricultural and other economic development, under procedures, established by the President, by loans or by use in any other manner which the President may determine to be in the national interest of the United States, particularly to assist programs of recipient countries designed to promote, increase, or improve food production, processing, distribution, or marketing in food-deficit countries friendly to the United States, for which purpose the President may utilize to the extent practicable the services of nonprofit voluntary agencies registered with and approved by the Advisory

Committee on Voluntary Foreign Aid: *Provided*, That no such funds may be utilized to promote religious activities;

“(g) For the purchase of goods or services for other friendly countries;

“(h) For financing, at the request of such country, programs emphasizing maternal welfare, child health and nutrition, and activities, where participation is voluntary, related to the problems of population growth, under procedures established by the President through any agency of the United States, or through any local agency which he determines is qualified to administer such activities;

“(i) for paying, to the maximum extent practicable, the costs outside the United States of carrying out the program authorized in section 406 of this Act; and

“(j) For sale for dollars to United States citizens and non-profit organizations for travel or other purposes of currencies determined to be in excess of the needs of departments and agencies of the United States for such currencies. The United States dollars received from the sale of such foreign currencies shall be deposited to the account of Commodity Credit Corporation:

*Post*, p. 1536.

*Provided*, That—

“(1) Section 1415 of the Supplemental Appropriation Act, 1953, shall apply to currencies used for the purposes specified in subsections (a) and (b),

66 Stat. 662.  
31 USC 724.

“(2) Section 1415 of the Supplemental Appropriation Act, 1953, shall apply to all foreign currencies used for grants under subsections (f) and (g), to not less than 10 per centum of the foreign currencies which accrue pursuant to agreements entered into on or before December 31, 1964, and to not less than 20 per centum in the aggregate of the foreign currencies which accrue pursuant to agreements entered into thereafter: *Provided, however*, That the President is authorized to waive such applicability of section 1415 in any case where he determines that it would be inappropriate or inconsistent with the purposes of this title,

“(3) No agreement or proposal to grant any foreign currencies (except as provided in subsection (c) of this section), or to use (except pursuant to appropriation Act) any principal or interest from loan repayments under this section shall be entered into or carried out until the expiration of thirty days following the date on which such agreement or proposal is transmitted by the President to the Senate Committee on Agriculture and Forestry and to the House Committee on Agriculture, if transmitted while Congress is in session, or sixty days following the date of transmittal if transmitted while Congress is not in session,

Transmittal to  
congressional com-  
mittees.

“(4) Any loan made under the authority of this section shall bear interest at such rate as the President may determine but not less than the cost of funds to the United States Treasury, taking into consideration the current average market yields on outstanding marketable obligations of the United States having maturity comparable to the maturity of such loans, unless the President shall in specific instances after consultation with the advisory committee established under section 407 designate a different rate:

*Provided, further*. That paragraphs (2), (3), and (4) of the foregoing proviso shall not apply in the case of any nation where the foreign currencies or credits owned by the United States and available for use by it in such nation are determined by the Secretary of the Treasury to be in excess of the normal requirements of the departments and agencies of the United States for expenditures in such

nations for the two fiscal years following the fiscal year in which such determination is made. The amount of any such excess shall be devoted to the extent practicable and without regard to paragraph (1) of the foregoing proviso, to the acquisition of sites, buildings, and grounds under paragraph (4) of subsection (b) of this section and to assist such nation in undertaking self-help measures to increase its production of agricultural commodities and its facilities for storage and distribution of such commodities. Assistance under the foregoing provision shall be limited to self-help measures additional to those which would be undertaken without such assistance. Upon the determination by the Secretary of the Treasury that such an excess exists with respect to any nation, the President shall advise the Senate Committee on Agriculture and Forestry and the House Committee on Agriculture of such determination; and shall thereafter report to each such committee as often as may be necessary to keep such Committee advised as to the extent of such excess, the purposes for which it is used or proposed to be used, and the effects of such use.

Reports to congressional committees.

Special account.

"SEC. 105. Foreign currencies received pursuant to this Act shall be deposited in a special account to the credit of the United States and shall be used only pursuant to section 104, and any department or agency of the Government using any of such currencies for a purpose for which funds have been appropriated shall reimburse the Commodity Credit Corporation in an amount equivalent to the dollar value of the currencies used. The President shall utilize foreign currencies received pursuant to this Act in such manner as will, to the maximum extent possible, reduce any deficit in the balance of payments of the United States.

Dollar credit sales.

"SEC. 106. (a) Payment by any friendly country for commodities purchased for dollars on credit shall be upon terms as favorable to the United States as the economy of such country will permit. Payment for such commodities shall be in dollars with interest at such rates as the Secretary may determine but not less than the minimum rate required by section 201 of the Foreign Assistance Act of 1961 for loans made under that section. Payment may be made in reasonable annual amounts over periods of not to exceed twenty years from the date of the last delivery of commodities in each calendar year under the agreement, except that the date for beginning such annual payment may be deferred for a period not later than two years after such date of last delivery, and interest shall be computed from the date of such last delivery. Delivery of such commodities shall be made in annual installments for not more than ten years following the date of the sales agreement and subject to the availability of the commodities at the time delivery is to be made.

75 Stat. 426;  
Ante, p. 796.  
22 USC 2161.

"(b) Agreements hereunder for the sale of agricultural commodities for dollars on credit terms shall include provisions to assure that the proceeds from the sale of the commodities in the recipient country are used for such economic development purposes as are agreed upon in the sales agreement or any amendment thereto.

Private trade and enterprise.

"SEC. 107. (a) It is also the policy of the Congress to stimulate and maximize the sale of United States agricultural commodities for dollars through the private trade and to further the use of private enterprise to the maximum, thereby strengthening the development and expansion of foreign commercial markets for United States agricultural commodities. In furtherance of this policy, the Secretary of Agriculture is authorized, notwithstanding any other provision of law, to enter into agreements with foreign and United States private trade for financing the sale of agricultural commodities for export over

such periods of time and on such credit terms as the Secretary determines will accomplish the objectives of this section. Any agreement entered into under this section shall provide for the development and execution of projects which will result in the establishment of facilities designed to improve the storage or marketing of agricultural commodities, or which will otherwise stimulate and expand private economic enterprise in any friendly country. Any agreement entered into under this section shall also provide for the furnishing of such security as the Secretary determines necessary to provide reasonable and adequate assurance of payment of the purchase price in dollars with interest at a rate which will as nearly as practicable be equivalent to the average cost of funds to the United States Treasury, as determined by the Secretary of the Treasury, on outstanding marketable obligations of the United States having maturities comparable to maturities of credits extended under this section. In no event shall the rate of interest be less than the minimum rate, or the delivery period, deferral of first payment, or term of credit be longer than the maximum term, authorized in section 106. In carrying out this Act, the authority provided in this section for making dollar sales shall be used to the maximum extent practicable.

“(b) In carrying out the provisions of this section, the Secretary shall take reasonable precautions to safeguard usual marketings of the United States and to avoid displacing any sales of United States agricultural commodities which the Secretary finds and determines would otherwise be made for cash dollars.

“(c) The Secretary shall obtain commitments from purchasers that will prevent resale or transshipment to other countries, or use for other than domestic purposes, of agricultural commodities purchased under this section.

“(d) In carrying out this Act, the provisions of sections 102, 103(a), 103(d), 103(e), 103(f), 103(j), 103(k), 110, 401, 402, 403, 404, 405, 407, 408, and 409 shall be applicable to sales under this section.

“SEC. 108. The Commodity Credit Corporation may finance ocean freight charges incurred pursuant to agreements for sales for foreign currencies (other than those providing for conversion to dollars as described in section 103(b) of this Act) entered into hereunder only to the extent that such charges are higher (than would otherwise be the case) by reason of a requirement that the commodities be transported in United States-flag vessels. Such agreements shall require the balance of such charges for transportation in United States vessels to be paid in dollars by the nations or organizations with whom such agreements are entered into.

Ocean transportation costs.

“SEC. 109. (a) Before entering into agreements with developing countries for the sale of United States agricultural commodities on whatever terms, the President shall consider the extent to which the recipient country is undertaking wherever practicable self-help measures to increase per capita production and improve the means for storage and distribution of agricultural commodities, including:

Self-help measures.

“(1) devoting land resources to the production of needed food rather than to the production of nonfood crops—especially nonfood crops in world surplus;

“(2) development of the agricultural chemical, farm machinery and equipment, transportation and other necessary industries through private enterprise;

“(3) training and instructing farmers in agricultural methods and techniques;

“(4) constructing adequate storage facilities;

“(5) improving marketing and distribution systems;

“(6) creating a favorable environment for private enterprise and investment, both domestic and foreign, and utilizing available technical know-how;

“(7) establishing and maintaining Government policies to insure adequate incentives to producers; and

“(8) establishing and expanding institutions for adaptive agricultural research; and

“(9) allocating for these purposes sufficient national budgetary and foreign exchange resources (including those supplied by bilateral, multilateral and consortium aid programs) and local currency resources (resulting from loans or grants to recipient governments of the proceeds of local currency sales).

“(b) Notwithstanding any other provisions of this Act, in agreements with nations not engaged in armed conflict against Communist forces or against nations with which the United States has no diplomatic relations, not less than 20 per centum of the foreign currencies set aside for purposes other than those in sections 104(a), (b), (e), and (j) shall be allocated for the self-help measures set forth in this section.

“(c) Each agreement entered into under this title shall describe the program which the recipient country is undertaking to improve its production, storage, and distribution of agricultural commodities; and shall provide for termination of such agreement whenever the President finds that such program is not being adequately developed.

“Sec. 110. Agreements shall not be entered into under this title during any calendar year which will call for an appropriation to reimburse the Commodity Credit Corporation in an amount in excess of \$1,900,000,000, plus any amount by which agreements entered into under this title in prior years have called or will call for appropriations to reimburse the Commodity Credit Corporation in amounts less than authorized for such prior years.”

(C) By amending title II to read as follows:

## “TITLE II

“SEC. 201. The President is authorized to determine requirements and furnish agricultural commodities, on behalf of the people of the United States of America, to meet famine or other urgent or extraordinary relief requirements; to combat malnutrition, especially in children; to promote economic and community development in friendly developing areas; and for needy persons and nonprofit school lunch and preschool feeding programs outside the United States. The Commodity Credit Corporation shall make available to the President such as agricultural commodities determined to be available under section 401 as he may request.

“SEC. 202. The President may furnish commodities for the purposes set forth in section 201 through such friendly governments and such agencies, private or public, including intergovernmental organizations such as the world food program and other multilateral organizations in such manner and upon such terms and conditions as he deems appropriate. The President shall, to the extent practicable, utilize nonprofit voluntary agencies registered with, and approved by, the Advisory Committee on Voluntary Foreign Aid. Insofar as practicable, all commodities furnished hereunder shall be clearly identified by appropriate marking on each package or container in the language of the locality where they are distributed as being furnished by the people of the United States of America. The assistance to needy persons shall insofar as practicable be directed toward community

and other self-help activities designed to alleviate the causes of the need for such assistance. Except in the case of emergency, the President shall take reasonable precaution to assure that commodities furnished hereunder will not displace or interfere with sales which might otherwise be made.

"SEC. 203. The Commodity Credit Corporation may, in addition to the cost of acquisition, pay with respect to commodities made available under this title costs for packaging, enrichment, preservation, and fortification; processing, transportation, handling, and other incidental costs up to the time of their delivery free on board vessels in United States ports; ocean freight charges from United States ports to designated ports of entry abroad, or, in the case of landlocked countries, transportation from United States ports to designated points of entry abroad; and charges for general average contributions arising out of the ocean transport of commodities transferred pursuant thereto.

"SEC. 204. Programs of assistance shall not be undertaken under this title during any calendar year which call for an appropriation of more than \$600,000,000 to reimburse the Commodity Credit Corporation for all costs incurred in connection with such programs (including the Corporation's investment in commodities made available) plus any amount by which programs of assistance undertaken under this title in the preceding calendar year have called or will call for appropriations to reimburse the Commodity Credit Corporation in amounts less than were authorized for such purpose during such preceding year. In addition to other funds available for such purposes under any other Act, funds made available under this title may be used in an amount not exceeding \$7,500,000 annually to purchase foreign currencies accruing under title I of this Act in order to meet costs (except the personnel and administrative costs of cooperating sponsors, distributing agencies, and recipient agencies, and the costs of construction or maintenance or any church owned or operated edifice or any other edifices to be used for sectarian purposes) designed to assure that commodities made available under this title are used to carry out effectively the purposes for which such commodities are made available or to promote community and other self-help activities designed to alleviate the causes of the need for such assistance: *Provided, however,* That such funds shall be used only to supplement and not substitute for funds normally available for such purposes from other non-United States Government sources.

*Ante, p. 1526.*

"SEC. 205. It is the sense of the Congress that the President should encourage other advanced nations to make increased contributions for the purpose of combating world hunger and malnutrition, particularly through the expansion of international food and agricultural assistance programs. It is further the sense of the Congress that as a means of achieving this objective, the United States should work for the expansion of the United Nations World food program beyond its present established goals."

(D) By changing the designation "TITLE III—GENERAL PROVISIONS" to "TITLE III" and by striking out sections 304, 305, 306, 307, and 308.

(E) By amending title IV to read as follows:

#### "TITLE IV

"SEC. 401. After consulting with other agencies of the Government affected and within policies laid down by the President for implementing this Act, and after taking into account productive capacity,

Repeals.

71 Stat. 345;  
73 Stat. 607.  
7 USC 1693-  
1697.  
73 Stat. 610.  
7 USC 1731-  
1736.

domestic requirements, farm and consumer price levels, commercial exports, and adequate carryover, the Secretary of Agriculture shall determine the agricultural commodities and quantities thereof available for disposition under this Act, and the commodities and quantities thereof which may be included in the negotiations with each country. No commodity shall be available for disposition under this Act if such disposition would reduce the domestic supply of such commodity below that needed to meet domestic requirements, adequate carryover, and anticipated exports for dollars as determined by the Secretary of Agriculture at the time of exportation of such commodity.

"Agricultural commodity."

"SEC. 402. The term 'agricultural commodity' as used in this Act shall include any agricultural commodity produced in the United States or product thereof produced in the United States: Provided, however, That the term 'agricultural commodity' shall not include alcoholic beverages, and for the purposes of title II of this Act, tobacco or products thereof. Subject to the availability of appropriations therefor, any domestically produced fishery product may be made available under this Act.

Appropriation.

"SEC. 403. There are hereby authorized to be appropriated such sums as may be necessary to carry out this Act including such amounts as may be required to make payments to the Commodity Credit Corporation, to the extent the Commodity Credit Corporation is not reimbursed under sections 104(j) and 105, for its actual costs incurred or to be incurred. In presenting his budget, the President shall classify expenditures under this Act as expenditures for international affairs and finance rather than for agriculture and agricultural resources.

Ante, pp. 1531, 1532.

Aims of assistance programs.

"SEC. 404. The programs of assistance undertaken pursuant to this Act shall be directed toward the attainment of the humanitarian objectives and national interest of the United States.

"SEC. 405. The authority and funds provided by this Act shall be utilized in a manner that will assist friendly countries that are determined to help themselves toward a greater degree of self-reliance in providing enough food to meet the needs of their people and in resolving their problems relative to population growth.

Food production assistance.

"SEC. 406. (a) In order to further assist friendly developing countries to become self-sufficient in food production, the Secretary of Agriculture is authorized, notwithstanding any other provision of law—

Farmer-to-farmer program.

"(1) To establish and administer through existing agencies of the Department of Agriculture a program of farmer-to-farmer assistance between the United States and such countries to help farmers in such countries in the practical aspects of increasing food production and distribution and improving the effectiveness of their farming operations;

Education.

"(2) To enter into contracts or other cooperative agreements with, or make grants to, land-grant colleges and universities and other institutions of higher learning in the United States to recruit persons who by reason of training, education, or practical experience are knowledgeable in the practical arts and sciences of agriculture and home economics, and to train such persons in the practical techniques of transmitting to farmers in such countries improved practices in agriculture, and to participate in carrying out the program in such countries including, where desirable, additional courses for training or retraining in such countries;

"(3) To consult and cooperate with private non-profit farm organizations in the exchange of farm youth and farm leaders with develop-

ing countries and in the training of farmers of such developing countries within the United States or abroad;

“(4) To conduct research in tropical and subtropical agriculture for the improvement and development of tropical and subtropical food products for dissemination and cultivation in friendly countries:

Research.

“(5) To coordinate the program authorized in this section with the activities of the Peace Corps, the Agency for International Development, and other agencies of the United States and to assign, upon agreement with such agencies, such persons to work with and under the administration of such agencies: *Provided*, That nothing in this section shall be construed to infringe upon the powers or functions of the Secretary of State:

“(6) To establish by such rules and regulations as he deems necessary the conditions for eligibility and retention in and dismissal from the program established in this section, together with the terms, length and nature of service, compensation, employee status, oaths of office, and security clearances, and such persons shall be entitled to the benefits and subject to the responsibilities applicable to persons serving in the Peace Corps pursuant to the provisions of section 612, volume 75 of the Statutes at Large, as amended; and

22 USC 2501 note.

“(7) To the maximum extent practicable, to pay the costs of such program through the use of foreign currencies accruing from the sale of agricultural commodities under this Act, as provided in section 104(i).

Ante, p. 1531.

“(b) There are hereby authorized to be appropriated not to exceed \$33,000,000 during any fiscal year for the purpose of carrying out the provisions of this section.

Appropriation.

“SEC. 407. There is hereby established an advisory committee composed of the Secretary of State, the Secretary of the Treasury, the Secretary of Agriculture, the Director of the Bureau of the Budget, the Administrator of the Agency for International Development, the chairman, the vice chairman and the two ranking minority members of the House Committee on Agriculture and the House Committee on Foreign Affairs, and the chairman, the next ranking majority member and the two ranking minority members of the Senate Committee on Agriculture and Forestry and the Senate Committee on Foreign Relations. The advisory committee shall survey the general policies relating to the administration of the Act, including the manner of implementing the self-help provisions, the uses to be made of foreign currencies which accrue in connection with sales for foreign currencies under title I, the amount of currencies to be reserved in sales agreements for loans to private industry under section 104(e), rates of exchange, interest rates, and the terms under which dollar credit sales are made, and shall advise the President with respect thereto.

Advisory committee, establishment.

Ante, p. 1526.

“SEC. 408. The President shall make a report to Congress not later than April 1 each year with respect to the activities carried out under this Act during the preceding calendar year. Such report shall describe the progress of each country with which agreements are in effect under title I in carrying out its agreements under such title.

Report to Congress.

“SEC. 409. No agreements to finance sales under title I and no programs of assistance under title II shall be entered into after December 31, 1968.

Time limitation.

"SEC. 410. The provisions of section 620(e) of the Foreign Assistance Act of 1961, as amended (referring to nationalization, expropriation, and related governmental Acts affecting property owned by United States citizens), shall be applicable to assistance provided under title I of this Act."

SEC. 3. (a) Section 9 of the Act of September 6, 1958 (7 U.S.C. 1431b), is amended, effective January 1, 1967, by deleting the symbol "(1)", by changing the semicolon to a period and by striking out all of the language in the section after the semicolon.

(b) Section 709 of the Food and Agriculture Act of 1965 (7 U.S.C. 1446a-1) is amended, effective January 1, 1967, by striking out "foreign distribution."

(c) Section 416 of the Agricultural Act of 1949, as amended (7 U.S.C. 1431), is amended, effective January 1, 1967, by striking out the following: "and (4) to donate any such food commodities in excess of anticipated disposition under (1), (2), and (3) above to nonprofit voluntary agencies registered with the Committee on Voluntary Foreign Aid of the Foreign Operations Administration or other appropriate department or agency of the Federal Government and intergovernmental organizations for use in the assistance of needy persons and in nonprofit school lunch programs outside the United States"; "and (4) above"; "; in the case of commodities made available for use within the United States, or their delivery free alongside ship or free on board export carrier at point of export, in the case of commodities made available for use outside the United States"; and "The assistance to needy persons provided in (4) above shall, insofar as practicable be directed toward community and other self-help designed to alleviate the causes of the need for such assistance."

(d) Section 8 of Public Law 85-931 (72 Stat. 1792) is amended (1) by inserting a period in lieu of the colon after the word "Act" and striking out the proviso; (2) by inserting after the word "manufactured" the word "entirely"; and (3) by inserting before the comma following the words "surplus supply" the words "in the same manner as any other agricultural commodity or product is made available".

(e) Section 407 of the Agricultural Act of 1949, as amended, is amended by striking the period at the end of the third sentence thereof and adding the following: ": *Provided*, That whenever the Secretary of Agriculture determines that the carryover at the end of any marketing year of a price supported agricultural commodity for which a voluntary adjustment program is in effect will be less than 25 per centum (35 per centum in the case of wheat) of the estimated export and domestic consumption of such commodity during such marketing year, the Commodity Credit Corporation shall not sell any of its stocks of such commodity during such year for unrestricted use at less than 115 per centum (120 per centum in the case of wheat whenever its carryover will be less than 25 per centum of such estimated export and domestic consumption) of the current price support loan plus reasonable carrying charges."

SEC. 4. Commercial sales of agricultural commodities out of private stocks on credit terms of not to exceed three years may be financed by Commodity Credit Corporation under its Export Credit Sales program. There are hereby authorized to be appropriated such sums as may be necessary to reimburse the Commodity Credit Corporation annually for its actual costs incurred or to be incurred under its Export Credit Sales Program.

SEC. 5. This Act shall take effect as of January 1, 1967, except that section 4 shall take effect upon enactment.

Approved November 11, 1966.

77 Stat. 386;  
78 Stat. 1013,  
22 USC 2370.

Ante, p. 1526.

72 Stat. 1792.

79 Stat. 1212.

68 Stat. 458.

7 USC 1701  
note.

63 Stat. 1055.  
7 USC 1427.

Appropriation.

Effective date.

## Public Law 89-809

## AN ACT

November 13, 1966  
[H. R. 13103]

To provide equitable tax treatment for foreign investment in the United States, to establish a Presidential Election Campaign Fund to assist in financing the costs of presidential election campaigns, and for other purposes.

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

**SECTION 1. TABLE OF CONTENTS, ETC.****(a) TABLE OF CONTENTS.—**

Sec. 1. Table of contents, etc.

(a) Table of contents.

(b) Amendment of 1954 Code.

Foreign Investors Tax Act of 1966 and Presidential Election Campaign Fund Act of 1966.

**TITLE I—FOREIGN INVESTORS TAX ACT**

Sec. 102. Source of income.

(a) Interest.

(b) Dividends.

(c) Personal services.

(d) Definitions.

(e) Effective dates.

Sec. 103. Nonresident alien individuals.

(a) Tax on nonresident alien individuals.

(b) Gross income.

(c) Deductions.

(d) Allowance of deductions and credits.

(e) Beneficiaries of estates and trusts.

(f) Expatriation to avoid tax.

(g) Partial exclusion of dividends.

(h) Withholding of tax on nonresident aliens.

(i) Liability for withheld tax.

(j) Declaration of estimated income tax by individuals.

(k) Collection of income tax at source on wages.

(l) Definitions of foreign estate or trust.

(m) Conforming amendment.

(n) Effective dates.

Sec. 104. Foreign corporations.

(a) Tax on income not connected with United States business.

(b) Tax on income connected with United States business.

(c) Withholding of tax on foreign corporations.

(d) Dividends received from certain foreign corporations.

(e) Dividends received from certain wholly-owned foreign subsidiaries.

(f) Distributions of certain foreign corporations.

(g) Unrelated business taxable income.

(h) Corporations subject to personal holding company tax.

(i) Amendments with respect to foreign corporations carrying on insurance business in United States.

(j) Subpart F income.

(k) Gain from certain sales or exchanges of stock in certain foreign corporations.

(l) Declaration of estimated income tax by corporations.

(m) Technical amendments.

(n) Effective dates.

Sec. 105. Special tax provisions.

(a) Income affected by treaty.

(b) Adjustment of tax because of burdensome or discriminatory foreign taxes.

(c) Clerical amendments.

(d) Effective date.

(e) Elections by nonresident United States citizens who are subject to foreign community property laws.

(f) Presumptive date of payment for tax withheld under chapter 3.

Sec. 106. Foreign tax credit.

(a) Allowance of credit to certain nonresident aliens and foreign corporations.

(b) Alien residents of the United States or Puerto Rico.

(c) Foreign tax credit in respect of interest received from foreign subsidiaries.

Sec. 107. Amendments to preserve existing law on deductions under section 931.

(a) Deductions.

(b) Effective date.

## TITLE I—FOREIGN INVESTORS TAX ACT—Continued

- Sec. 108. Estates of nonresidents not citizens.
- (a) Rate of tax.
  - (b) Credits against tax.
  - (c) Property within the United States.
  - (d) Property without the United States.
  - (e) Definition of taxable estate.
  - (f) Special methods of computing tax.
  - (g) Estate tax returns.
  - (h) Clerical amendment.
  - (i) Effective date.
- Sec. 109. Tax on gifts of nonresidents not citizens.
- (a) Imposition of tax.
  - (b) Transfers in general.
  - (c) Effective date.
- Sec. 110. Treaty obligations.

## TITLE II—OTHER AMENDMENTS TO INTERNAL REVENUE CODE

- Sec. 201. Application of investment credit to property used in possessions of the United States.
- (a) Property used by domestic corporations, etc.
  - (b) Effective date.
- Sec. 202. Basis of property received on liquidation of subsidiary.
- (a) Definition of purchase.
  - (b) Period of acquisition.
  - (c) Distribution of installment obligations.
  - (d) Effective dates.
- Sec. 203. Transfers of property to investment companies controlled by transferors.
- (a) Transfers to investment companies.
  - (b) Investment companies required to file registration statement with S.E.C.
  - (c) Effective date.
- Sec. 204. Removal of special limitations with respect to deductibility of contributions to pension plans by self-employed individuals.
- (a) Removal of special limitations.
  - (b) Conforming amendments.
  - (c) Definition of earned income.
  - (d) Effective date.
- Sec. 205. Treatment of certain income of authors, inventors, etc., as earned income for retirement plan purposes.
- (a) Income from disposition of property created by taxpayer.
  - (b) Effective date.
- Sec. 206. Exclusion of certain rents from personal holding company income.
- (a) Rents from leases of certain tangible personal property.
  - (b) Technical amendments.
  - (c) Effective date.
- Sec. 207. Percentage depletion rate for certain clay bearing alumina.
- (a) 23 percent rate.
  - (b) Treatment processes.
  - (c) Effective date.
- Sec. 208. Percentage depletion rate for clam and oyster shells.
- (a) 15 percent rate.
  - (b) Effective date.
- Sec. 209. Percentage depletion rate for certain clay, shale, and slate.
- (a) 7½-percent rate.
  - (b) Conforming amendment.
  - (c) Effective date.
- Sec. 210. Straddles.
- (a) Treatment as short-term capital gain.
  - (b) Effective date.
- Sec. 211. Tax treatment of per-unit retain allocations.
- (a) Tax treatment of cooperatives.
  - (b) Tax treatment by patrons.
  - (c) Definitions.
  - (d) Information reporting.
  - (e) Effective dates.
  - (f) Transition rule.
- Sec. 212. Excise tax rate on ambulances and hearses.
- (a) Classification as automobiles.
  - (b) Effective date.

TITLE II—OTHER AMENDMENTS TO INTERNAL REVENUE  
CODE—Continued

- Sec. 213. Applicability of exclusion from interest equalization tax of certain loans to assure raw materials sources.
- (a) Exception to exclusion.
  - (b) Technical amendments.
  - (c) Effective date.
- Sec. 214. Exclusion from interest equalization tax for certain acquisitions by insurance companies.
- (a) New companies and companies operating in former less developed countries.
  - (b) Effective date.
- Sec. 215. Exclusion from interest equalization tax of certain acquisitions by foreign branches of domestic banks.
- (a) Authority for modification of executive orders.
  - (b) Effective date.

TITLE III—PRESIDENTIAL ELECTION CAMPAIGN FUND ACT

- Sec. 301. Short title.
- Sec. 302. Authority for designation of \$1 of income tax payments to presidential election campaign fund.
- Sec. 303. Presidential election campaign fund.
- (a) Establishment.
  - (b) Transfers to the fund.
  - (c) Payments from fund.
  - (d) Transfers to general fund.
- Sec. 304. Establishment of advisory board.
- Sec. 305. Appropriations authorized.

TITLE IV—MISCELLANEOUS PROVISIONS

- Sec. 401. Treasury notes payable in foreign currency.
- Sec. 402. Reports to clarify the national debt and tax structure.

(b) AMENDMENT OF 1954 CODE.—Except as otherwise expressly provided, wherever in titles I, II, and III, of this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference is to a section or other provision of the Internal Revenue Code of 1954.

## TITLE I—FOREIGN INVESTORS TAX ACT

### SEC. 101. SHORT TITLE.

This title may be cited as the "Foreign Investors Tax Act of 1966".

### SEC. 102. SOURCE OF INCOME.

#### (a) INTEREST.—

(1) (A) Subparagraph (A) of section 861(a)(1) (relating to interest from sources within the United States) is amended to read as follows:

“(A) interest on amounts described in subsection (c) received by a nonresident alien individual or a foreign corporation, if such interest is not effectively connected with the conduct of a trade or business within the United States.”

(B) Section 861 is amended by adding at the end thereof the following new subsection:

“(c) INTEREST ON DEPOSITS, ETC.—For purposes of subsection (a)

(1) (A), the amounts described in this subsection are—

“(1) deposits with persons carrying on the banking business,

“(2) deposits or withdrawable accounts with savings institutions chartered and supervised as savings and loan or similar associations under Federal or State law, but only to the extent that amounts paid or credited on such deposits or accounts are deducti-

68A Stat. 204,  
78.

ble under section 591 (determined without regard to section 265) in computing the taxable income of such institutions, and

“(3) amounts held by an insurance company under an agreement to pay interest thereon. Effective with respect to amounts paid or credited after December 31, 1972, subsection (a) (1) (A) and this subsection shall cease to apply.”

(2) Section 861(a) (1) is amended by striking out subparagraphs (B) and (C) and inserting in lieu thereof the following:

“(B) interest received from a resident alien individual or a domestic corporation, when it is shown to the satisfaction of the Secretary or his delegate that less than 20 percent of the gross income from all sources of such individual or such corporation has been derived from sources within the United States, as determined under the provisions of this part, for the 3-year period ending with the close of the taxable year of such individual or such corporation preceding the payment of such interest, or for such part of such period as may be applicable,

“(C) interest received from a foreign corporation (other than interest paid or credited after December 31, 1972, by a domestic branch of a foreign corporation, if such branch is engaged in the commercial banking business), when it is shown to the satisfaction of the Secretary or his delegate that less than 50 percent of the gross income from all sources of such foreign corporation for the 3-year period ending with the close of its taxable year preceding the payment of such interest (or for such part of such period as the corporation has been in existence) was effectively connected with the conduct of a trade or business within the United States,

“(D) in the case of interest received from a foreign corporation (other than interest paid or credited after December 31, 1972, by a domestic branch of a foreign corporation, if such branch is engaged in the commercial banking business), 50 percent or more of the gross income of which from all sources for the 3-year period ending with the close of its taxable year preceding the payment of such interest (or for such part of such period as the corporation has been in existence) was effectively connected with the conduct of a trade or business within the United States, an amount of such interest which bears the same ratio to such interest as the gross income of such foreign corporation for such period which was not effectively connected with the conduct of a trade or business within the United States bears to its gross income from all sources,

“(E) income derived by a foreign central bank of issue from bankers' acceptances, and

“(F) interest on deposits with a foreign branch of a domestic corporation or a domestic partnership, if such branch is engaged in the commercial banking business.”

(3) Section 861 (relating to income from sources within the United States) is amended by adding after subsection (c) (as added by paragraph (1) (B)) the following new subsection:

“(d) SPECIAL RULES FOR APPLICATION OF PARAGRAPHS (1) (B), (1) (C), (1) (D), AND (2) (B) OF SUBSECTION (a).—

“(1) NEW ENTITIES.—For purposes of paragraphs (1) (B), (1) (C), (1) (D), and (2) (B) of subsection (a), if the resident alien individual, domestic corporation, or foreign corporation, as the case may be, has no gross income from any source for the 3-year period (or part thereof) specified, the 20 percent test or the 50 percent test, as the case may be, shall be applied with respect to the taxable year of the payor in which payment of the interest or dividends, as the case may be, is made.

“(2) **TRANSITION RULE.**—For purposes of paragraphs (1)(C), (1)(D), and (2)(B) of subsection (a), the gross income of the foreign corporation for any period before the first taxable year beginning after December 31, 1966, which is effectively connected with the conduct of a trade or business within the United States is an amount equal to the gross income for such period from sources within the United States.”

(4)(A) Section 895 (relating to income derived by a foreign central bank of issue from obligations of the United States) is amended to read as follows:

75 Stat. 64.

“**SEC. 895. INCOME DERIVED BY A FOREIGN CENTRAL BANK OF ISSUE FROM OBLIGATIONS OF THE UNITED STATES OR FROM BANK DEPOSITS.**

“Income derived by a foreign central bank of issue from obligations of the United States or of any agency or instrumentality thereof (including beneficial interests, participations, and other instruments issued under section 302(c) of the Federal National Mortgage Association Charter Act (12 U.S.C. 1717)) which are owned by such foreign central bank of issue, or derived from interest on deposits with persons carrying on the banking business, shall not be included in gross income and shall be exempt from taxation under this subtitle unless such obligations or deposits are held for, or used in connection with, the conduct of commercial banking functions or other commercial activities. For purposes of the preceding sentence the Bank for International Settlements shall be treated as a foreign central bank of issue.”

78 Stat. 800;  
Ante, p. 164.

(B) The table of sections for subpart C of part II of subchapter N of chapter 1 is amended by striking out the item relating to section 895 and inserting in lieu thereof the following:

“Sec. 895. Income derived by a foreign central bank of issue from obligations of the United States or from bank deposits.”

(b) **DIVIDENDS.**—Section 861(a)(2)(B) (relating to dividends from sources within the United States) is amended to read as follows:

68A Stat. 275.

“(B) from a foreign corporation unless less than 50 percent of the gross income from all sources of such foreign corporation for the 3-year period ending with the close of its taxable year preceding the declaration of such dividends (or for such part of such period as the corporation has been in existence) was effectively connected with the conduct of a trade or business within the United States; but only in an amount which bears the same ratio to such dividends as the gross income of the corporation for such period which was effectively connected with the conduct of a trade or business within the United States bears to its gross income from all sources; but dividends (other than dividends for which a deduction is allowable under section 245(b)) from a foreign corporation shall, for purposes of subpart A of part III (relating to foreign tax credit), be treated as income from sources without the United States to the extent (and only to the extent) exceeding the amount which is 100/85ths of the amount of the deduction allowable under section 245 in respect of such dividends, or”.

Post, p. 1558.

Post, p. 1568.

(c) **PERSONAL SERVICES.**—Section 861(a)(3)(C)(ii) (relating to income from personal services) is amended to read as follows:

“(ii) an individual who is a citizen or resident of the United States, a domestic partnership, or a domestic corporation, if such labor or services are performed for an office or place of business maintained in a foreign country

or in a possession of the United States by such individual, partnership, or corporation.”

68A Stat. 278.

(d) DEFINITIONS.—Section 864 (relating to definitions) is amended—

(1) by striking out “For purposes of this part,” and inserting in lieu thereof

“(a) SALE, ETC.—For purposes of this part,”; and

(2) by adding at the end thereof the following new subsections:

“(b) TRADE OR BUSINESS WITHIN THE UNITED STATES.—For purposes of this part, part II, and chapter 3, the term ‘trade or business within the United States’ includes the performance of personal services within the United States at any time within the taxable year, but does not include—

“(1) PERFORMANCE OF PERSONAL SERVICES FOR FOREIGN EMPLOYER.—The performance of personal services—

“(A) for a nonresident alien individual, foreign partnership, or foreign corporation, not engaged in trade or business within the United States, or

“(B) for an office or place of business maintained in a foreign country or in a possession of the United States by an individual who is a citizen or resident of the United States or by a domestic partnership or a domestic corporation, by a nonresident alien individual temporarily present in the United States for a period or periods not exceeding a total of 90 days during the taxable year and whose compensation for such services does not exceed in the aggregate \$3,000.

“(2) TRADING IN SECURITIES OR COMMODITIES.—

“(A) STOCKS AND SECURITIES.—

“(i) IN GENERAL.—Trading in stocks or securities through a resident broker, commission agent, custodian, or other independent agent.

“(ii) TRADING FOR TAXPAYER’S OWN ACCOUNT.—Trading in stocks or securities for the taxpayer’s own account, whether by the taxpayer or his employees or through a resident broker, commission agent, custodian, or other agent, and whether or not any such employee or agent has discretionary authority to make decisions in effecting the transactions. This clause shall not apply in the case of a dealer in stocks or securities, or in the case of a corporation (other than a corporation which is, or but for section 542(c)(7) or 543(b)(1)(C) would be, a personal holding company) the principal business of which is trading in stocks or securities for its own account, if its principal office is in the United States.

“(B) COMMODITIES.—

“(i) IN GENERAL.—Trading in commodities through a resident broker, commission agent, custodian, or other independent agent.

“(ii) TRADING FOR TAXPAYER’S OWN ACCOUNT.—Trading in commodities for the taxpayer’s own account, whether by the taxpayer or his employees or through a resident broker, commission agent, custodian, or other agent, and whether or not any such employee or agent has discretionary authority to make decisions in effecting the transactions. This clause shall not apply in the case of a dealer in commodities.

“(iii) LIMITATION.—Clauses (i) and (ii) shall apply only if the commodities are of a kind customarily dealt in on an organized commodity exchange and if the

Post, p. 1559.

transaction is of a kind customarily consummated at such place.

“(C) LIMITATION.—Subparagraphs (A) (i) and (B) (i) shall apply only if, at no time during the taxable year, the taxpayer has an office or other fixed place of business in the United States through which or by the direction of which the transactions in stocks or securities, or in commodities, as the case may be, are effected.

“(c) EFFECTIVELY CONNECTED INCOME, ETC.—

“(1) GENERAL RULE.—For purposes of this title—

“(A) In the case of a nonresident alien individual or a foreign corporation engaged in trade or business within the United States during the taxable year, the rules set forth in paragraphs (2), (3), and (4) shall apply in determining the income, gain, or loss which shall be treated as effectively connected with the conduct of a trade or business within the United States.

“(B) Except as provided in section 871(d) or sections 882(d) and (e), in the case of a nonresident alien individual or a foreign corporation not engaged in trade or business within the United States during the taxable year, no income, gain, or loss shall be treated as effectively connected with the conduct of a trade or business within the United States.

Post, pp. 1547,  
1555.

“(2) PERIODICAL, ETC., INCOME FROM SOURCES WITHIN UNITED STATES—FACTORS.—In determining whether income from sources within the United States of the types described in section 871(a) (1) or section 881(a), or whether gain or loss from sources within the United States from the sale or exchange of capital assets, is effectively connected with the conduct of a trade or business within the United States, the factors taken into account shall include whether—

“(A) the income, gain, or loss is derived from assets used in or held for use in the conduct of such trade or business, or

“(B) the activities of such trade or business were a material factor in the realization of the income, gain, or loss.

In determining whether an asset is used in or held for use in the conduct of such trade or business or whether the activities of such trade or business were a material factor in realizing an item of income, gain, or loss, due regard shall be given to whether or not such asset or such income, gain, or loss was accounted for through such trade or business. In applying this paragraph and paragraph (4), interest referred to in section 861(a) (1) (A) shall be considered income from sources within the United States.

Ante, p. 1541.

“(3) OTHER INCOME FROM SOURCES WITHIN UNITED STATES.—All income, gain, or loss from sources within the United States (other than income, gain, or loss to which paragraph (2) applies) shall be treated as effectively connected with the conduct of a trade or business within the United States.

“(4) INCOME FROM SOURCES WITHOUT UNITED STATES.—

“(A) Except as provided in subparagraphs (B) and (C), no income, gain, or loss from sources without the United States shall be treated as effectively connected with the conduct of a trade or business within the United States.

“(B) Income, gain, or loss from sources without the United States shall be treated as effectively connected with the conduct of a trade or business within the United States by a nonresident alien individual or a foreign corporation if such person has an office or other fixed place of business within the United States to which such income, gain, or loss is attributable and such income, gain, or loss—

68A Stat. 277.

“(i) consists of rents or royalties for the use of or for the privilege of using intangible property described in section 862(a)(4) (including any gain or loss realized on the sale of such property) derived in the active conduct of such trade or business;

“(ii) consists of dividends or interest, or gain or loss from the sale or exchange of stock or notes, bonds, or other evidences of indebtedness, and either is derived in the active conduct of a banking, financing, or similar business within the United States or is received by a corporation the principal business of which is trading in stocks or securities for its own account; or

“(iii) is derived from the sale (without the United States) through such office or other fixed place of business of personal property described in section 1221(1), except that this clause shall not apply if the property is sold for use, consumption, or disposition outside the United States and an office or other fixed place of business of the taxpayer outside the United States participated materially in such sale.

73 Stat. 112.  
26 USC 801-820.

“(C) In the case of a foreign corporation taxable under part I of subchapter L, any income from sources without the United States which is attributable to its United States business shall be treated as effectively connected with the conduct of a trade or business within the United States.

“(D) No income from sources without the United States shall be treated as effectively connected with the conduct of a trade or business within the United States if it either—

76 Stat. 1018.

“(i) consists of dividends, interest, or royalties paid by a foreign corporation in which the taxpayer owns (within the meaning of section 958(a)), or is considered as owning (by applying the ownership rules of section 958(b)), more than 50 percent of the total combined voting power of all classes of stock entitled to vote, or

“(ii) is subpart F income within the meaning of section 952(a).

“(5) RULES FOR APPLICATION OF PARAGRAPH (4) (B).—For purposes of subparagraph (B) of paragraph (4)—

“(A) in determining whether a nonresident alien individual or a foreign corporation has an office or other fixed place of business, an office or other fixed place of business of an agent shall be disregarded unless such agent (i) has the authority to negotiate and conclude contracts in the name of the nonresident alien individual or foreign corporation and regularly exercises that authority or has a stock of merchandise from which he regularly fills orders on behalf of such individual or foreign corporation, and (ii) is not a general commission agent, broker, or other agent of independent status acting in the ordinary course of his business,

“(B) income, gain, or loss shall not be considered as attributable to an office or other fixed place of business within the United States unless such office or fixed place of business is a material factor in the production of such income, gain, or loss and such office or fixed place of business regularly carries on activities of the type from which such income, gain, or loss is derived, and

“(C) the income, gain, or loss which shall be attributable to an office or other fixed place of business within the United States shall be the income, gain, or loss property allocable thereto, but, in the case of a sale described in clause (iii) of

such subparagraph, the income which shall be treated as attributable to an office or other fixed place of business within the United States shall not exceed the income which would be derived from sources within the United States if the sale were made in the United States."

(e) **EFFECTIVE DATES.**—

(1) The amendments made by subsections (a), (c), and (d) shall apply with respect to taxable years beginning after December 31, 1966; except that in applying section 864(c) (4) (B) (iii) of the Internal Revenue Code of 1954 (as added by subsection (d)) with respect to a binding contract entered into on or before February 24, 1966, activities in the United States on or before such date in negotiating or carrying out such contract shall not be taken into account.

(2) The amendments made by subsection (b) shall apply with respect to amounts received after December 31, 1966.

**SEC. 103. NONRESIDENT ALIEN INDIVIDUALS.**

(a) **TAX ON NONRESIDENT ALIEN INDIVIDUALS.**—

(1) Section 871 (relating to tax on nonresident alien individuals) is amended to read as follows:

68A Stat. 278.

**"SEC. 871. TAX ON NONRESIDENT ALIEN INDIVIDUALS.**

**"(a) INCOME NOT CONNECTED WITH UNITED STATES BUSINESS—30 PERCENT TAX.**—

"(1) **INCOME OTHER THAN CAPITAL GAINS.**—There is hereby imposed for each taxable year a tax of 30 percent of the amount received from sources within the United States by a nonresident alien individual as—

"(A) interest, dividends, rents, salaries, wages, premiums, annuities, compensations, remunerations, emoluments, and other fixed or determinable annual or periodical gains, profits, and income,

"(B) gains described in section 402(a) (2), 403(a) (2), or 631 (b) or (c), and gains on transfers described in section 1235 made on or before October 4, 1966,

"(C) in the case of bonds or other evidences of indebtedness issued after September 28, 1965, amounts which under section 1232 are considered as gains from the sale or exchange of property which is not a capital asset, and

"(D) gains from the sale or exchange after October 4, 1966, of patents, copyrights, secret processes and formulas, good will, trademarks, trade brands, franchises, and other like property, or of any interest in any such property, to the extent such gains are from payments which are contingent on the productivity, use, or disposition of the property or interest sold or exchanged, or from payments which are treated as being so contingent under subsection (e),

but only to the extent the amount so received is not effectively connected with the conduct of a trade or business within the United States.

"(2) **CAPITAL GAINS OF ALIENS PRESENT IN THE UNITED STATES 183 DAYS OR MORE.**—In the case of a nonresident alien individual present in the United States for a period or periods aggregating 183 days or more during the taxable year, there is hereby imposed for such year a tax of 30 percent of the amount by which his gains, derived from sources within the United States, from the sale or exchange at any time during such year of capital assets exceed his losses, allocable to sources within the United States, from the sale or exchange at any time during such year of capital assets. For purposes of this paragraph, gains and losses shall be taken

68A Stat. 320.

into account only if, and to the extent that, they would be recognized and taken into account if such gains and losses were effectively connected with the conduct of a trade or business within the United States, except that such gains and losses shall be determined without regard to section 1202 (relating to deduction for capital gains) and such losses shall be determined without the benefits of the capital loss carryover provided in section 1212. Any gain or loss which is taken into account in determining the tax under paragraph (1) or subsection (b) shall not be taken into account in determining the tax under this paragraph. For purposes of the 183-day requirement of this paragraph, a nonresident alien individual not engaged in trade or business within the United States who has not established a taxable year for any prior period shall be treated as having a taxable year which is the calendar year.

“(b) INCOME CONNECTED WITH UNITED STATES BUSINESS—GRADUATED RATE OF TAX.—

Post, p. 1550.

“(1) IMPOSITION OF TAX.—A nonresident alien individual engaged in trade or business within the United States during the taxable year shall be taxable as provided in section 1 or 1201(b) on his taxable income which is effectively connected with the conduct of a trade or business within the United States.

“(2) DETERMINATION OF TAXABLE INCOME.—In determining taxable income for purposes of paragraph (1), gross income includes only gross income which is effectively connected with the conduct of a trade or business within the United States.

“(c) PARTICIPANTS IN CERTAIN EXCHANGE OR TRAINING PROGRAMS.—For purposes of this section, a nonresident alien individual who (without regard to this subsection) is not engaged in trade or business within the United States and who is temporarily present in the United States as a nonimmigrant under subparagraph (F) or (J) of section 101(a)(15) of the Immigration and Nationality Act, as amended (8 U.S.C. 1101(a)(15) (F) or (J)), shall be treated as a nonresident alien individual engaged in trade or business within the United States, and any income described in section 1441(b)(1) or (2) which is received by such individual shall, to the extent derived from sources within the United States, be treated as effectively connected with the conduct of a trade or business within the United States.

66 Stat. 168;  
75 Stat. 534.

75 Stat. 536.

“(d) ELECTION TO TREAT REAL PROPERTY INCOME AS INCOME CONNECTED WITH UNITED STATES BUSINESS.—

“(1) IN GENERAL.—A nonresident alien individual who during the taxable year derives any income—

“(A) from real property held for the production of income and located in the United States, or from any interest in such real property, including (i) gains from the sale or exchange of such real property or an interest therein, (ii) rents or royalties from mines, wells, or other natural deposits, and (iii) gains described in section 631 (b) or (c), and

68A Stat. 213.

“(B) which, but for this subsection, would not be treated as income which is effectively connected with the conduct of a trade or business within the United States,

may elect for such taxable year to treat all such income as income which is effectively connected with the conduct of a trade or business within the United States. In such case, such income shall be taxable as provided in subsection (b)(1) whether or not such individual is engaged in trade or business within the United States during the taxable year. An election under this paragraph for any taxable year shall remain in effect for all subsequent taxable years, except that it may be revoked with the

consent of the Secretary or his delegate with respect to any taxable year.

“(2) ELECTION AFTER REVOCATION.—If an election has been made under paragraph (1) and such election has been revoked, a new election may not be made under such paragraph for any taxable year before the 5th taxable year which begins after the first taxable year for which such revocation is effective, unless the Secretary or his delegate consents to such new election.

“(3) FORM AND TIME OF ELECTION AND REVOCATION.—An election under paragraph (1), and any revocation of such an election, may be made only in such manner and at such time as the Secretary or his delegate may by regulations prescribe.

“(e) GAINS FROM SALE OR EXCHANGE OF CERTAIN INTANGIBLE PROPERTY.—For purposes of subsection (a) (1) (D), and for purposes of sections 881 (a) (4), 1441 (b), and 1442 (a)—

“(1) PAYMENTS TREATED AS CONTINGENT ON USE, ETC.—If more than 50 percent of the gain for any taxable year from the sale or exchange of any patent, copyright, secret process or formula, good will, trademark, trade brand, franchise, or other like property, or of any interest in any such property, is from payments which are contingent on the productivity, use, or disposition of such property or interest, all of the gain for the taxable year from the sale or exchange of such property or interest shall be treated as being from payments which are contingent on the productivity, use, or disposition of such property or interest.

“(2) SOURCE RULE.—In determining whether gains described in subsection (a) (1) (D) and section 881 (a) (4) are received from sources within the United States, such gains shall be treated as rentals or royalties for the use of, or privilege of using, property or an interest in property.

“(f) CERTAIN ANNUITIES RECEIVED UNDER QUALIFIED PLANS.—For purposes of this section, gross income does not include any amount received as an annuity under a qualified annuity plan described in section 403 (a) (1), or from a qualified trust described in section 401 (a) which is exempt from tax under section 501 (a), if—

“(1) all of the personal services by reason of which such annuity is payable were either (A) personal services performed outside the United States by an individual who, at the time of performance of such personal services, was a nonresident alien, or (B) personal services described in section 864 (b) (1) performed within the United States by such individual, and

“(2) at the time the first amount is paid as such annuity under such annuity plan, or by such trust, 90 percent or more of the employees for whom contributions or benefits are provided under such annuity plan, or under the plan or plans of which such trust is a part, are citizens or residents of the United States.”

“(g) CROSS REFERENCES.—

“(1) For tax treatment of certain amounts distributed by the United States to nonresident alien individuals, see section 402 (a) (4).

“(2) For taxation of nonresident alien individuals who are expatriate United States citizens, see section 877.

“(3) For doubling of tax on citizens of certain foreign countries, see section 891.

“(4) For adjustment of tax in case of nationals or residents of certain foreign countries, see section 896.

“(5) For withholding of tax at source on nonresident alien individuals, see section 1441.

“(6) For the requirement of making a declaration of estimated tax by certain nonresident alien individuals, see section 6015 (i).”

68A Stat. 357;  
Post, pp. 1555,  
1557.

72 Stat. 1622.

Ante, p. 1544.

68A Stat. 7.

(2) Section 1 (relating to tax on individuals) is amended by redesignating subsection (d) as subsection (e), and by inserting after subsection (c) the following new subsection:

“(d) **NONRESIDENT ALIENS.**—In the case of a nonresident alien individual, the tax imposed by subsection (a) shall apply only as provided by section 871 or 877.”

Ante, p. 1547;  
Post, p. 1551.

(b) **GROSS INCOME.**—

(1) Subsection (a) of section 872 (relating to gross income of nonresident alien individuals) is amended to read as follows:

“(a) **GENERAL RULE.**—In the case of a nonresident alien individual, gross income includes only—

“(1) gross income which is derived from sources within the United States and which is not effectively connected with the conduct of a trade or business within the United States, and

“(2) gross income which is effectively connected with the conduct of a trade or business within the United States.”

75 Stat. 536.

(2) Subparagraph (B) of section 872(b)(3) (relating to compensation of participants in certain exchange or training programs) is amended by striking out “by a domestic corporation” and inserting in lieu thereof “by a domestic corporation, a domestic partnership, or an individual who is a citizen or resident of the United States”.

(3) Subsection (b) of section 872 (relating to exclusions from gross income) is amended by adding at the end thereof the following new paragraph:

“(4) **CERTAIN BOND INCOME OF RESIDENTS OF THE RYUKYU ISLANDS OR THE TRUST TERRITORY OF THE PACIFIC ISLANDS.**—Income derived by a nonresident alien individual from a series E or series H United States savings bond, if such individual acquired such bond while a resident of the Ryukyu Islands or the Trust Territory of the Pacific Islands.”

(c) **DEDUCTIONS.**—

(1) Section 873 (relating to deductions allowed to nonresident alien individuals) is amended to read as follows:

“**SEC. 873. DEDUCTIONS.**

“(a) **GENERAL RULE.**—In the case of a nonresident alien individual, the deductions shall be allowed only for purposes of section 871(b) and (except as provided by subsection (b)) only if and to the extent that they are connected with income which is effectively connected with the conduct of a trade or business within the United States; and the proper apportionment and allocation of the deductions for this purpose shall be determined as provided in regulations prescribed by the Secretary or his delegate.

“(b) **EXCEPTIONS.**—The following deductions shall be allowed whether or not they are connected with income which is effectively connected with the conduct of a trade or business within the United States:

“(1) **LOSSES.**—The deduction, for losses of property not connected with the trade or business if arising from certain casualties or theft, allowed by section 165(c)(3), but only if the loss is of property located within the United States.

“(2) **CHARITABLE CONTRIBUTIONS.**—The deduction for charitable contributions and gifts allowed by section 170.

“(3) **PERSONAL EXEMPTION.**—The deduction for personal exemptions allowed by section 151, except that in the case of a nonresident alien individual who is not a resident of a contiguous country only one exemption shall be allowed under section 151.

78 Stat. 43.

68A Stat. 58.

“(c) **CROSS REFERENCES.**—

“(1) For disallowance of standard deduction, see section 142(b)(1).”

“(2) For rule that certain foreign taxes are not to be taken into account in determining deduction or credit, see section 906(b)(1).”

(2) Section 154(3) (relating to cross references in respect of deductions for personal exemptions) is amended to read as follows:

68A Stat. 45.

“(3) For exemptions of nonresident aliens, see section 873(b)(3).”

(d) **ALLOWANCE OF DEDUCTIONS AND CREDITS.**—Subsection (a) of section 874 (relating to filing of returns) is amended to read as follows:

“(a) **RETURN PREREQUISITE TO ALLOWANCE.**—A nonresident alien individual shall receive the benefit of the deductions and credits allowed to him in this subtitle only by filing or causing to be filed with the Secretary or his delegate a true and accurate return, in the manner prescribed in subtitle F (sec. 6001 and following, relating to procedure and administration), including therein all the information which the Secretary or his delegate may deem necessary for the calculation of such deductions and credits. This subsection shall not be construed to deny the credits provided by sections 31 and 32 for tax withheld at source or the credit provided by section 39 for certain uses of gasoline and lubricating oil.”

79 Stat. 167.

(e) **BENEFICIARIES OF ESTATES AND TRUSTS.**—

(1) Section 875 (relating to partnerships) is amended to read as follows:

68A Stat. 281.

“**SEC. 875. PARTNERSHIPS; BENEFICIARIES OF ESTATES AND TRUSTS.**

“For purposes of this subtitle—

“(1) a nonresident alien individual or foreign corporation shall be considered as being engaged in a trade or business within the United States if the partnership of which such individual or corporation is a member is so engaged, and

“(2) a nonresident alien individual or foreign corporation which is a beneficiary of an estate or trust which is engaged in any trade or business within the United States shall be treated as being engaged in such trade or business within the United States.”

(2) The table of sections for subpart A of part II of subchapter N of chapter 1 is amended by striking out the item relating to section 875 and inserting in lieu thereof the following:

“Sec. 875. Partnerships; beneficiaries of estates and trusts.”

(f) **EXPATRIATION TO AVOID TAX.**—

(1) Subpart A of part II of subchapter N of chapter 1 (relating to nonresident alien individuals) is amended by redesignating section 877 as section 878, and by inserting after section 876 the following new section:

“**SEC. 877. EXPATRIATION TO AVOID TAX.**

“(a) **IN GENERAL.**—Every nonresident alien individual who at any time after March 8, 1965, and within the 10-year period immediately preceding the close of the taxable year lost United States citizenship, unless such loss did not have for one of its principal purposes the avoidance of taxes under this subtitle or subtitle B, shall be taxable for such taxable year in the manner provided in subsection (b) if the tax imposed pursuant to such subsection exceeds the tax which, without regard to this section, is imposed pursuant to section 871.

26 USC 1-2524.

Ante, p. 1547.

“(b) **ALTERNATIVE TAX.**—A nonresident alien individual described in subsection (a) shall be taxable for the taxable year as provided in section 1 or section 1201(b), except that—

Ante, p. 1550.

*Ante*, p. 1550.

“(1) the gross income shall include only the gross income described in section 872(a) (as modified by subsection (c) of this section), and

78 Stat. 99.

“(2) the deductions shall be allowed if and to the extent that they are connected with the gross income included under this section, except that the capital loss carryover provided by section 1212(b) shall not be allowed; and the proper allocation and apportionment of the deductions for this purpose shall be determined as provided under regulations prescribed by the Secretary or his delegate.

*Ante*, p. 1550.

68A Stat. 49.

For purposes of paragraph (2), the deductions allowed by section 873(b) shall be allowed; and the deduction (for losses not connected with the trade or business if incurred in transactions entered into for profit) allowed by section 165(c) (2) shall be allowed, but only if the profit, if such transaction had resulted in a profit, would be included in gross income under this section.

“(c) SPECIAL RULES OF SOURCE.—For purposes of subsection (b), the following items of gross income shall be treated as income from sources within the United States:

“(1) SALE OF PROPERTY.—Gains on the sale or exchange of property (other than stock or debt obligations) located in the United States.

“(2) STOCK OR DEBT OBLIGATIONS.—Gains on the sale or exchange of stock issued by a domestic corporation or debt obligations of United States persons or of the United States, a State or political subdivision thereof, or the District of Columbia.

66 Stat. 236.

“(d) EXCEPTION FOR LOSS OF CITIZENSHIP FOR CERTAIN CAUSES.—Subsection (a) shall not apply to a nonresident alien individual whose loss of United States citizenship resulted from the application of section 301(b), 350, or 355 of the Immigration and Nationality Act, as amended (8 U.S.C. 1401(b), 1482, or 1487).

26 USC 1-2524.

“(e) BURDEN OF PROOF.—If the Secretary or his delegate establishes that it is reasonable to believe that an individual's loss of United States citizenship would, but for this section, result in a substantial reduction for the taxable year in the taxes on his probable income for such year, the burden of proving for such taxable year that such loss of citizenship did not have for one of its principal purposes the avoidance of taxes under this subtitle or subtitle B shall be on such individual.”

(2) The table of sections for subpart A of part II of subchapter N of chapter 1 is amended by striking out the item relating to section 877 and inserting in lieu thereof the following:

“Sec. 877. Expatriation to avoid tax.

“Sec. 878. Foreign educational, charitable, and certain other exempt organizations.”

(g) PARTIAL EXCLUSION OF DIVIDENDS.—Subsection (d) of section 116 (relating to certain nonresident aliens ineligible for exclusion) is amended to read as follows:

“(d) CERTAIN NONRESIDENT ALIENS INELIGIBLE FOR EXCLUSION.—In the case of a nonresident alien individual, subsection (a) shall apply only—

*Ante*, p. 1547.

“(1) in determining the tax imposed for the taxable year pursuant to section 871(b)(1) and only in respect of dividends which are effectively connected with the conduct of a trade or business within the United States, or

*Ante*, p. 1551.

“(2) in determining the tax imposed for the taxable year pursuant to section 877(b).”

(h) **WITHHOLDING OF TAX ON NONRESIDENT ALIENS.**—Section 1441 (relating to withholding of tax on nonresident aliens) is amended—

68A. Stat. 357.

(1) by striking out “, or of any partnership not engaged in trade or business within the United States and composed in whole or in part of nonresident aliens,” in subsection (a) and inserting in lieu thereof “or of any foreign partnership”;

(2) by striking out “(except interest on deposits with persons carrying on the banking business paid to persons not engaged in business in the United States)” in subsection (b);

(3) by striking out “and amounts described in section 402(a)(2)” and all that follows in the first sentence of subsection (b) and inserting in lieu thereof “gains described in section 402(a)(2), 403(a)(2), or 631(b) or (c), amounts subject to tax under section 871(a)(1)(C), gains subject to tax under section 871(a)(1)(D), and gains on transfers described in section 1235 made on or before October 4, 1966.”;

Ante, p. 1547.

(4) by adding at the end of subsection (b) the following new sentence:

“In the case of a nonresident alien individual who is a member of a domestic partnership, the items of income referred to in subsection (a) shall be treated as referring to items specified in this subsection included in his distributive share of the income of such partnership.”;

(5) by striking out paragraph (1) of subsection (c) and inserting in lieu thereof the following new paragraph:

“(1) **INCOME CONNECTED WITH UNITED STATES BUSINESS.**—No deduction or withholding under subsection (a) shall be required in the case of any item of income (other than compensation for personal services) which is effectively connected with the conduct of a trade or business within the United States and which is included in the gross income of the recipient under section 871(b)(2) for the taxable year.”;

(6) by amending paragraph (4) of subsection (c) to read as follows:

75 Stat. 536.

“(4) **COMPENSATION OF CERTAIN ALIENS.**—Under regulations prescribed by the Secretary or his delegate, compensation for personal services may be exempted from deduction and withholding under subsection (a).”;

(7) by striking out “amounts described in section 402(a)(2), section 403(a)(2), section 631(b) and (c), and section 1235, which are considered to be gains from the sale or exchange of capital assets,” in paragraph (5) of subsection (c) and inserting in lieu thereof “gains described in section 402(a)(2), 403(a)(2), or 631(b) or (c), gains subject to tax under section 871(a)(1)(D), and gains on transfers described in section 1235 made on or before October 4, 1966,” and by striking out “proceeds from such sale or exchange,” in such paragraph and inserting in lieu thereof “amount payable.”;

(8) by adding at the end of subsection (c) the following new paragraph:

70 Stat. 563.

“(7) **CERTAIN ANNUITIES RECEIVED UNDER QUALIFIED PLANS.**—No deduction or withholding under subsection (a) shall be required in the case of any amount received as an annuity if such amount is, under section 871(f), exempt from the tax imposed by section 871(a).”;

(9) by redesignating subsection (d) as (e), and by inserting after subsection (c) the following new subsection:

“(d) **EXEMPTION OF CERTAIN FOREIGN PARTNERSHIPS.**—Subject to such terms and conditions as may be provided by regulations prescribed by the Secretary or his delegate, subsection (a) shall not apply

in the case of a foreign partnership engaged in trade or business within the United States if the Secretary or his delegate determines that the requirements of subsection (a) impose an undue administrative burden and that the collection of the tax imposed by section 871(a) on the members of such partnership who are nonresident alien individuals will not be jeopardized by the exemption."

*Ante*, p. 1547.

68A Stat. 360.

(i) **LIABILITY FOR WITHHELD TAX.**—Section 1461 (relating to return and payment of withheld tax) is amended to read as follows:

**"SEC. 1461. LIABILITY FOR WITHHELD TAX.**

26 USC 1441-1465.

"Every person required to deduct and withhold any tax under this chapter is hereby made liable for such tax and is hereby indemnified against the claims and demands of any person for the amount of any payments made in accordance with the provisions of this chapter."

74 Stat. 1000.

(j) **DECLARATION OF ESTIMATED INCOME TAX BY INDIVIDUALS.**—Section 6015 (relating to declaration of estimated income tax by individuals) is amended—

(1) by striking out that portion of subsection (a) which precedes paragraph (1) and inserting in lieu thereof the following:

"(a) **REQUIREMENT OF DECLARATION.**—Except as otherwise provided in subsection (i), every individual shall make a declaration of his estimated tax for the taxable year if—";

(2) by redesignating subsection (i) as subsection (j); and

(3) by inserting after subsection (h) the following new subsection:

"(i) **NONRESIDENT ALIEN INDIVIDUALS.**—No declaration shall be required to be made under this section by a nonresident alien individual unless—

26 USC 3401-3404.

"(1) withholding under chapter 24 is made applicable to the wages, as defined in section 3401(a), of such individual,

"(2) such individual has income (other than compensation for personal services subject to deduction and withholding under section 1441) which is effectively connected with the conduct of a trade or business within the United States, or

"(3) such individual is a resident of Puerto Rico during the entire taxable year."

(k) **COLLECTION OF INCOME TAX AT SOURCE ON WAGES.**—Subsection (a) of section 3401 (relating to definition of wages for purposes of collection of income tax at source) is amended by striking out paragraphs (6) and (7) and inserting in lieu thereof the following:

"(6) for such services, performed by a nonresident alien individual, as may be designated by regulations prescribed by the Secretary or his delegate; or".

76 Stat. 988.

(l) **DEFINITIONS OF FOREIGN ESTATE OR TRUST.**—

(1) Section 7701(a)(31) (defining foreign estate or trust) is amended by striking out "from sources without the United States" and inserting in lieu thereof "from sources without the United States which is not effectively connected with the conduct of a trade or business within the United States,".

Repeal.  
68A Stat. 365.

(2) Section 1493 (defining foreign trust for purposes of chapter 5) is repealed.

26 USC 1-1563.

(m) **CONFORMING AMENDMENT.**—The first sentence of section 932(a) (relating to citizens of possessions of the United States) is amended to read as follows: "Any individual who is a citizen of any possession of the United States (but not otherwise a citizen of the United States) and who is not a resident of the United States shall be subject to taxation under this subtitle in the same manner and subject to the same conditions as in the case of a nonresident alien individual."

## (n) EFFECTIVE DATES.—

(1) The amendments made by this section (other than the amendments made by subsections (h), (i), and (k)) shall apply with respect to taxable years beginning after December 31, 1966.

(2) The amendments made by subsection (h) shall apply with respect to payments made in taxable years of recipients beginning after December 31, 1966.

(3) The amendments made by subsection (i) shall apply with respect to payments occurring after December 31, 1966.

(4) The amendments made by subsection (k) shall apply with respect to remuneration paid after December 31, 1966.

**SEC. 104. FOREIGN CORPORATIONS.**

(a) TAX ON INCOME NOT CONNECTED WITH UNITED STATES BUSINESS.—Section 881 (relating to tax on foreign corporations not engaged in business in the United States) is amended to read as follows:

68A Stat. 282.

**“SEC. 881. TAX ON INCOME OF FOREIGN CORPORATIONS NOT CONNECTED WITH UNITED STATES BUSINESS.**

“(a) IMPOSITION OF TAX.—There is hereby imposed for each taxable year a tax of 30 percent of the amount received from sources within the United States by a foreign corporation as—

“(1) interest, dividends, rents, salaries, wages, premiums, annuities, compensations, remunerations, emoluments, and other fixed or determinable annual or periodical gains, profits, and income,

“(2) gains described in section 631 (b) or (c),

“(3) in the case of bonds or other evidences of indebtedness issued after September 28, 1965, amounts which under section 1232 are considered as gains from the sale or exchange of property which is not a capital asset, and

“(4) gains from the sale or exchange after October 4, 1966, of patents, copyrights, secret processes and formulas, good will, trademarks, trade brands, franchises, and other like property, or of any interest in any such property, to the extent such gains are from payments which are contingent on the productivity, use, or disposition of the property or interest sold or exchanged, or from payments which are treated as being so contingent under section 871(e),

Ante, p. 1547.

but only to the extent the amount so received is not effectively connected with the conduct of a trade or business within the United States.

**“(b) DOUBLING OF TAX.—**

“For doubling of tax on corporations of certain foreign countries, see section 891.”

**(b) TAX ON INCOME CONNECTED WITH UNITED STATES BUSINESS.—**

(1) Section 882 (relating to tax on resident foreign corporations) is amended to read as follows:

**“SEC. 882. TAX ON INCOME OF FOREIGN CORPORATIONS CONNECTED WITH UNITED STATES BUSINESS.****“(a) NORMAL TAX AND SURTAX.—**

“(1) IMPOSITION OF TAX.—A foreign corporation engaged in trade or business within the United States during the taxable year shall be taxable as provided in section 11 or 1201(a) on its taxable income which is effectively connected with the conduct of a trade or business within the United States.

Post, p. 1557.

“(2) DETERMINATION OF TAXABLE INCOME.—In determining taxable income for purposes of paragraph (1), gross income includes only gross income which is effectively connected with the conduct of a trade or business within the United States.

“(b) GROSS INCOME.—In the case of a foreign corporation, gross income includes only—

“(1) gross income which is derived from sources within the United States and which is not effectively connected with the conduct of a trade or business within the United States, and

“(2) gross income which is effectively connected with the conduct of a trade or business within the United States.

“(c) ALLOWANCE OF DEDUCTIONS AND CREDITS.—

“(1) ALLOCATION OF DEDUCTIONS.—

“(A) GENERAL RULE.—In the case of a foreign corporation, the deductions shall be allowed only for purposes of subsection (a) and (except as provided by subparagraph (B)) only if and to the extent that they are connected with income which is effectively connected with the conduct of a trade or business within the United States; and the proper apportionment and allocation of the deductions for this purpose shall be determined as provided in regulations prescribed by the Secretary or his delegate.

“(B) CHARITABLE CONTRIBUTIONS.—The deduction for charitable contributions and gifts provided by section 170 shall be allowed whether or not connected with income which is effectively connected with the conduct of a trade or business within the United States.

“(2) DEDUCTIONS AND CREDITS ALLOWED ONLY IF RETURN FILED.—

A foreign corporation shall receive the benefit of the deductions and credits allowed to it in this subtitle only by filing or causing to be filed with the Secretary or his delegate a true and accurate return, in the manner prescribed in subtitle F, including therein all the information which the Secretary or his delegate may deem necessary for the calculation of such deductions and credits. The preceding sentence shall not apply for purposes of the tax imposed by section 541 (relating to personal holding company tax), and shall not be construed to deny the credit provided by section 32 for tax withheld at source or the credit provided by section 39 for certain uses of gasoline and lubricating oil.

“(3) FOREIGN TAX CREDIT.—Except as provided by section 906, foreign corporations shall not be allowed the credit against the tax for taxes of foreign countries and possessions of the United States allowed by section 901.

“(4) CROSS REFERENCE.—

“For rule that certain foreign taxes are not to be taken into account in determining deduction or credit, see section 906(b)(1).

“(d) ELECTION TO TREAT REAL PROPERTY INCOME AS INCOME CONNECTED WITH UNITED STATES BUSINESS.—

“(1) IN GENERAL.—A foreign corporation which during the taxable year derives any income—

“(A) from real property located in the United States, or from any interest in such real property, including (i) gains from the sale or exchange of real property or an interest therein, (ii) rents or royalties from mines, wells, or other natural deposits, and (iii) gains described in section 631 (b) or (c), and

“(B) which, but for this subsection, would not be treated as income effectively connected with the conduct of a trade or business within the United States,

may elect for such taxable year to treat all such income as income which is effectively connected with the conduct of a trade or business within the United States. In such case, such income shall be taxable as provided in subsection (a)(1) whether or not such corporation is engaged in trade or business within the

68A Stat. 58.

26 USC 6001-7852.

79 Stat. 167.  
Post, p. 1568.

Post, p. 1569.

United States during the taxable year. An election under this paragraph for any taxable year shall remain in effect for all subsequent taxable years, except that it may be revoked with the consent of the Secretary or his delegate with respect to any taxable year.

“(2) ELECTION AFTER REVOCATION, ETC.—Paragraphs (2) and (3) of section 871(d) shall apply in respect of elections under this subsection in the same manner and to the same extent as they apply in respect of elections under section 871(d).

*Ante*, p. 1547.

“(e) INTEREST ON UNITED STATES OBLIGATIONS RECEIVED BY BANKS ORGANIZED IN POSSESSIONS.—In the case of a corporation created or organized in, or under the law of, a possession of the United States which is carrying on the banking business in a possession of the United States, interest on obligations of the United States shall—

“(1) for purposes of this subpart, be treated as income which is effectively connected with the conduct of a trade or business within the United States, and

“(2) shall be taxable as provided in subsection (a)(1) whether or not such corporation is engaged in trade or business within the United States during the taxable year.

“(f) RETURNS OF TAX BY AGENT.—If any foreign corporation has no office or place of business in the United States but has an agent in the United States, the return required under section 6012 shall be made by the agent.”

68A Stat. 732.

(2)(A) Subsection (e) of section 11 (relating to exceptions from tax on corporations) is amended by inserting “or” at the end of paragraph (2), by striking out “, or” at the end of paragraph (3) and inserting a period in lieu thereof, and by striking out paragraph (4).

78 Stat. 25.

(B) Section 11 (relating to tax on corporations) is amended by adding at the end thereof the following new subsection:

“(f) FOREIGN CORPORATIONS.—In the case of a foreign corporation, the tax imposed by subsection (a) shall apply only as provided by section 882.”

*Ante*, p. 1555.

(3) The table of sections for subpart B of part II of subchapter N of chapter 1 is amended by striking out the items relating to sections 881 and 882 and inserting in lieu thereof the following:

“Sec. 881. Tax on income of foreign corporations not connected with United States business.

“Sec. 882. Tax on income of foreign corporations connected with United States business.”

(c) WITHHOLDING OF TAX ON FOREIGN CORPORATIONS.—Section 1442 (relating to withholding of tax on foreign corporations) is amended to read as follows:

68A Stat. 358.

**“SEC. 1442. WITHHOLDING OF TAX ON FOREIGN CORPORATIONS.**

“(a) GENERAL RULE.—In the case of foreign corporations subject to taxation under this subtitle, there shall be deducted and withheld at the source in the same manner and on the same items of income as is provided in section 1441 or section 1451 a tax equal to 30 percent thereof; except that, in the case of interest described in section 1451 (relating to tax-free covenant bonds), the deduction and withholding shall be at the rate specified therein. For purposes of the preceding sentence, the references in section 1441(b) to sections 871(a)(1)(C) and (D) shall be treated as referring to sections 881(a)(3) and (4), the reference in section 1441(c)(1) to section 871(b)(2) shall be treated as referring to section 842 or section 882(a)(2), as the case

26 USC 1-1563.

*Ante*, p. 1553.

*Ante*, p. 1555.

*Post*, p. 1561.

*Ante*, pp. 1553,  
1547, 1555.

may be, and the reference in section 1441(c)(5) to section 871(a)(1)(D) shall be treated as referring to section 881(a)(4).

“(b) EXEMPTION.—Subject to such terms and conditions as may be provided by regulations prescribed by the Secretary or his delegate, subsection (a) shall not apply in the case of a foreign corporation engaged in trade or business within the United States if the Secretary or his delegate determines that the requirements of subsection (a) impose an undue administrative burden and that the collection of the tax imposed by section 881 on such corporation will not be jeopardized by the exemption.”

68A Stat. 73;  
76 Stat. 977.

(d) DIVIDENDS RECEIVED FROM CERTAIN FOREIGN CORPORATIONS.—Subsection (a) of section 245 (relating to the allowance of a deduction in respect of dividends received from a foreign corporation) is amended—

(1) by striking out “and has derived 50 percent or more of its gross income from sources within the United States,” in that portion of subsection (a) which precedes paragraph (1) and by inserting in lieu thereof “and if 50 percent or more of the gross income of such corporation from all sources for such period is effectively connected with the conduct of a trade or business within the United States,”;

(2) by striking out “from sources within the United States” in paragraph (1) and inserting in lieu thereof “which is effectively connected with the conduct of a trade or business within the United States”;

(3) by striking out “from sources within the United States” in paragraph (2) and inserting in lieu thereof “, which is effectively connected with the conduct of a trade or business within the United States,”; and

(4) by adding after paragraph (2) the following new sentence: “For purposes of this subsection, the gross income of the foreign corporation for any period before the first taxable year beginning after December 31, 1966, which is effectively connected with the conduct of a trade or business within the United States is an amount equal to the gross income for such period from sources within the United States.”

(e) DIVIDENDS RECEIVED FROM CERTAIN WHOLLY-OWNED FOREIGN SUBSIDIARIES.—

(1) Section 245 (relating to dividends received from certain foreign corporations) is amended by redesignating subsection (b) as (c), and by inserting after subsection (a) the following new subsection:

“(b) CERTAIN DIVIDENDS RECEIVED FROM WHOLLY OWNED FOREIGN SUBSIDIARIES.—

“(1) IN GENERAL.—In the case of dividends described in paragraph (2) received from a foreign corporation by a domestic corporation which, for its taxable year in which such dividends are received, owns (directly or indirectly) all of the outstanding stock of such foreign corporation, there shall be allowed as a deduction (in lieu of the deduction provided by subsection (a)) an amount equal to 100 percent of such dividends.

“(2) ELIGIBLE DIVIDENDS.—Paragraph (1) shall apply only to dividends which are paid out of the earnings and profits of a foreign corporation for a taxable year during which—

“(A) all of its outstanding stock is owned (directly or indirectly) by the domestic corporation to which such dividends are paid; and

“(B) all of its gross income from all sources is effectively connected with the conduct of a trade or business within the United States.

“(3) EXCEPTION.—Paragraph (1) shall not apply to any dividends if an election under section 1562 is effective for either—

78 Stat. 117.

“(A) the taxable year of the domestic corporation in which such dividends are received, or

“(B) the taxable year of the foreign corporation out of the earnings and profits of which such dividends are paid.”

*Ante*, p. 1558.

(2) Subsection (a) of such section 245 is amended by adding at the end thereof (after the sentence added by subsection (d) (4)) the following new sentence: “For purposes of paragraph (2), there shall not be taken into account any taxable year within such uninterrupted period if, with respect to dividends paid out of the earnings and profits of such year, the deduction provided by subsection (b) would be allowable.”

(3) Subsection (c) of such section 245 (as redesignated by paragraph (1)) is amended by striking out “subsection (a)” and inserting in lieu thereof “subsections (a) and (b)”.

(f) DISTRIBUTIONS OF CERTAIN FOREIGN CORPORATIONS.—Section 301(b)(1)(C) (relating to certain corporate distributees of foreign corporations) is amended—

76 Stat. 977.

(1) by striking out “gross income from sources within the United States” in clause (i) and inserting in lieu thereof “gross income which is effectively connected with the conduct of a trade or business within the United States”;

(2) by striking out “gross income from sources without the United States” in clause (ii) and inserting in lieu thereof “gross income which is not effectively connected with the conduct of a trade or business within the United States”; and

(3) by adding at the end thereof the following new sentences: “For purposes of clause (i), the gross income of a foreign corporation for any period before its first taxable year beginning after December 31, 1966, which is effectively connected with the conduct of a trade or business within the United States is an amount equal to the gross income for such period from sources within the United States. For purposes of clause (ii), the gross income of a foreign corporation for any period before its first taxable year beginning after December 31, 1966, which is not effectively connected with the conduct of a trade or business within the United States is an amount equal to the gross income for such period from sources without the United States.”

(g) UNRELATED BUSINESS TAXABLE INCOME.—The last sentence of section 512(a) (relating to definition) is amended to read as follows: “In the case of an organization described in section 511 which is a foreign organization, the unrelated business taxable income shall be its unrelated business taxable income which is effectively connected with the conduct of a trade or business within the United States.”

68A Stat. 170.

(h) CORPORATIONS SUBJECT TO PERSONAL HOLDING COMPANY TAX.—

(1) Paragraph (7) of section 542(c) (relating to corporations not subject to personal holding company tax) is amended to read as follows:

68A Stat. 186;  
78 Stat. 79.

“(7) a foreign corporation (other than a corporation which has income to which section 543(a)(7) applies for the taxable year), if all of its stock outstanding during the last half of the taxable year is owned by nonresident alien individuals, whether directly or indirectly through foreign estates, foreign trusts, foreign partnerships, or other foreign corporations;”.

78 Stat. 81.

(2) Section 543(b)(1) (relating to definition of ordinary gross income) is amended—

(A) by striking out “and” at the end of subparagraph (A),

(B) by striking out the period at the end of subparagraph (B) and inserting in lieu thereof “, and”; and

(C) by inserting after subparagraph (B) the following new subparagraph:

“(C) in the case of a foreign corporation all of the outstanding stock of which during the last half of the taxable year is owned by nonresident alien individuals (whether directly or indirectly through foreign estates, foreign trusts, foreign partnerships, or other foreign corporations), all items of income which would, but for this subparagraph, constitute personal holding company income under any paragraph of subsection (a) other than paragraph (7) thereof:”

68A Stat. 189.

(3) Section 545 (relating to definition of undistributed personal holding company income) is amended—

(A) by striking out subsection (a) and inserting in lieu thereof the following:

“(a) DEFINITION.—For purposes of this part, the term ‘undistributed personal holding company income’ means the taxable income of a personal holding company adjusted in the manner provided in subsections (b), (c), and (d), minus the dividends paid deduction as defined in section 561. In the case of a personal holding company which is a foreign corporation, not more than 10 percent in value of the outstanding stock of which is owned (within the meaning of section 958(a)) during the last half of the taxable year by United States persons, the term ‘undistributed personal holding company income’ means the amount determined by multiplying the undistributed personal holding company income (determined without regard to this sentence) by the percentage in value of its outstanding stock which is the greatest percentage in value of its outstanding stock so owned by United States persons on any one day during such period.”; and

76 Stat. 1018.

(B) by adding at the end thereof the following new subsection:

“(d) CERTAIN FOREIGN CORPORATIONS.—In the case of a foreign corporation all of the outstanding stock of which during the last half of the taxable year is owned by nonresident alien individuals (whether directly or indirectly through foreign estates, foreign trusts, foreign partnerships, or other foreign corporations), the taxable income for purposes of subsection (a) shall be the income which constitutes personal holding company income under section 543(a)(7), reduced by the deductions attributable to such income, and adjusted, with respect to such income, in the manner provided in subsection (b).”

78 Stat. 81.

26 USC 6671.

(4) (A) Subchapter B of chapter 68 (relating to assessable penalties) is amended by adding at the end thereof the following new section:

**“SEC. 6683. FAILURE OF FOREIGN CORPORATION TO FILE RETURN OF PERSONAL HOLDING COMPANY TAX.**

“Any foreign corporation which—

“(1) is a personal holding company for any taxable year, and

“(2) fails to file or to cause to be filed with the Secretary or his delegate a true and accurate return of the tax imposed by section 541,

26 USC 1-1388.

shall, in addition to other penalties provided by law, pay a penalty equal to 10 percent of the taxes imposed by chapter 1 (including the tax imposed by section 541) on such foreign corporation for such taxable year.”

(B) The table of sections for such subchapter B is amended by adding at the end thereof the following new item:

“Sec. 6683. Failure of foreign corporation to file return of personal holding company tax.”

## (i) AMENDMENTS WITH RESPECT TO FOREIGN CORPORATIONS CARRYING ON INSURANCE BUSINESS IN UNITED STATES.—

(1) Section 842 (relating to computation of gross income) is amended to read as follows:

68A Stat. 267.

**“SEC. 842. FOREIGN CORPORATIONS CARRYING ON INSURANCE BUSINESS.**

“If a foreign corporation carrying on an insurance business within the United States would qualify under part I, II, or III of this subchapter for the taxable year if (without regard to income not effectively connected with the conduct of any trade or business within the United States) it were a domestic corporation, such corporation shall be taxable under such part on its income effectively connected with its conduct of any trade or business within the United States. With respect to the remainder of its income, which is from sources within the United States, such a foreign corporation shall be taxable as provided in section 881.”

26 USC 801-832.

(2) The table of sections for part IV of subchapter L of chapter 1 is amended by striking out the item relating to section 842 and inserting in lieu thereof the following:

Ante, p. 1555.

“Sec. 842. Foreign corporations carrying on insurance business.”

(3) Section 819 (relating to foreign life insurance companies) is amended—

73 Stat. 136.

(A) by striking out subsections (a) and (d) and by redesignating subsections (b) and (c) as subsections (a) and (b),

(B) by striking out “In the case of any company described in subsection (a),” in subsection (a) (1) (as redesignated by subparagraph (A)) and inserting in lieu thereof “In the case of any foreign corporation taxable under this part,”

(C) by striking out “subsection (c)” in the last sentence of subsection (a) (2) (as redesignated by subparagraph (A)) and inserting in lieu thereof “subsection (b),”

(D) by adding at the end of subsection (a) (as redesignated by subparagraph (A)) the following new paragraph:

“(3) REDUCTION OF SECTION 881 TAX.—In the case of any foreign corporation taxable under this part, there shall be determined—

“(A) the amount which would be subject to tax under section 881 if the amount taxable under such section were determined without regard to sections 103 and 894, and

68A Stat. 29.  
Post, p. 1563.

“(B) the amount of the reduction provided by paragraph (1).”

The tax under section 881 (determined without regard to this paragraph) shall be reduced (but not below zero) by an amount which is the same proportion of such tax as the amount referred to in subparagraph (B) is of the amount referred to in subparagraph (A); but such reduction in tax shall not exceed the increase in tax under this part by reason of the reduction provided by paragraph (1).”

(E) by striking out “for purposes of subsection (a)” each place it appears in subsection (b) (as redesignated by subparagraph (A)) and inserting in lieu thereof “with respect to a foreign corporation”,

(F) by striking out “foreign life insurance company” each place it appears in such subsection (b) and inserting in lieu thereof “foreign corporation”,

(G) by striking out “subsection (b) (2) (A)” each place it appears in such subsection (b) and inserting in lieu thereof “subsection (a) (2) (A)”,

(H) by striking out "subsection (b)(2)(B)" in paragraph (2)(B)(ii) of such subsection (b) and inserting in lieu thereof "subsection (a)(2)(B)", and

(I) by adding at the end thereof the following new subsection:

**"(c) CROSS REFERENCE.—**

**"For taxation of foreign corporations carrying on life insurance business within the United States, see section 842."**

76 Stat. 989.

(4) Section 821 (relating to tax on mutual insurance companies to which part II applies) is amended—

(A) by striking out subsection (e) and by redesignating subsections (f) and (g) as subsections (e) and (f), and

(B) by adding at the end of subsection (f) (as redesignated by subparagraph (A)) the following:

**"(3) For taxation of foreign corporations carrying on an insurance business within the United States, see section 842."**

68A Stat. 263;  
76 Stat. 992.

(5) Section 822 (relating to determination of taxable investment income) is amended by striking out subsection (e) and by redesignating subsection (f) as subsection (e).

(6) Section 831 (relating to tax on certain other insurance companies) is amended—

(A) by striking out subsection (b) and by redesignating subsection (c) as subsection (b), and

(B) by amending subsection (d) to read as follows:

**"(c) CROSS REFERENCES.—**

**"(1) For alternative tax in case of capital gains, see section 1201(a).**

**"(2) For taxation of foreign corporations carrying on an insurance business within the United States, see section 842."**

(7) Section 832 (relating to insurance company taxable income) is amended by striking out subsection (d) and by redesignating subsection (e) as subsection (d).

(8) The second sentence of section 841 (relating to credit for foreign taxes) is amended by striking out "sentence," and inserting in lieu thereof "sentence (and for purposes of applying section 906 with respect to a foreign corporation subject to tax under this subchapter),".

Post, p. 1568.

76 Stat. 1008.

(j) **SUBPART F INCOME.**—Section 952(b) (relating to exclusion of United States income) is amended to read as follows:

**"(b) EXCLUSION OF UNITED STATES INCOME.**—In the case of a controlled foreign corporation, subpart F income does not include any item of income from sources within the United States which is effectively connected with the conduct by such corporation of a trade or business within the United States unless such item is exempt from taxation (or is subject to a reduced rate of tax) pursuant to a treaty obligation of the United States."

76 Stat. 1041.

(k) **GAIN FROM CERTAIN SALES OR EXCHANGES OF STOCK IN CERTAIN FOREIGN CORPORATIONS.**—Paragraph (4) of section 1248(d) (relating to exclusions from earnings and profits) is amended to read as follows:

**"(4) UNITED STATES INCOME.**—Any item includible in gross income of the foreign corporation under this chapter—

**"(A) for any taxable year beginning before January 1, 1967, as income derived from sources within the United States of a foreign corporation engaged in trade or business within the United States, or**

**"(B) for any taxable year beginning after December 31, 1966, as income effectively connected with the conduct by such corporation of a trade or business within the United States.**

This paragraph shall not apply with respect to any item which is exempt from taxation (or is subject to a reduced rate of tax) pursuant to a treaty obligation of the United States."

(1) **DECLARATION OF ESTIMATED INCOME TAX BY CORPORATIONS.**—Section 6016 (relating to declarations of estimated income tax by corporations) is amended by redesignating subsection (f) as subsection (g) and by inserting after subsection (e) the following new subsection:

68A Stat. 738;  
78 Stat. 29.

"(f) **CERTAIN FOREIGN CORPORATIONS.**—For purposes of this section and section 6655, in the case of a foreign corporation subject to taxation under section 11 or 1201(a), or under subchapter L of chapter 1, the tax imposed by section 881 shall be treated as a tax imposed by section 11."

Ante, p. 1557.  
26 USC 801-843.  
Ante, p. 1555.

(m) **TECHNICAL AMENDMENTS.**—

(1) Section 884 is amended to read as follows:

"**SEC. 884. CROSS REFERENCES.**

"(1) For special provisions relating to unrelated business income of foreign educational, charitable, and certain other exempt organizations, see section 512(a).

"(2) For special provisions relating to foreign corporations carrying on an insurance business within the United States, see section 842.

"(3) For rules applicable in determining whether any foreign corporation is engaged in trade or business within the United States, see section 864(b).

"(4) For adjustment of tax in case of corporations of certain foreign countries, see section 896.

"(5) For allowance of credit against the tax in case of a foreign corporation having income effectively connected with the conduct of a trade or business within the United States, see section 906.

"(6) For withholding at source of tax on income of foreign corporations, see section 1442."

(2) Section 953(b)(3)(F) is amended by striking out "832(b)(5)" and inserting in lieu thereof "832(c)(5)".

76 Stat. 1009.

(3) Section 1249(a) is amended by striking out "Except as provided in subsection (c), gain" and inserting in lieu thereof "Gain".

76 Stat. 1045.

(n) **EFFECTIVE DATES.**—The amendments made by this section (other than subsection (k)) shall apply with respect to taxable years beginning after December 31, 1966. The amendment made by subsection (k) shall apply with respect to sales or exchanges occurring after December 31, 1966.

**SEC. 105. SPECIAL TAX PROVISIONS.**

(a) **INCOME AFFECTED BY TREATY.**—Section 894 (relating to income exempt under treaties) is amended to read as follows:

68A Stat. 284.

"**SEC. 894. INCOME AFFECTED BY TREATY.**

"(a) **INCOME EXEMPT UNDER TREATY.**—Income of any kind, to the extent required by any treaty obligation of the United States, shall not be included in gross income and shall be exempt from taxation under this subtitle.

"(b) **PERMANENT ESTABLISHMENT IN UNITED STATES.**—For purposes of applying any exemption from, or reduction of, any tax provided by any treaty to which the United States is a party with respect to income which is not effectively connected with the conduct of a trade or business within the United States, a nonresident alien individual or a foreign corporation shall be deemed not to have a permanent establishment in the United States at any time during the taxable year. This subsection shall not apply in respect of the tax computed under section 877(b)."

Ante, p. 1551.

(b) **ADJUSTMENT OF TAX BECAUSE OF BURDENSOME OR DISCRIMINATORY FOREIGN TAXES.**—Subpart C of part II of subchapter N of chapter 1 (relating to miscellaneous provisions applicable to nonresident

26 USC 891-895.

aliens and foreign corporations) is amended by adding at the end thereof the following new section:

**"SEC. 896. ADJUSTMENT OF TAX ON NATIONALS, RESIDENTS, AND CORPORATIONS OF CERTAIN FOREIGN COUNTRIES.**

**"(a) IMPOSITION OF MORE BURDENSOME TAXES BY FOREIGN COUNTRY.—**Whenever the President finds that—

"(1) under the laws of any foreign country, considering the tax system of such foreign country, citizens of the United States not residents of such foreign country or domestic corporations are being subjected to more burdensome taxes, on any item of income received by such citizens or corporations from sources within such foreign country, than taxes imposed by the provisions of this subtitle on similar income derived from sources within the United States by residents or corporations of such foreign country,

"(2) such foreign country, when requested by the United States to do so, has not acted to revise or reduce such taxes so that they are no more burdensome than taxes imposed by the provisions of this subtitle on similar income derived from sources within the United States by residents or corporations of such foreign country, and

"(3) it is in the public interest to apply pre-1967 tax provisions in accordance with the provisions of this subsection to residents or corporations of such foreign country,

the President shall proclaim that the tax on such similar income derived from sources within the United States by residents or corporations of such foreign country shall, for taxable years beginning after such proclamation, be determined under this subtitle without regard to amendments made to this subchapter and chapter 3 on or after the date of enactment of this section.

**"(b) IMPOSITION OF DISCRIMINATORY TAXES BY FOREIGN COUNTRY.—**Whenever the President finds that—

"(1) under the laws of any foreign country, citizens of the United States or domestic corporations (or any class of such citizens or corporations) are, with respect to any item of income, being subjected to a higher effective rate of tax than are nationals, residents, or corporations of such foreign country (or a similar class of such nationals, residents, or corporations) under similar circumstances;

"(2) such foreign country, when requested by the United States to do so, has not acted to eliminate such higher effective rate of tax; and

"(3) it is in the public interest to adjust, in accordance with the provisions of this subsection, the effective rate of tax imposed by this subtitle on similar income of nationals, residents, or corporations of such foreign country (or such similar class of such nationals, residents, or corporations),

the President shall proclaim that the tax on similar income of nationals, residents, or corporations of such foreign country (or such similar class of such nationals, residents, or corporations) shall, for taxable years beginning after such proclamation, be adjusted so as to cause the effective rate of tax imposed by this subtitle on such similar income to be substantially equal to the effective rate of tax imposed by such foreign country on such item of income of citizens of the United States or domestic corporations (or such class of citizens or corporations). In implementing a proclamation made under this subsection, the effective rate of tax imposed by this subtitle on an item of income may be adjusted by the disallowance, in whole or in part, of any deduction, credit, or exemption which would otherwise

68A Stat. 4.  
26 USC 1-1563.

26 USC 861-972,  
1441-1465.

be allowed with respect to that item of income or by increasing the rate of tax otherwise applicable to that item of income.

“(c) ALLEVIATION OF MORE BURDENSOME OR DISCRIMINATORY TAXES.—Whenever the President finds that—

“(1) the laws of any foreign country with respect to which the President has made a proclamation under subsection (a) have been modified so that citizens of the United States not residents of such foreign country or domestic corporations are no longer subject to more burdensome taxes on the item of income derived by such citizens or corporations from sources within such foreign country, or

“(2) the laws of any foreign country with respect to which the President has made a proclamation under subsection (b) have been modified so that citizens of the United States or domestic corporations (or any class of such citizens or corporations) are no longer subject to a higher effective rate of tax on the item of income,

he shall proclaim that the tax imposed by this subtitle on the similar income of nationals, residents, or corporations of such foreign country shall, for any taxable year beginning after such proclamation, be determined under this subtitle without regard to such subsection.

“(d) NOTIFICATION OF CONGRESS REQUIRED.—No proclamation shall be issued by the President pursuant to this section unless, at least 30 days prior to such proclamation, he has notified the Senate and the House of Representatives of his intention to issue such proclamation.

“(e) IMPLEMENTATION BY REGULATIONS.—The Secretary or his delegate shall prescribe such regulations as he deems necessary or appropriate to implement this section.”

(c) CLERICAL AMENDMENTS.—The table of sections for subpart C of part II of subchapter N of chapter 1 is amended—

(1) by striking out the item relating to section 894 and inserting in lieu thereof

“Sec. 894. Income affected by treaty.”;

(2) by adding at the end of such table the following:

“Sec. 896. Adjustment of tax on nationals, residents, and corporations of certain foreign countries.”

(d) EFFECTIVE DATE.—The amendments made by this section (other than subsections (e) and (f)) shall apply with respect to taxable years beginning after December 31, 1966.

(e) ELECTIONS BY NONRESIDENT UNITED STATES CITIZENS WHO ARE SUBJECT TO FOREIGN COMMUNITY PROPERTY LAWS.—

(1) Part III of subchapter N of chapter 1 (relating to income from sources without the United States) is amended by adding at the end thereof the following new subpart:

**“Subpart H—Income of Certain Nonresident United States Citizens Subject to Foreign Community Property Laws**

“Sec. 981. Election as to treatment of income subject to foreign community property laws.

**“SEC. 981. ELECTION AS TO TREATMENT OF INCOME SUBJECT TO FOREIGN COMMUNITY PROPERTY LAWS.**

“(a) GENERAL RULE.—In the case of any taxable year beginning after December 31, 1966, if—

“(1) an individual is (A) a citizen of the United States, (B) a bona fide resident of a foreign country or countries during the entire taxable year, and (C) married at the close of the taxable

68A Stat. 4.  
26 USC 1-1563.

68A Stat. 285;  
76 Stat. 1006.  
26 USC 901-972.

year to a spouse who is a nonresident alien during the entire taxable year, and

“(2) such individual and his spouse elect to have subsection (b) apply to their community income under foreign community property laws,

then subsection (b) shall apply to such income of such individual and such spouse for the taxable year and for all subsequent taxable years for which the requirements of paragraph (1) are met, unless the Secretary or his delegate consents to a termination of the election.

“(b) TREATMENT OF COMMUNITY INCOME.—For any taxable year to which an election made under subsection (a) applies, the community income under foreign community property laws of the husband and wife making the election shall be treated as follows:

“(1) Earned income (within the meaning of the first sentence of section 911(b)), other than trade or business income and a partner's distributive share of partnership income, shall be treated as the income of the spouse who rendered the personal services.

“(2) Trade or business income, and a partner's distributive share of partnership income, shall be treated as provided in section 1402(a)(5).

“(3) Community income not described in paragraph (1) or (2) which is derived from the separate property (as determined under the applicable foreign community property law) of one spouse shall be treated as the income of such spouse.

“(4) All other such community income shall be treated as provided in the applicable foreign community property law.

“(c) ELECTION FOR PRE-1967 YEARS.—

“(1) ELECTION.—If an individual meets the requirements of subsections (a)(1)(A) and (C) for any taxable year beginning before January 1, 1967, and if such individual and the spouse referred to in subsection (a)(1)(C) elect under this subsection, then paragraph (2) of this subsection shall apply to their community income under foreign community property laws for all open taxable years beginning before January 1, 1967 (whether under this chapter, the corresponding provisions of the Internal Revenue Code of 1939, or the corresponding provisions of prior revenue laws), for which the requirements of subsection (a)(1)(A) and (C) are met.

“(2) EFFECT OF ELECTION.—For any taxable year to which an election made under this subsection applies, the community income under foreign community property laws of the husband and wife making the election shall be treated as provided by subsection (b), except that the other community income described in paragraph (4) of subsection (b) shall be treated as the income of the spouse who, for such taxable year, had gross income under paragraphs (1), (2), and (3) of subsection (b), plus separate gross income, greater than that of the other spouse.

“(d) TIME FOR MAKING ELECTIONS; PERIOD OF LIMITATIONS; ETC.—

“(1) TIME.—An election under subsection (a) or (c) for a taxable year may be made at any time while such year is still open, and shall be made in such manner as the Secretary or his delegate shall by regulations prescribe.

“(2) EXTENSION OF PERIOD FOR ASSESSING DEFICIENCIES AND MAKING REFUNDS.—If any taxable year to which an election under subsection (a) or (c) applies is open at the time such election is made, the period for assessing a deficiency against, and the period for filing claim for credit or refund of any overpayment by, the husband and wife for such taxable year, to the extent such defi-

76 Stat. 1004.

68A Stat. 354;  
68 Stat. 1087.

53 Stat. 1.

ciency or overpayment is attributable to such an election, shall not expire before 1 year after the date of such election.

“(3) **ALIEN SPOUSE NEED NOT JOIN IN SUBSECTION (c) ELECTION IN CERTAIN CASES.**—If the Secretary or his delegate determines—

“(A) that an election under subsection (c) would not affect the liability for Federal income tax of the spouse referred to in subsection (a) (1) (C) for any taxable year, or

“(B) that the effect on such liability for tax cannot be ascertained and that to deny the election to the citizen of the United States would be inequitable and cause undue hardship,

such spouse shall not be required to join in such election, and paragraph (2) of this subsection shall not apply with respect to such spouse.

“(4) **INTEREST.**—To the extent that any overpayment or deficiency for a taxable year is attributable to an election made under this section, no interest shall be allowed or paid for any period before the day which is 1 year after the date of such election.

“(e) **DEFINITIONS AND SPECIAL RULES.**—For purposes of this section—

“(1) **DEDUCTIONS.**—Deductions shall be treated in a manner consistent with the manner provided by this section for the income to which they relate.

“(2) **OPEN YEARS.**—A taxable year of a citizen of the United States and his spouse shall be treated as ‘open’ if the period for assessing a deficiency against such citizen for such year has not expired before the date of the election under subsection (a) or (c), as the case may be.

“(3) **ELECTIONS IN CASE OF DECEDENTS.**—If a husband or wife is deceased his election under this section may be made by his executor, administrator, or other person charged with his property.

“(4) **DEATH OF SPOUSE DURING TAXABLE YEAR.**—In applying subsection (a) (1) (C), and in determining under subsection (c) (2) which spouse has the greater income for a taxable year, if a husband or wife dies the taxable year of the surviving spouse shall be treated as ending on the date of such death.”

(2) The table of subparts for such part III is amended by adding at the end thereof the following:

“Subpart H. Income of certain nonresident United States citizens subject to foreign community property laws.”

(3) Section 911(d) (relating to earned income from sources without the United States) is amended—

(A) by striking out “**For administrative**” and inserting in lieu thereof the following: “**(1) For administrative**”; and

(B) by adding at the end thereof the following:

“(2) For elections as to treatment of income subject to foreign community property laws, see section 981.”

(f) **PRESUMPTIVE DATE OF PAYMENT FOR TAX WITHHELD UNDER CHAPTER 3.**—

(1) Section 6513(b) (relating to time tax is considered paid in the case of prepaid income tax) is amended to read as follows:

“(b) **PREPAID INCOME TAX.**—For purposes of section 6511 or 6512—

“(1) Any tax actually deducted and withheld at the source during any calendar year under chapter 24 shall, in respect of the recipient of the income, be deemed to have been paid by him on the 15th day of the fourth month following the close of his taxable year with respect to which such tax is allowable as a credit under section 31.

76 Stat. 1005.

68A Stat. 812.

26 USC 3401-3404.

“(2) Any amount paid as estimated income tax for any taxable year shall be deemed to have been paid on the last day prescribed for filing the return under section 6012 for such taxable year (determined without regard to any extension of time for filing such return).

68A Stat. 732.

26 USC 1441-1465.

“(3) Any tax withheld at the source under chapter 3 shall, in respect of the recipient of the income, be deemed to have been paid by such recipient on the last day prescribed for filing the return under section 6012 for the taxable year (determined without regard to any extension of time for filing) with respect to which such tax is allowable as a credit under section 1462. For this purpose, any exemption granted under section 6012 from the requirement of filing a return shall be disregarded.”

(2) Section 6513(c) (relating to return and payment of Social Security taxes and income tax withholding) is amended—

(A) by striking out “chapter 21 or 24” and inserting in lieu thereof “chapter 3, 21, or 24”; and

(B) by striking out “remuneration” in paragraph (2) and inserting in lieu thereof “remuneration or other amount”.

(3) Section 6501(b) (relating to time returns deemed filed) is amended—

(A) by striking out “chapter 21 or 24” in paragraphs (1) and (2) and inserting in lieu thereof “chapter 3, 21, or 24”; and

(B) by inserting after “taxes” in the heading of paragraph (2) “and tax imposed by chapter 3”.

(4) The amendments made by this subsection shall take effect on the date of the enactment of this Act.

#### SEC. 106. FOREIGN TAX CREDIT.

(a) ALLOWANCE OF CREDIT TO CERTAIN NONRESIDENT ALIENS AND FOREIGN CORPORATIONS.—

26 USC 901-905.

(1) Subpart A of part III of subchapter N of chapter 1 (relating to foreign tax credit) is amended by adding at the end thereof the following new section:

#### “SEC. 906. NONRESIDENT ALIEN INDIVIDUALS AND FOREIGN CORPORATIONS.

“(a) ALLOWANCE OF CREDIT.—A nonresident alien individual or a foreign corporation engaged in trade or business within the United States during the taxable year shall be allowed a credit under section 901 for the amount of any income, war profits, and excess profits taxes paid or accrued during the taxable year (or deemed, under section 902, paid or accrued during the taxable year) to any foreign country or possession of the United States with respect to income effectively connected with the conduct of a trade or business within the United States.

76 Stat. 999.

“(b) SPECIAL RULES.—

“(1) For purposes of subsection (a) and for purposes of determining the deductions allowable under sections 873(a) and 882(c), in determining the amount of any tax paid or accrued to any foreign country or possession there shall not be taken into account any amount of tax to the extent the tax so paid or accrued is imposed with respect to income from sources within the United States which would not be taxed by such foreign country or possession but for the fact that—

“(A) in the case of a nonresident alien individual, such individual is a citizen or resident of such foreign country or possession, or

Anfe, pp. 1550, 1555.

“(B) in the case of a foreign corporation, such corporation was created or organized under the law of such foreign country or possession or is domiciled for tax purposes in such country or possession.

“(2) For purposes of subsection (a), in applying section 904 the taxpayer’s taxable income shall be treated as consisting only of the taxable income effectively connected with the taxpayer’s conduct of a trade or business within the United States.

68A Stat. 287.

“(3) The credit allowed pursuant to subsection (a) shall not be allowed against any tax imposed by section 871(a) (relating to income of nonresident alien individual not connected with United States business) or 881 (relating to income of foreign corporations not connected with United States business).

Ante, p. 1547.

Ante, p. 1555.

“(4) For purposes of sections 902(a) and 78, a foreign corporation choosing the benefits of this subpart which receives dividends shall, with respect to such dividends, be treated as a domestic corporation.”

76 Stat. 999,  
1001.

(2) The table of sections for such subpart A is amended by adding at the end thereof the following:

“Sec. 906. Nonresident alien individuals and foreign corporations.”

(3) Section 874(c) is amended by striking out

68A Stat. 281.

“(c) FOREIGN TAX CREDIT NOT ALLOWED.—A nonresident” and inserting in lieu thereof the following:

“(c) FOREIGN TAX CREDIT.—Except as provided in section 906, a nonresident”.

Ante, p. 1568.

(4) Subsection (b) of section 901 (relating to amount allowed) is amended by redesignating paragraph (4) as paragraph (5), and by inserting after paragraph (3) the following new paragraph:

“(4) NONRESIDENT ALIEN INDIVIDUALS AND FOREIGN CORPORATIONS.—In the case of any nonresident alien individual not described in section 876 and in the case of any foreign corporation, the amount determined pursuant to section 906; and”.

(5) Paragraph (5) (as redesignated) of section 901(b) is amended by striking out “or (3),” and inserting in lieu thereof “(3), or (4),”.

(6) The amendments made by this subsection shall apply with respect to taxable years beginning after December 31, 1966. In applying section 904 of the Internal Revenue Code of 1954 with respect to section 906 of such Code, no amount may be carried from or to any taxable year beginning before January 1, 1967, and no such year shall be taken into account.

(b) ALIEN RESIDENTS OF THE UNITED STATES OR PUERTO RICO.—

(1) Paragraph (3) of section 901(b) (relating to amount of foreign tax credit allowed in case of alien resident of the United States or Puerto Rico) is amended by striking out “, if the foreign country of which such alien resident is a citizen or subject, in imposing such taxes, allows a similar credit to citizens of the United States residing in such country”.

(2) Section 901 is amended by redesignating subsections (c) and (d) as subsections (d) and (e), and by inserting after subsection (b) the following new subsection:

“(c) SIMILAR CREDIT REQUIRED FOR CERTAIN ALIEN RESIDENTS.—Whenever the President finds that—

“(1) a foreign country, in imposing income, war profits, and excess profits taxes, does not allow to citizens of the United States residing in such foreign country a credit for any such taxes paid

or accrued to the United States or any foreign country, as the case may be, similar to the credit allowed under subsection (b) (3),

“(2) such foreign country, when requested by the United States to do so, has not acted to provide such a similar credit to citizens of the United States residing in such foreign country, and

“(3) it is in the public interest to allow the credit under subsection (b) (3) to citizens or subjects of such foreign country only if it allows such a similar credit to citizens of the United States residing in such foreign country,

the President shall proclaim that, for taxable years beginning while the proclamation remains in effect, the credit under subsection (b) (3) shall be allowed to citizens or subjects of such foreign country only if such foreign country, in imposing income, war profits, and excess profits taxes, allows to citizens of the United States residing in such foreign country such a similar credit.”

68A Stat. 378.

(3) Section 2014 (relating to credit for foreign death taxes) is amended by striking out the second sentence of subsection (a), and by adding at the end of such section the following new subsection:

“(h) SIMILAR CREDIT REQUIRED FOR CERTAIN ALIEN RESIDENTS.—Whenever the President finds that—

“(1) a foreign country, in imposing estate, inheritance, legacy, or succession taxes, does not allow to citizens of the United States resident in such foreign country at the time of death a credit similar to the credit allowed under subsection (a),

“(2) such foreign country, when requested by the United States to do so has not acted to provide such a similar credit in the case of citizens of the United States resident in such foreign country at the time of death, and

“(3) it is in the public interest to allow the credit under subsection (a) in the case of citizens or subjects of such foreign country only if it allows such a similar credit in the case of citizens of the United States resident in such foreign country at the time of death,

the President shall proclaim that, in the case of citizens or subjects of such foreign country dying while the proclamation remains in effect, the credit under subsection (a) shall be allowed only if such foreign country allows such a similar credit in the case of citizens of the United States resident in such foreign country at the time of death.”

(4) The amendments made by this subsection (other than paragraph (3)) shall apply with respect to taxable years beginning after December 31, 1966. The amendment made by paragraph (3) shall apply with respect to estates of decedents dying after the date of the enactment of this Act.

(c) FOREIGN TAX CREDIT IN RESPECT OF INTEREST RECEIVED FROM FOREIGN SUBSIDIARIES.—

76 Stat. 1002.

(1) Section 904(f) (2) (relating to application of limitations on foreign tax credit in case of certain interest income) is amended—

(A) by striking out subparagraph (C) and inserting in lieu thereof the following:

“(C) received from a corporation in which the taxpayer (or one or more includible corporations in an affiliated group, as defined in section 1504, of which the taxpayer is a member) owns, directly or indirectly, at least 10 percent of the voting stock.”

68A Stat. 369.

(B) by adding at the end thereof the following new sentence:

“For purposes of subparagraph (C), stock owned, directly or indirectly, by or for a foreign corporation shall be considered as being proportionately owned by its shareholders.”

(2) The amendments made by paragraph (1) shall apply to interest received after December 31, 1965, in taxable years ending after such date.

**SEC. 107. AMENDMENT TO PRESERVE EXISTING LAW ON DEDUCTIONS UNDER SECTION 931.**

(a) DEDUCTIONS.—Subsection (d) of section 931 (relating to deductions) is amended to read as follows:

68A Stat. 291.

“(d) DEDUCTIONS.—

“(1) GENERAL RULE.—Except as otherwise provided in this subsection and subsection (e), in the case of persons entitled to the benefits of this section the deductions shall be allowed only if and to the extent that they are connected with income from sources within the United States; and the proper apportionment and allocation of the deductions with respect to sources of income within and without the United States shall be determined as provided in part I, under regulations prescribed by the Secretary or his delegate.

26 USC 861-864.

“(2) EXCEPTIONS.—The following deductions shall be allowed whether or not they are connected with income from sources within the United States:

“(A) The deduction, for losses not connected with the trade or business if incurred in transactions entered into for profit, allowed by section 165(c)(2), but only if the profit, if such transaction had resulted in a profit, would be taxable under this subtitle.

“(B) The deduction, for losses of property not connected with the trade or business if arising from certain casualties or theft, allowed by section 165(c)(3), but only if the loss is of property within the United States.

78 Stat. 43.

“(C) The deduction for charitable contributions and gifts allowed by section 170.

“(3) DEDUCTION DISALLOWED.—

“For disallowance of standard deduction, see section 142(b)(2).”

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to taxable years beginning after December 31, 1966.

**SEC. 108. ESTATES OF NONRESIDENTS NOT CITIZENS.**

(a) RATE OF TAX.—Subsection (a) of section 2101 (relating to tax imposed in case of estates of nonresidents not citizens) is amended to read as follows:

“(a) RATE OF TAX.—Except as provided in section 2107, a tax computed in accordance with the following table is hereby imposed on the transfer of the taxable estate, determined as provided in section 2106, of every decedent nonresident not a citizen of the United States:

Post, p. 1573.

“If the taxable estate is:	The tax shall be:
Not over \$100,000-----	5% of the taxable estate.
Over \$100,000 but not over \$500,000-----	\$5,000, plus 10% of excess over \$100,000.
Over \$500,000 but not over \$1,000,000-----	\$45,000, plus 15% of excess over \$500,000.
Over \$1,000,000 but not over \$2,000,000-----	\$120,000, plus 20% of excess over \$1,000,000.
Over \$2,000,000-----	\$320,000, plus 25% of excess over \$2,000,000.”

68A Stat. 397.

(b) **CREDITS AGAINST TAX.**—Section 2102 (relating to credits allowed against estate tax) is amended to read as follows:

**“SEC. 2102. CREDITS AGAINST TAX.**

Ante, p. 1571.

“(a) **IN GENERAL.**—The tax imposed by section 2101 shall be credited with the amounts determined in accordance with sections 2011 to 2013, inclusive (relating to State death taxes, gift tax, and tax on prior transfers), subject to the special limitation provided in subsection (b).

“(b) **SPECIAL LIMITATION.**—The maximum credit allowed under section 2101 against the tax imposed by section 2101 for State death taxes paid shall be an amount which bears the same ratio to the credit computed as provided in section 2101(b) as the value of the property, as determined for purposes of this chapter, upon which State death taxes were paid and which is included in the gross estate under section 2103 bears to the value of the total gross estate under section 2103. For purposes of this subsection, the term ‘State death taxes’ means the taxes described in section 2011(a).”

(c) **PROPERTY WITHIN THE UNITED STATES.**—Section 2104 (relating to property within the United States) is amended by adding at the end thereof the following new subsection:

Post, p. 1573.

“(c) **DEBT OBLIGATIONS.**—For purposes of this subchapter, debt obligations of—

“(1) a United States person, or

“(2) the United States, a State or any political subdivision thereof, or the District of Columbia,

owned and held by a nonresident not a citizen of the United States shall be deemed property within the United States. With respect to estates of decedents dying after December 31, 1972, deposits with a domestic branch of a foreign corporation, if such branch is engaged in the commercial banking business, shall, for purposes of this subchapter, be deemed property within the United States. This subsection shall not apply to a debt obligation to which section 2105(b) applies or to a debt obligation of a domestic corporation if any interest on such obligation, were such interest received by the decedent at the time of his death, would be treated by reason of section 861(a)(1)(B) as income from sources without the United States.”

Ante, p. 1542.

(d) **PROPERTY WITHOUT THE UNITED STATES.**—Subsection (b) of section 2105 (relating to bank deposits) is amended to read as follows:

“(b) **CERTAIN BANK DEPOSITS, ETC.**—For purposes of this subchapter—

Ante, p. 1541.

“(1) amounts described in section 861(c) if any interest thereon, were such interest received by the decedent at the time of his death, would be treated by reason of section 861(a)(1)(A) as income from sources without the United States, and

“(2) deposits with a foreign branch of a domestic corporation or domestic partnership, if such branch is engaged in the commercial banking business, shall not be deemed property within the United States.”

74 Stat. 1000.

(e) **DEFINITION OF TAXABLE ESTATE.**—Paragraph (3) of section 2106(a) (relating to deduction of exemption from gross estate) is amended to read as follows:

“(3) **EXEMPTION.**—

“(A) **GENERAL RULE.**—An exemption of \$30,000.

“(B) **RESIDENTS OF POSSESSIONS OF THE UNITED STATES.**—

In the case of a decedent who is considered to be a ‘non-resident not a citizen of the United States’ under the provisions of section 2209, the exemption shall be the greater of (i) \$30,000, or (ii) that proportion of the exemption authorized by section 2052 which the value of that part of

74 Stat. 999.

68A Stat. 389.

the decedent's gross estate which at the time of his death is situated in the United States bears to the value of his entire gross estate wherever situated."

(f) **SPECIAL METHODS OF COMPUTING TAX.**—Subchapter B of chapter 11 (relating to estates of nonresidents not citizens) is amended by adding at the end thereof the following new sections:

68A Stat. 397.  
26 USC 2101-  
2106.

**"SEC. 2107. EXPATRIATION TO AVOID TAX.**

"(a) **RATE OF TAX.**—A tax computed in accordance with the table contained in section 2001 is hereby imposed on the transfer of the taxable estate, determined as provided in section 2106, of every decedent nonresident not a citizen of the United States dying after the date of enactment of this section, if after March 8, 1965, and within the 10-year period ending with the date of death such decedent lost United States citizenship, unless such loss did not have for one of its principal purposes the avoidance of taxes under this subtitle or subtitle A.

"(b) **GROSS ESTATE.**—For purposes of the tax imposed by subsection (a), the value of the gross estate of every decedent to whom subsection (a) applies shall be determined as provided in section 2103, except that—

"(1) if such decedent owned (within the meaning of section 958(a)) at the time of his death 10 percent or more of the total combined voting power of all classes of stock entitled to vote of a foreign corporation, and

76 Stat. 1018.

"(2) if such decedent owned (within the meaning of section 958(a)), or is considered to have owned (by applying the ownership rules of section 958(b)), at the time of his death, more than 50 percent of the total combined voting power of all classes of stock entitled to vote of such foreign corporation,

then that proportion of the fair market value of the stock of such foreign corporation owned (within the meaning of section 958(a)) by such decedent at the time of his death, which the fair market value of any assets owned by such foreign corporation and situated in the United States, at the time of his death, bears to the total fair market value of all assets owned by such foreign corporation at the time of his death, shall be included in the gross estate of such decedent. For purposes of the preceding sentence, a decedent shall be treated as owning stock of a foreign corporation at the time of his death if, at the time of a transfer, by trust or otherwise, within the meaning of sections 2035 to 2038, inclusive, he owned such stock.

"(c) **CREDITS.**—The tax imposed by subsection (a) shall be credited with the amounts determined in accordance with section 2102.

Ante, p. 1572.

"(d) **EXCEPTION FOR LOSS OF CITIZENSHIP FOR CERTAIN CAUSES.**—Subsection (a) shall not apply to the transfer of the estate of a decedent whose loss of United States citizenship resulted from the application of section 301(b), 350, or 355 of the Immigration and Nationality Act, as amended (8 U.S.C. 1401(b), 1482, or 1487).

66 Stat. 236.

"(e) **BURDEN OF PROOF.**—If the Secretary or his delegate establishes that it is reasonable to believe that an individual's loss of United States citizenship would, but for this section, result in a substantial reduction in the estate, inheritance, legacy, and succession taxes in respect of the transfer of his estate, the burden of proving that such loss of citizenship did not have for one of its principal purposes the avoidance of taxes under this subtitle or subtitle A shall be on the executor of such individual's estate.

**"SEC. 2108. APPLICATION OF PRE-1967 ESTATE TAX PROVISIONS.**

"(a) **IMPOSITION OF MORE BURDENSOME TAX BY FOREIGN COUNTRY.**—Whenever the President finds that—

"(1) under the laws of any foreign country, considering the tax system of such foreign country, a more burdensome tax is

imposed by such foreign country on the transfer of estates of decedents who were citizens of the United States and not residents of such foreign country than the tax imposed by this subchapter on the transfer of estates of decedents who were residents of such foreign country,

“(2) such foreign country, when requested by the United States to do so, has not acted to revise or reduce such tax so that it is no more burdensome than the tax imposed by this subchapter on the transfer of estates of decedents who were residents of such foreign country, and

“(3) it is in the public interest to apply pre-1967 tax provisions in accordance with this section to the transfer of estates of decedents who were residents of such foreign country,

the President shall proclaim that the tax on the transfer of the estate of every decedent who was a resident of such foreign country at the time of his death shall, in the case of decedents dying after the date of such proclamation, be determined under this subchapter without regard to amendments made to sections 2101 (relating to tax imposed), 2102 (relating to credits against tax), 2106 (relating to taxable estate), and 6018 (relating to estate tax returns) on or after the date of enactment of this section.

Ante, pp. 1571,  
1572.

“(b) ALLEVIATION OF MORE BURDENSOME TAX.—Whenever the President finds that the laws of any foreign country with respect to which the President has made a proclamation under subsection (a) have been modified so that the tax on the transfer of estates of decedents who were citizens of the United States and not residents of such foreign country is no longer more burdensome than the tax imposed by this subchapter on the transfer of estates of decedents who were residents of such foreign country, he shall proclaim that the tax on the transfer of the estate of every decedent who was a resident of such foreign country at the time of his death shall, in the case of decedents dying after the date of such proclamation, be determined under this subchapter without regard to subsection (a).

“(c) NOTIFICATION OF CONGRESS REQUIRED.—No proclamation shall be issued by the President pursuant to this section unless, at least 30 days prior to such proclamation, he has notified the Senate and the House of Representatives of his intention to issue such proclamation.

“(d) IMPLEMENTATION BY REGULATIONS.—The Secretary or his delegate shall prescribe such regulations as may be necessary or appropriate to implement this section.”

68A Stat. 739.

(g) ESTATE TAX RETURNS.—Paragraph (2) of section 6018(a) (relating to estates of nonresidents not citizens) is amended by striking out “\$2,000” and inserting in lieu thereof “\$30,000”.

(h) CLERICAL AMENDMENT.—The table of sections for subchapter B of chapter 11 (relating to estates of nonresidents not citizens) is amended by adding at the end thereof the following:

“Sec. 2107. Expatriation to avoid tax.

“Sec. 2108. Application of pre-1967 estate tax provisions.”

(i) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to estates of decedents dying after the date of the enactment of this Act.

#### SEC. 109. TAX ON GIFTS OF NONRESIDENTS NOT CITIZENS.

(a) IMPOSITION OF TAX.—Subsection (a) of section 2501 (relating to general rule for imposition of tax) is amended to read as follows:

“(a) TAXABLE TRANSFERS.—

“(1) GENERAL RULE.—For the calendar year 1955 and each calendar year thereafter a tax, computed as provided in section 2502, is hereby imposed on the transfer of property by gift during such calendar year by any individual, resident or nonresident.

“(2) **TRANSFERS OF INTANGIBLE PROPERTY.**—Except as provided in paragraph (3), paragraph (1) shall not apply to the transfer of intangible property by a nonresident not a citizen of the United States.

“(3) **EXCEPTIONS.**—Paragraph (2) shall not apply in the case of a donor who at any time after March 8, 1965, and within the 10-year period ending with the date of transfer lost United States citizenship unless—

“(A) such donor’s loss of United States citizenship resulted from the application of section 301(b), 350, or 355 of the Immigration and Nationality Act, as amended (8 U.S.C. 1401(b), 1482, or 1487), or

“(B) such loss did not have for one of its principal purposes the avoidance of taxes under this subtitle or subtitle A.

“(4) **BURDEN OF PROOF.**—If the Secretary or his delegate establishes that it is reasonable to believe that an individual’s loss of United States citizenship would, but for paragraph (3), result in a substantial reduction for the calendar year in the taxes on the transfer of property by gift, the burden of proving that such loss of citizenship did not have for one of its principal purposes the avoidance of taxes under this subtitle or subtitle A shall be on such individual.”

(b) **TRANSFERS IN GENERAL.**—Subsection (b) of section 2511 (relating to situs rule for stock in a corporation) is amended to read as follows:

“(b) **INTANGIBLE PROPERTY.**—For purposes of this chapter, in the case of a nonresident not a citizen of the United States who is excepted from the application of section 2501(a) (2)—

“(1) shares of stock issued by a domestic corporation, and

“(2) debt obligations of—

“(A) a United States person, or

“(B) the United States, a State or any political subdivision thereof, or the District of Columbia,

which are owned and held by such nonresident shall be deemed to be property situated within the United States.”

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply with respect to the calendar year 1967 and all calendar years thereafter.

#### SEC. 110. TREATY OBLIGATIONS.

No amendment made by this title shall apply in any case where its application would be contrary to any treaty obligation of the United States. For purposes of the preceding sentence, the extension of a benefit provided by any amendment made by this title shall not be deemed to be contrary to a treaty obligation of the United States.

## TITLE II—OTHER AMENDMENTS TO INTERNAL REVENUE CODE

#### SEC. 201. APPLICATION OF INVESTMENT CREDIT TO PROPERTY USED IN POSSESSIONS OF THE UNITED STATES.

(a) **PROPERTY USED BY DOMESTIC CORPORATIONS, ETC.**—Section 48(a) (2) (B) (relating to property used outside the United States) is amended—

(1) by striking out “and” at the end of clause (v);

(2) by striking out the period at the end of clause (vi) and inserting in lieu thereof “; and”; and

(3) by adding at the end thereof the following new clause:

“(vii) any property which is owned by a domestic corporation (other than a corporation entitled to the

66 Stat. 236.

68A Stat. 4.  
26 USC 1-2524.

Ante, p. 1574.

76 Stat. 967.

68A Stat. 291;  
74 Stat. 998.

benefits of section 931 or 934(b)) or by a United States citizen (other than a citizen entitled to the benefits of section 931, 932, 933, or 934(c)) and which is used predominantly in a possession of the United States by such a corporation or such a citizen, or by a corporation created or organized in, or under the law of, a possession of the United States."

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall apply to taxable years ending after December 31, 1965, but only with respect to property placed in service after such date. In applying section 46(b) of the Internal Revenue Code of 1954 (relating to carryback and carryover of unused credits), the amount of any investment credit carryback to any taxable year ending on or before December 31, 1965, shall be determined without regard to the amendments made by this section.

76 Stat. 963.

**SEC. 202. BASIS OF PROPERTY RECEIVED ON LIQUIDATION OF SUBSIDIARY.**

(a) **DEFINITION OF PURCHASE.**—Section 334(b)(3) (relating to definition of purchase) is amended by adding at the end thereof the following new sentence:

"Notwithstanding subparagraph (C) of this paragraph, for purposes of paragraph (2)(B), the term 'purchase' also means an acquisition of stock from a corporation when ownership of such stock would be attributed under section 318(a) to the person acquiring such stock, if the stock of such corporation by reason of which such ownership would be attributed was acquired by purchase (within the meaning of the preceding sentence)."

(b) **PERIOD OF ACQUISITION.**—Section 334(b)(2)(B) (relating to exception) is amended by striking out "during a period of not more than 12 months," and inserting in lieu thereof "during a 12-month period beginning with the earlier of—

"(i) the date of the first acquisition by purchase of such stock, or

"(ii) if any of such stock was acquired in an acquisition which is a purchase within the meaning of the second sentence of paragraph (3), the date on which the distributee is first considered under section 318(a) as owning stock owned by the corporation from which such acquisition was made."

(c) **DISTRIBUTION OF INSTALLMENT OBLIGATIONS.**—Section 453(d)(4)(A) (relating to distribution of installment obligations in certain liquidations) is amended to read as follows:

"(A) **LIQUIDATIONS TO WHICH SECTION 332 APPLIES.**—If—

"(i) an installment obligation is distributed in a liquidation to which section 332 (relating to complete liquidations of subsidiaries) applies, and

"(ii) the basis of such obligation in the hands of the distributee is determined under section 334(b)(1),

then no gain or loss with respect to the distribution of such obligation shall be recognized by the distributing corporation."

(d) **EFFECTIVE DATES.**—The amendment made by subsection (a) shall apply only with respect to acquisitions of stock after December 31, 1965. The amendments made by subsections (b) and (c) shall apply only with respect to distributions made after the date of the enactment of this Act.

**SEC. 203. TRANSFERS OF PROPERTY TO INVESTMENT COMPANIES CONTROLLED BY TRANSFERORS.**

(a) **TRANSFERS TO INVESTMENT COMPANIES.**—The first sentence of section 351(a) (relating to transfer to corporation controlled by the transferor) is amended by striking out “to a corporation” and inserting in lieu thereof “to a corporation (including, in the case of transfers made on or before June 30, 1967, an investment company)”.

68A Stat. 111.

(b) **INVESTMENT COMPANIES REQUIRED TO FILE REGISTRATION STATEMENT WITH THE S.E.C.**—Section 351 is amended by redesignating subsection (d) as subsection (e) and by inserting after subsection (c) the following new subsection:

“(d) **APPLICATION OF JUNE 30, 1967, DATE.**—For purposes of this section, if, in connection with the transaction, a registration statement is required to be filed with the Securities and Exchange Commission, a transfer of property to an investment company shall be treated as made on or before June 30, 1967, only if—

“(1) such transfer is made on or before such date,

“(2) the registration statement was filed with the Securities and Exchange Commission before January 1, 1967, and the aggregate issue price of the stock and securities of the investment company which are issued in the transaction does not exceed the aggregate amount therefor specified in the registration statement as of the close of December 31, 1966, and

“(3) the transfer of property to the investment company in the transaction includes only property deposited before May 1, 1967.”

(c) **EFFECTIVE DATE.**—The amendments made by subsections (a) and (b) shall apply with respect to transfers of property to investment companies whether made before, on, or after the date of the enactment of this Act.

**SEC. 204. REMOVAL OF SPECIAL LIMITATIONS WITH RESPECT TO DEDUCTIBILITY OF CONTRIBUTIONS TO PENSION PLANS BY SELF-EMPLOYED INDIVIDUALS.**

(a) **REMOVAL OF SPECIAL LIMITATIONS.**—Paragraph (10) of section 404(a) (relating to special limitation on amount allowed as deduction for self-employed individuals for contributions to certain pension, etc., plans) is repealed.

Repeal.  
76 Stat. 820.

(b) **CONFORMING AMENDMENTS.**—

(1) Each of the following provisions of section 401 is amended by striking out “(determined without regard to section 404(a)(10))” each place it appears:

(A) Subsection (a)(10)(A)(ii).

(B) Subparagraphs (A) and (B) of subsection (d)(5).

(C) Subparagraph (A) of subsection (d)(6).

(D) Subparagraphs (A) and (B)(i) of subsection (e)(1).

(E) Subparagraphs (B) and (C) and the last sentence of subsection (e)(3).

(2) Subparagraph (A) of section 404(e)(2) is amended by striking out “(determined without regard to subsection (a)(10))”.

(3) Paragraph (1) and subparagraph (B) of paragraph (2) of section 404(e) are each amended by striking out “(determined without regard to paragraph (10) thereof)”.

(c) **DEFINITION OF EARNED INCOME.**—Section 401(c)(2) (relating to definition of earned income for certain pension and profit-sharing plans) is amended by striking out subparagraphs (A) and (B) and inserting in lieu thereof the following:

76 Stat. 811.

“(A) IN GENERAL.—The term ‘earned income’ means the net earnings from self-employment (as defined in section 1402(a)), but such net earnings shall be determined—

68A Stat. 353.

“(i) only with respect to a trade or business in which personal services of the taxpayer are a material income-producing factor,

79 Stat. 381.

“(ii) without regard to paragraphs (4) and (5) of section 1402(c),

74 Stat. 945.

“(iii) in the case of any individual who is treated as an employee under sections 3121(d)(3)(A), (C), or (D), without regard to paragraph (2) of section 1402(c), and

“(iv) without regard to items which are not included in gross income for purposes of this chapter, and the deductions properly allocable to or chargeable against such items.

For purposes of this subparagraph, section 1402, as in effect for a taxable year ending on December 31, 1962, shall be treated as having been in effect for all taxable years ending before such date.”

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply with respect to taxable years beginning after December 31, 1967.

**SEC. 205. TREATMENT OF CERTAIN INCOME OF AUTHORS, INVENTORS, ETC., AS EARNED INCOME FOR RETIREMENT PLAN PURPOSES.**

Ante, p. 1577.

(a) INCOME FROM DISPOSITION OF PROPERTY CREATED BY TAXPAYER.—Section 401(c)(2) (relating to definition of earned income) is amended by adding at the end thereof the following new subparagraph:

“(C) INCOME FROM DISPOSITION OF CERTAIN PROPERTY.—For purposes of this section, the term ‘earned income’ includes gains (other than any gain which is treated under any provision of this chapter as gain from the sale or exchange of a capital asset) and net earnings derived from the sale or other disposition of, the transfer of any interest in, or the licensing of the use of property (other than good will) by an individual whose personal efforts created such property.”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years ending after the date of the enactment of this Act.

**SEC. 206. EXCLUSION OF CERTAIN RENTS FROM PERSONAL HOLDING COMPANY INCOME.**

78 Stat. 84.

(a) RENTS FROM LEASES OF CERTAIN TANGIBLE PERSONAL PROPERTY.—Section 543(b)(3) (relating to adjusted income from rents) is amended by striking out “but does not include amounts constituting personal holding company income under subsection (a)(6), nor copyright royalties (as defined in subsection (a)(4) nor produced film rents (as defined in subsection (a)(5)(B)).” and inserting in lieu thereof the following: “but such term does not include—

“(A) amounts constituting personal holding company income under subsection (a)(6),

“(B) copyright royalties (as defined in subsection (a)(4)),

“(C) produced film rents (as defined in subsection (a)(5)(B)), or

“(D) compensation, however designated, for the use of, or the right to use, any tangible personal property manu-

factured or produced by the taxpayer, if during the taxable year the taxpayer is engaged in substantial manufacturing or production of tangible personal property of the same type."

(b) **TECHNICAL AMENDMENTS.**—

(1) Section 543(a)(2) (relating to adjusted income from rents included in personal holding company income) is amended by striking out the last sentence thereof.

78 Stat. 81.

(2) Section 543(b)(2) (relating to definition of adjusted ordinary gross income) is amended by adding at the end thereof the following new subparagraph:

"(D) **CERTAIN EXCLUDED RENTS.**—From the gross income consisting of compensation described in subparagraph (D) of paragraph (3) subtract the amount allowable as deductions for the items described in clauses (i), (ii), (iii), and (iv) of subparagraph (A) to the extent allocable, under regulations prescribed by the Secretary or his delegate, to such gross income. The amount subtracted under this subparagraph shall not exceed such gross income."

(c) **EFFECTIVE DATE.**—The amendments made by subsections (a) and (b) shall apply to taxable years beginning after the date of the enactment of this Act. Such amendments shall also apply, at the election of the taxpayer (made at such time and in such manner as the Secretary or his delegate may prescribe), to taxable years beginning on or before such date and ending after December 31, 1965.

**SEC. 207. PERCENTAGE DEPLETION RATE FOR CERTAIN CLAY BEARING ALUMINA.**

(a) **23 PERCENT RATE.**—Section 613(b) (relating to percentage depletion rates) is amended—

68A Stat. 208;  
74 Stat. 291.

(1) by inserting "clay, laterite, and nephelite syenite" after "anorthosite" in paragraph (2)(B); and

(2) by striking out "if paragraph (5)(B) does not apply" in paragraph (3)(B) and inserting in lieu thereof "if neither paragraph (2)(B) nor (5)(B) applies".

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall apply to taxable years beginning after the date of the enactment of this Act.

**SEC. 208. PERCENTAGE DEPLETION RATE FOR CLAM AND OYSTER SHELLS.**

(a) **15 PERCENT RATE.**—Section 613(b) (relating to percentage depletion rates) is amended—

(1) by striking out "mollusk shells (including clam shells and oyster shells)," in paragraph (5)(A), and

(2) by inserting "mollusk shells (including clam shells and oyster shells)," after "marble," in paragraph (6).

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall apply to taxable years beginning after the date of the enactment of this Act.

**SEC. 209. PERCENTAGE DEPLETION RATE FOR CERTAIN CLAY, SHALE, AND SLATE.**

(a) **7½ PERCENT RATE.**—Section 613(b) (relating to percentage depletion rates) is amended—

(1) by renumbering paragraphs (5) and (6) as (6) and (7), respectively, and by inserting after paragraph (4) the following new paragraph:

"(5) 7½ percent—clay and shale used or sold for use in the manufacture of sewer pipe or brick, and clay, shale, and slate used or sold for use as sintered or burned lightweight aggregates.";

(2) by striking out in paragraph (3) (B) (as amended by section 207(a)(2)) "if neither paragraph (2) (B) nor (5) (B) applies" and inserting in lieu thereof "if neither paragraph (2) (B), (5), or (6) (B) applies";

(3) by striking out in paragraph (6) (as renumbered by paragraph (1)) "shale, and stone, except stone described in paragraph (6)" and inserting in lieu thereof "shale (except shale described in paragraph (5)), and stone (except stone described in paragraph (7))";

(4) by striking out, in subparagraph (B) of paragraph (6) (as so renumbered), "building or paving brick," and by striking out "sewer pipe,"; and

(5) by inserting after "any such other mineral" in paragraph (7) (as so renumbered) "(other than slate to which paragraph (5) applies)".

74 Stat. 293.

(b) **CONFORMING AMENDMENT.**—Section 613(c)(4)(G) (relating to treatment processes) is amended by striking out "paragraph (5) (B)" and inserting in lieu thereof "paragraph (5) or (6) (B)".

(c) **EFFECTIVE DATE.**—The amendments made by subsections (a) and (b) shall apply to taxable years beginning after the date of the enactment of this Act.

#### **SEC. 210. STRADDLES.**

72 Stat. 1644.

(a) **TREATMENT AS SHORT-TERM CAPITAL GAIN.**—Section 1234 (relating to options) is amended by redesignating subsection (c) as subsection (d) and by inserting after subsection (b) the following new subsection:

"(c) **SPECIAL RULE FOR GRANTORS OF STRADDLES.**—

"(1) **GAIN ON LAPSE.**—In the case of gain on lapse of an option granted by the taxpayer as part of a straddle, the gain shall be deemed to be gain from the sale or exchange of a capital asset held for not more than 6 months on the day that the option expired.

"(2) **EXCEPTION.**—This subsection shall not apply to any person who holds securities for sale to customers in the ordinary course of his trade or business.

"(3) **DEFINITIONS.**—For purposes of this subsection—

"(A) The term 'straddle' means a simultaneously granted combination of an option to buy, and an option to sell, the same quantity of a security at the same price during the same period of time.

"(B) The term 'security' has the meaning assigned to such term by section 1236(c)."

68A Stat. 330.

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall apply to straddle transactions entered into after January 25, 1965, in taxable years ending after such date.

#### **SEC. 211. TAX TREATMENT OF PER-UNIT RETAIN ALLOCATIONS.**

(a) **TAX TREATMENT OF COOPERATIVES.**—

76 Stat. 1046.

(1) Section 1382(a) (relating to gross income of cooperatives) is amended by striking out the period at the end thereof and inserting "or by reason of any amount paid to a patron as a per-unit retain allocation (as defined in section 1388(f))."

(2) Section 1382(b) is amended—

(A) by striking out "(b) **PATRONAGE DIVIDENDS.**—" and inserting in lieu thereof "(b) **PATRONAGE DIVIDENDS AND PER-UNIT RETAIN ALLOCATIONS.**—",

(B) by striking out "or" at the end of paragraph (1),

(C) by striking out the period at the end of paragraph (2) and inserting a semicolon in lieu thereof,

(D) by striking out the sentence following paragraph (2) and inserting in lieu thereof the following:

“(3) as per-unit retain allocations, to the extent paid in qualified per-unit retain certificates (as defined in section 1388(h)) with respect to marketing occurring during such taxable year; or

*Post*, p. 1583.

“(4) in money or other property (except per-unit retain certificates) in redemption of a nonqualified per-unit retain certificate which was paid as a per-unit retain allocation during the payment period for the taxable year during which the marketing occurred.

For purposes of this title, any amount not taken into account under the preceding sentence shall, in the case of an amount described in paragraph (1) or (2), be treated in the same manner as an item of gross income and as a deduction therefrom, and in the case of an amount described in paragraph (3) or (4), be treated as a deduction in arriving at gross income.”

(3) Section 1382(e) is amended to read as follows:

76 Stat. 1047.

“(e) PRODUCTS MARKETED UNDER POOLING ARRANGEMENTS.—For purposes of subsection (b), in the case of a pooling arrangement for the marketing of products—

“(1) the patronage shall (to the extent provided in regulations prescribed by the Secretary or his delegate) be treated as patronage occurring during the taxable year in which the pool closes, and

“(2) the marketing of products shall be treated as occurring during any of the taxable years in which the pool is open.”

(4) Section 1382(f) is amended by striking out “subsection (b)” and inserting in lieu thereof “paragraphs (1) and (2) of subsection (b)”.

(5) The heading for section 1383 is amended by striking out the period at the end thereof and inserting “OR NONQUALIFIED PER-UNIT RETAIN CERTIFICATES.”

(6) Section 1383(a) is amended—

(A) by striking out “section 1382(b)(2)” and inserting in lieu thereof “section 1382(b)(2) or (4),”;

(B) by striking out “nonqualified written notices of allocation” each place it appears and inserting in lieu thereof “nonqualified written notices of allocation or nonqualified per-unit retain certificates”, and

(C) by striking out “qualified written notices of allocation” and inserting in lieu thereof “qualified written notices of allocation or qualified per-unit retain certificates (as the case may be)”.

(7) Section 1383(b)(2) is amended—

(A) by striking out “nonqualified written notice of allocation” and inserting in lieu thereof “nonqualified written notice of allocation or nonqualified per-unit retain certificate”,

(B) by striking out “qualified written notice of allocation” and inserting in lieu thereof “qualified written notice of allocation or qualified per-unit retain certificate (as the case may be)”,

(C) by striking out “such written notice of allocation” and inserting in lieu thereof “such written notice of allocation or per-unit retain certificate”, and

(D) by striking out “section 1382(b)(2)” and inserting in lieu thereof “section 1382(b)(2) or (4),”.

(8) The table of sections for part I of subchapter T of chapter 1 is amended by striking out—

“Sec. 1383. Computation of tax where cooperative redeems non-qualified written notices of allocation.”

and inserting in lieu thereof—

“Sec. 1383. Computation of tax where cooperative redeems non-qualified written notices of allocation or nonqualified per-unit retain certificates.”

(b) TAX TREATMENT BY PATRONS.—

76 Stat. 1048.

(1) Section 1385(a) is amended by striking out “and” at the end of paragraph (1), by striking out the period at the end of paragraph (2) and inserting in lieu thereof “, and”, and by adding at the end thereof the following new paragraph:

“(3) the amount of any per-unit retain allocation which is paid in qualified per-unit retain certificates and which is received by him during the taxable year from an organization described in section 1381(a).”

(2) The heading for section 1385(c) is amended by striking out “ALLOCATION” and inserting in lieu thereof “ALLOCATION AND CERTAIN NONQUALIFIED PER-UNIT RETAIN CERTIFICATES”.

(3) Section 1385(c) (1) is amended to read as follows:

“(1) APPLICATION OF SUBSECTION.—This subsection shall apply to—

“(A) any nonqualified written notice of allocation which—

“(i) was paid as a patronage dividend, or

“(ii) was paid by an organization described in section 1381(a) (1) on a patronage basis with respect to earnings derived from business or sources described in section 1382(c) (2) (A), and

“(B) any nonqualified per-unit retain certificate which was paid as a per-unit retain allocation.”

(4) Section 1385(c) (2) is amended—

(A) by striking out “nonqualified written notice of allocation” and inserting in lieu thereof “nonqualified written notice of allocation or nonqualified per-unit retain certificate”, and

(B) by striking out “such written notice of allocation” each place it appears and inserting in lieu thereof “such written notice of allocation or per-unit retain certificate”.

(5) The table of parts for subchapter T of chapter 1 is amended by striking out—

“Part II. Tax treatment by patrons of patronage dividends.”

and inserting in lieu thereof—

“Part II. Tax treatment by patrons of patronage dividends and per-unit retain allocations.”

(c) DEFINITIONS.—

(1) (A) Section 1388(e) (1) is amended by striking out “allocation” and inserting in lieu thereof “allocation or a per-unit retain certificate”.

(B) Section 1388(e) (2) is amended by striking out “allocation” and inserting in lieu thereof “allocation or qualified per-unit retain certificate”.

(2) Section 1388 is amended by adding at the end thereof the following new subsections:

“(f) PER-UNIT RETAIN ALLOCATION.—For purposes of this subchapter, the term ‘per-unit retain allocation’ means any allocation, by an organization to which part I of this subchapter applies, other than

by payment in money or other property (except per-unit retain certificates) to a patron with respect to products marketed for him, the amount of which is fixed without reference to the net earnings of the organization pursuant to an agreement between the organization and the patron.

“(g) PER-UNIT RETAIN CERTIFICATE.—For purposes of this subchapter, the term ‘per-unit retain certificate’ means any written notice which discloses to the recipient the stated dollar amount of a per-unit retain allocation to him by the organization.

“(h) QUALIFIED PER-UNIT RETAIN CERTIFICATE.—

“(1) DEFINED.—For purposes of this subchapter, the term ‘qualified per-unit retain certificate’ means any per-unit retain certificate which the distributee has agreed, in the manner provided in paragraph (2), to take into account at its stated dollar amount as provided in section 1385(a).

76 Stat. 1048.

“(2) MANNER OF OBTAINING AGREEMENT.—A distributee shall agree to take a per-unit retain certificate into account as provided in paragraph (1) only by—

“(A) making such agreement in writing, or

“(B) obtaining or retaining membership in the organization after—

“(i) such organization has adopted (after the date of the enactment of this subsection) a bylaw providing that membership in the organization constitutes such agreement, and

“(ii) he has received a written notification and copy of such bylaw.

“(3) PERIOD FOR WHICH AGREEMENT IS EFFECTIVE.—

“(A) GENERAL RULE.—Except as provided in subparagraph (B)—

“(i) an agreement described in paragraph (2)(A) shall be an agreement with respect to all products delivered by the distributee to the organization during the taxable year of the organization during which such agreement is made and all subsequent taxable years of the organization; and

“(ii) an agreement described in paragraph (2)(B) shall be an agreement with respect to all products delivered by the distributee to the organization after he received the notification and copy described in paragraph (2)(B)(ii).

“(B) REVOCATION, ETC.—

“(i) Any agreement described in paragraph (2)(A) may be revoked (in writing) by the distributee at any time. Any such revocation shall be effective with respect to products delivered by the distributee on or after the first day of the first taxable year of the organization beginning after the revocation is filed with the organization; except that in the case of a pooling arrangement described in section 1382(e) a revocation made by a distributee shall not be effective as to any products which were delivered to the organization by the distributee before such revocation.

76 Stat. 1046.

“(ii) Any agreement described in paragraph (2)(B) shall not be effective with respect to any products delivered after the distributee ceases to be a member of the organization or after the bylaws of the organization cease to contain the provision described in paragraph (2)(B)(i).

“(i) **NONQUALIFIED PER-UNIT RETAIN CERTIFICATE.**—For purposes of this subchapter, the term ‘nonqualified per-unit retain certificate’ means a per-unit retain certificate which is not described in subsection (h).”

(d) **INFORMATION REPORTING.**—

76 Stat. 1054.

(1) **AMOUNTS SUBJECT TO REPORTING.**—Section 6044(b)(1) is amended by striking out “and” at the end of subparagraph (B), by striking out the period at the end of subparagraph (C) and inserting in lieu thereof “, and”, and by adding after subparagraph (C) the following new subparagraphs:

Ante, p. 1582.

“(D) the amount of any per-unit retain allocation (as defined in section 1388(f)) which is paid in qualified per-unit retain certificates (as defined in section 1388(h)), and

Ante, p. 1581.

“(E) any amount described in section 1382 (b) (4) (relating to redemption of nonqualified per-unit retain certificates).”

(2) **DETERMINATION OF AMOUNT PAID.**—

(A) Section 6044(d)(1) is amended by striking out “allocation” and inserting in lieu thereof “allocation or a qualified per-unit retain certificate”.

(B) Section 6044(d)(2) is amended by striking out “allocation” and inserting in lieu thereof “allocation or a qualified per-unit retain certificate”.

(e) **EFFECTIVE DATES.**—

76 Stat. 1045.

(1) The amendments made by subsections (a), (b), and (c) shall apply to per-unit retain allocations made during taxable years of an organization described in section 1381(a) (relating to organizations to which part I of subchapter T of chapter 1 applies) beginning after April 30, 1966, with respect to products delivered during such years.

(2) The amendments made by subsection (d) shall apply with respect to calendar years after 1966.

(f) **TRANSITION RULE.**—

(1) Except as provided in paragraph (2), a written agreement between a patron and a cooperative association—

(A) which clearly provides that the patron agrees to treat the stated dollar amounts of all per-unit retain certificates issued to him by the association as representing cash distributions which he has, of his own choice, reinvested in the cooperative association,

(B) which is revocable by the patron at any time after the close of the taxable year in which it was made,

(C) which was entered into after October 14, 1965, and before the date of the enactment of this Act, and

(D) which is in effect on the date of the enactment of this Act, and with respect to which a written notice of revocation has not been furnished to the cooperative association, shall be effective (for the period prescribed in the agreement) for purposes of section 1388(h) of the Internal Revenue Code of 1954 as if entered into, pursuant to such section, after the date of the enactment of this Act.

(2) An agreement described in paragraphs (1) (A) and (C) which was included in a by-law of the cooperative association and which is in effect on the date of the enactment of this Act shall be effective for purposes of section 1388(h) of such Code only for taxable years of the association beginning before May 1, 1967.

**SEC. 212. EXCISE TAX RATE ON AMBULANCES AND HEARSEs.**

(a) **CLASSIFICATION AS AUTOMOBILES.**—Section 4062 (relating to definitions applicable to the tax on motor vehicles) is amended by adding at the end thereof the following new subsection:

68A Stat. 482;  
78 Stat. 1086.

“(b) **AMBULANCES, HEARSEs, ETC.**—For purposes of section 4061 (a), a sale of an ambulance, hearse, or combination ambulance-hearse shall be considered to be a sale of an automobile chassis and an automobile body enumerated in subparagraph (B) of section 4061 (a) (2).”

79 Stat. 136.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall apply with respect to articles sold after the date of the enactment of this Act.

**SEC. 213. APPLICABILITY OF EXCLUSION FROM INTEREST EQUALIZATION TAX OF CERTAIN LOANS TO ASSURE RAW MATERIALS SOURCES.**

(a) **EXCEPTION TO EXCLUSION.**—Section 4914(d) (relating to loans to assure raw materials sources) is amended by adding at the end thereof the following new paragraph:

78 Stat. 813.

“(3) **EXCEPTION.**—The exclusion from tax provided by paragraph (1) shall not apply in any case where the acquisition of the debt obligation of the foreign corporation is made with an intent to sell, or to offer to sell, any part of such debt obligation to United States persons.”

(b) **TECHNICAL AMENDMENTS.**—(1) Section 4914(j) (1) (relating to loss of entitlement to exclusion in case of certain subsequent transfers) is amended—

(A) by striking out in subparagraph (A) “, or the exclusion provided by subsection (d),” and

(B) by striking out “subsection (d) or (f)” in subparagraph (D) and inserting in lieu thereof “subsection (f)”.

78 Stat. 831.

(2) Section 4918 (relating to exemption for prior American ownership) is amended by adding at the end thereof the following new subsection:

“(g) **CERTAIN DEBT OBLIGATIONS ARISING OUT OF LOANS TO ASSURE RAW MATERIAL SOURCES.**—Under regulations prescribed by the Secretary or his delegate, subsection (a) shall not apply to the acquisition by a United States person of any debt obligation to which section 4914(d) applied where the acquisition of the debt obligation by such person is made with an intent to sell, or to offer to sell, any part of such debt obligation to United States persons. The preceding sentence shall not apply if the tax imposed by section 4911 has applied to any prior acquisition of such debt obligation.”

78 Stat. 809.

(c) **EFFECTIVE DATE.**—The amendments made by subsections (a) and (b) shall apply with respect to acquisitions of debt obligations made after the date of the enactment of this Act.

**SEC. 214. EXCLUSION FROM INTEREST EQUALIZATION TAX FOR CERTAIN ACQUISITIONS BY INSURANCE COMPANIES.**

(a) **NEW COMPANIES AND COMPANIES OPERATING IN FORMER LESS DEVELOPED COUNTRIES.**—Section 4914(e) (relating to acquisitions by insurance companies doing business in foreign countries) is amended—

(1) by striking out “at the time of the initial designation” in the last sentence of paragraph (2);

(2) by striking out “An” in the first sentence of paragraph (3) (A) (i) and inserting in lieu thereof “Except as provided in clause (iii), an”;

(3) by striking out “under this subparagraph” in paragraph (3) (A) (ii) and inserting in lieu thereof “under clause (i)”;

(4) by adding after clause (ii) of paragraph (3) (A) the following new clauses:

“(iii) INITIAL DESIGNATION AFTER OCTOBER 2, 1964.—An insurance company which was not in existence on October 2, 1964, or was otherwise ineligible to establish a fund (or funds) of assets described in paragraph (2) by making an initial designation under clause (i) on or before such date, may establish (and thereafter currently maintain) such fund (or funds) of assets at any time after the enactment of this clause by designating stock of a foreign issuer or a debt obligation of a foreign obligor as a part of such fund in accordance with the provisions of clause (iv) (if applicable) and subparagraph (B) (i).

“(iv) FUNDS INVOLVING CURRENCIES OF FORMER LESS DEVELOPED COUNTRIES.—An insurance company desiring to establish a fund under clause (iii) with respect to insurance contracts payable in the currency of a country designated as a less developed country on October 2, 1964, which thereafter has such designation terminated by an Executive order issued under section 4916(b), shall designate as assets of such fund, to the extent permitted by subparagraph (E), the stock of foreign issuers or debt obligations of foreign obligors as follows: First, stock and debt obligations having a period remaining to maturity of at least 1 year (other than stock or a debt obligation described in section 4916(a)) acquired before July 19, 1963, and owned by the company on the date which the President, in accordance with section 4916(b), communicates to Congress his intention to terminate the status of such country as a less developed country; second, stock and debt obligations having a period remaining to maturity of at least 1 year described in section 4916(a) (and owned by the company on the date of such termination) which, at the time of acquisition, qualified for the exclusion provided in such section because of the status of such country as a less developed country; and third, such stock or debt obligations as the company may elect to designate under subparagraph (B) (i). The period remaining to maturity referred to in the preceding sentence shall be determined as of the date of the President’s communication to Congress.”;

(5) by striking out “TO MAINTAIN FUND” in the heading of paragraph (3) (B);

(6) by striking out “as provided in subparagraph (A) (ii)” in paragraph (3) (B) (i) and inserting in lieu thereof “under subparagraphs (A) (i) and (ii)”;

(7) by inserting before the period at the end of the first sentence of paragraph (3) (C) the following: “; except that, with respect to a fund established under subparagraph (A) (iii), stock or debt obligations acquired before the establishment of such fund may not be designated as part of such fund under this subparagraph”;

(8) by striking out “subparagraph (B),” in paragraph (3) (E) (i) and inserting in lieu thereof “subparagraph (A) (iv), (B),”;

(9) by striking out “subparagraph (A)” in paragraph (4) (B) (i) and inserting in lieu thereof “subparagraph (A) (i)”;

(10) by striking out “paragraph (3) (A)” in paragraph (4) (B) (ii) and inserting in lieu thereof “paragraph (3) (A) (i)”;

and

78 Stat. 827.

79 Stat. 959.

78 Stat. 819.

(11) by adding at the end of paragraph (4) the following new paragraph:

“(C) SPECIAL RULE.—For purposes of subparagraph (A), if a country designated as a less developed country on September 2, 1964, thereafter has such designation terminated by an Executive order issued under section 4916(b), all insurance contracts payable in the currency of such country which were entered into before such designation was terminated shall be treated as insurance contracts payable in the currency of a country other than a less developed country.”

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the day after the date of the enactment of this Act.

**SEC. 215. EXCLUSION FROM INTEREST EQUALIZATION TAX OF CERTAIN ACQUISITIONS BY FOREIGN BRANCHES OF DOMESTIC BANKS.**

(a) AUTHORITY FOR MODIFICATION OF EXECUTIVE ORDERS.—Section 4931(a) (relating to commercial bank loans) is amended by adding at the end thereof the following new sentence: “Clause (A) of the preceding sentence shall not prevent a modification of such Executive order (or any modification thereof) to exclude from the application of subsection (b) acquisitions by commercial banks, through branches located outside the United States, of debt obligations of foreign obligors payable in currency of the United States.”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to acquisitions of debt obligations made after the date of the enactment of this Act.

## TITLE III—PRESIDENTIAL ELECTION CAMPAIGN FUND ACT

**SEC. 301. SHORT TITLE.**

This title may be cited as the “Presidential Election Campaign Fund Act of 1966”.

**SEC. 302. AUTHORITY FOR DESIGNATION OF \$1 OF INCOME TAX PAYMENTS TO PRESIDENTIAL ELECTION CAMPAIGN FUND.**

(a) Subchapter A of chapter 61 of the Internal Revenue Code of 1954 (relating to returns and records) is amended by adding at the end thereof the following new part:

**“PART VIII—DESIGNATION OF INCOME TAX PAYMENTS TO PRESIDENTIAL ELECTION CAMPAIGN FUND**

“Sec. 6096. Designation by individuals.

**“SEC. 6096. DESIGNATION BY INDIVIDUALS.**

“(a) IN GENERAL.—Every individual (other than a nonresident alien) whose income tax liability for any taxable year is \$1 or more may designate that \$1 shall be paid into the Presidential Election Campaign Fund established by section 303 of the Presidential Election Campaign Fund Act of 1966.

“(b) INCOME TAX LIABILITY.—For purposes of subsection (a), the income tax liability of an individual for any taxable year is the amount of the tax imposed by chapter 1 on such individual for such taxable year (as shown on his return), reduced by the sum of the credits (as shown in his return) allowable under sections 32(2), 33, 35, 37, and 38.

“(c) MANNER AND TIME OF DESIGNATION.—A designation under subsection (a) may be made with respect to any taxable year, in such manner as the Secretary or his delegate may prescribe by regulations—

78 Stat. 820.

78 Stat. 827.

78 Stat. 839.

68A Stat. 731.  
26 USC 6001-  
6091.

26 USC 1-1388.

76 Stat. 962.

“(1) at the time of filing the return of the tax imposed by chapter 1 for such taxable year, or

“(2) at any other time (after the time of filing the return of the tax imposed by chapter 1 for such taxable year) specified in regulations prescribed by the Secretary or his delegate.”

(b) The table of parts for subchapter A of chapter 61 of such Code is amended by adding at the end thereof the following new item:

“Part VIII. Designation of income tax payments to Presidential Election Campaign Fund.”

(c) The amendments made by this section shall apply with respect to income tax liability for taxable years beginning after December 31, 1966.

### SEC. 303. PRESIDENTIAL ELECTION CAMPAIGN FUND.

(a) ESTABLISHMENT.—There is hereby established on the books of the Treasury of the United States a special fund to be known as the “Presidential Election Campaign Fund” (hereafter in this section referred to as the “Fund”). The Fund shall consist of amounts transferred to it as provided in this section.

(b) TRANSFERS TO THE FUND.—The Secretary of the Treasury shall, from time to time, transfer to the Fund an amount equal to the sum of the amounts designated by individuals under section 6096 of the Internal Revenue Code of 1954 for payment into the Fund.

(c) PAYMENTS FROM FUND.—

(1) IN GENERAL.—The Secretary of the Treasury shall, with respect to each presidential campaign, pay out of the Fund, as authorized by appropriation Acts, into the treasury of each political party which has complied with the provisions of paragraph (3) an amount (subject to the limitation in paragraph (3)(B)) determined under paragraph (2).

(2) DETERMINATION OF AMOUNTS.—

(A) Each political party whose candidate for President at the preceding presidential election received 15,000,000 or more popular votes as the candidate of such political party shall be entitled to payments under paragraph (1) with respect to a presidential campaign equal to the excess over \$5,000,000 of—

(i) \$1 multiplied by the total number of popular votes cast in the preceding presidential election for candidates of political parties whose candidates received 15,000,000 or more popular votes as the candidates of such political parties, divided by

(ii) the number of political parties whose candidates in the preceding presidential election received 15,000,000 or more popular votes as the candidates of such political parties.

(B) Each political party whose candidate for President at the preceding presidential election received more than 5,000,000, but less than 15,000,000, popular votes as the candidate of such political party shall be entitled to payments under paragraph (1) with respect to a presidential campaign equal to \$1 multiplied by the number of popular votes in excess of 5,000,000 received by such candidate as the candidate of such political party in the preceding presidential election.

(C) Payments under paragraph (1) shall be made with respect to each presidential campaign at such times as the Secretary of the Treasury may prescribe by regulations,

except that no payment with respect to any presidential campaign shall be made before September 1 of the year of the presidential election with respect to which such campaign is conducted. If at the time so prescribed for any such payments, the moneys in the Fund are insufficient for the Secretary to pay into the treasury of each political party which is entitled to a payment under paragraph (1) the amount to which such party is entitled, the payment to all such parties at such time shall be reduced pro rata, and the amounts not paid at such time shall be paid when there are sufficient moneys in the Fund.

(3) LIMITATIONS.—

(A) No payment shall be made under paragraph (1) into the treasury of a political party with respect to any presidential campaign unless the treasurer of such party has certified to the Comptroller General the total amount spent or incurred (prior to the date of the certification) by such party in carrying on such presidential campaign, and has furnished such records and other information as may be requested by the Comptroller General.

(B) No payment shall be made under paragraph (1) into the treasury of a political party with respect to any presidential campaign in an amount which, when added to previous payments made to such party, exceeds the amount spent or incurred by such party in carrying on such presidential campaign.

(4) The Comptroller General shall certify to the Secretary of the Treasury the amounts payable to any political party under paragraph (1). The Comptroller General's determination as to the popular vote received by any candidate of any political party shall be final and not subject to review. The Comptroller General is authorized to prescribe such rules and regulations, and to conduct such examinations and investigations, as he determines necessary to carry out his duties and functions under this subsection.

(5) DEFINITIONS.—For purposes of this subsection—

(A) The term "political party" means any political party which presents a candidate for election to the office of President of the United States.

(B) The term "presidential campaign" means the political campaign held every fourth year for the election of presidential and vice presidential electors.

(C) The term "presidential election" means the election of presidential electors.

(d) TRANSFERS TO GENERAL FUND.—If, after any presidential campaign and after all political parties which are entitled to payments under subsection (c) with respect to such presidential campaign have been paid the amounts to which they are entitled under subsection (c), there are moneys remaining in the Fund, the Secretary of the Treasury shall transfer the moneys so remaining to the general fund of the Treasury.

**SEC. 304. ESTABLISHMENT OF ADVISORY BOARD.**

(a) There is hereby established an advisory board to be known as the Presidential Election Campaign Fund Advisory Board (hereafter in this section referred to as the "Board"). It shall be the duty and function of the Board to counsel and assist the Comptroller General in the performance of the duties imposed on him under section 303 of this Act.

## Membership.

(b) The Board shall be composed of two members representing each political party whose candidate for President at the last presidential election received 15,000,000 or more popular votes as the candidate of such political party, which members shall be appointed by the Comptroller General from recommendations submitted by each such political party, and of three additional members selected by the members so appointed by the Comptroller General. The term of the first members of the Board shall expire on the 60th day after the date of the first presidential election following the date of the enactment of this Act and the term of subsequent members of the Board shall begin on the 61st day after the date of a presidential election and expire on the 60th day following the date of the subsequent presidential election. The Board shall select a Chairman from among its members.

## Term of office.

## Compensation.

(c) Members of the Board shall receive compensation at the rate of \$75 a day for each day they are engaged in performing duties and functions as such members, including travel time, and, while away from their homes or regular places of business, shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons in the Government service employed intermittently.

(d) Service by an individual as a member of the Board shall not, for purposes of any other law of the United States, be considered as service as an officer or employee of the United States.

**SEC. 305. APPROPRIATIONS AUTHORIZED.**

There are authorized to be appropriated, out of the Presidential Elections Campaign Fund, such sums as may be necessary to enable the Secretary of the Treasury to make payments under section 303 of this Act.

**TITLE IV—MISCELLANEOUS PROVISIONS****SEC. 401. TREASURY NOTES PAYABLE IN FOREIGN CURRENCY.**

Section 16 of the Second Liberty Bond Act, as amended (31 U.S.C. 766), is amended by striking out "bonds" wherever it appears therein and inserting in lieu thereof "bonds, notes,"

40 Stat. 505.

**SEC. 402. REPORTS TO CLARIFY THE NATIONAL DEBT AND TAX STRUCTURE.**

The Secretary of the Treasury shall, on the first day of each regular session of the Congress, submit to the Senate and the House of Representatives a report setting forth, as of the close of the preceding June 30 (beginning with the report as of June 30, 1967), the aggregate and individual amounts of the contingent liabilities and the unfunded liabilities of the Government, and of each department, agency, and instrumentality thereof, including, so far as practicable, trust fund liabilities, Government corporations' liabilities, indirect liabilities not included as a part of the public debt, and liabilities of insurance and annuity programs, including their actuarial status. The report shall also set forth the collateral pledged, or the assets available (or to be realized), as security for such liabilities (Government securities to be separately noted), and shall also set forth all other assets specifically available to liquidate such liabilities of the Government. The report shall set forth the required data in a concise form, with such explanatory material (including such analysis of the significance of the liabilities in terms of past experience and probable risk) as the Secretary may determine to be necessary or desirable, and shall include total amounts of each category according to the department, agency, or instrumentality involved.

Approved November 13, 1966.



## "SALARY SCHEDULE—continued

"Salary class and title	Service Step						Longevity Step		
	1	2	3	4	5	6	7	8	9
Class 8..... Battalion fire chief. Police inspector.	\$14,904	\$15,520	\$16,064	\$16,509			\$17,134	\$17,669	
Class 9: Subclass (a)..... Deputy fire chief. Deputy chief of police.	17,671	18,206	18,741	19,276			19,811	20,346	
Subclass (b)..... Deputy chief assigned as the: Assistant fire chief. Police executive officer. Commanding officer of the White House Police. Commanding officer of the United States Park Police.	18,742	19,277	19,812	20,347			20,882	21,417	
Class 10..... Fire chief. Chief of police."	22,491	23,026	23,561	24,096			24,631	25,166	

Compensation  
rates, adjustment.

78 Stat. 881.  
D.C. Code 4-  
823d.

SEC. 102. The rates of basic compensation of officers and members to whom the amendment made by section 101 of this title applies shall be adjusted in accordance with this section, and on and after the effective date of this title, section 102 of the Act approved September 2, 1964 (D.C. Code, sec. 4-823c), shall not apply to any such officer or member whose rate of basic compensation is so adjusted in accordance with this section. Such rates of basic compensation shall be adjusted as follows:

(1) Except as otherwise provided in paragraph (2), (3), or (4), each officer and member receiving basic compensation immediately prior to the effective date of this title at one of the scheduled service or longevity rates of a class or subclass in the salary schedule in section 101 of the District of Columbia Police and Firemen's Salary Act of 1958 shall receive a rate of basic compensation at the corresponding rate in effect on and after the effective date of this title.

(2) Each private in service step 6, longevity step 7, or longevity step 8 in any subclass in class 1, upon completing a minimum of nineteen years of continuous service as a private, including service in the Armed Forces of the United States but excluding any period of time determined not to have been satisfactory service, shall be advanced to longevity step 9 in class 1, and receive the appropriate scheduled rate of basic compensation for such step in the subclass in which he is serving.

(3) Each officer in longevity step 7 in class 5 or 8, upon completing a minimum of fourteen years of continuous service in his respective class, including service in the Armed Forces of the United States but excluding any period of time determined not to have been satisfactory service, shall be advanced to longevity step 8 in his respective class, and receive the appropriate scheduled rate of basic compensation for such step in the class in which he was serving.

(4) Each officer or member of the Metropolitan Police force who is performing the duty of a dog handler on or after the effective date of

Dog handler,  
additional com-  
pensation.

this title shall receive in addition to his basic compensation an additional \$580 per annum, except that if a police private is classed as technician II in subclass (c) of salary class (1) in the salary schedule in section 101 of the District of Columbia Police and Firemen's Salary Act of 1958 solely on account of his duties as a dog handler, such police private shall not be entitled to the additional compensation authorized by this paragraph.

SEC. 103. Section 303 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4-829) is amended by adding at the end the following new subsection:

"(e) As used in this Act, the term 'calendar week of active service' includes all periods of leave with pay, and periods of nonpay status which do not cumulatively equal one basic workweek."

SEC. 104. (a) Retroactive compensation or salary shall be paid by reason of this title only in the case of an individual in the service of the District of Columbia government or of the United States (including service in the Armed Forces of the United States) on the date of enactment of this Act, except that such retroactive compensation or salary shall be paid (1) to an officer or member of the Metropolitan Police force, the Fire Department of the District of Columbia, the United States Park Police force, or the White House Police force, who retired during the period beginning on the first day of the first pay period which begins on or after July 1, 1966, and ending on the date of enactment of this Act, for services rendered during such period, and (2) in accordance with the provisions of subchapter 8 of chapter 55 of title 5, United States Code (relating to settlement of accounts of deceased employees), for services rendered during the period beginning on the first day of the first pay period which begins on or after July 1, 1966, and ending on the date of enactment of this Act, by an officer or member who dies during such period.

(b) For the purposes of this section, service in the Armed Forces of the United States, in the case of an individual relieved from training and service in the Armed Forces of the United States or discharged from hospitalization following such training and service, shall include the period provided by law for the mandatory restoration of such individual to a position in or under the Federal Government or the municipal government of the District of Columbia.

SEC. 105. For the purpose of determining the amount of insurance for which an officer or member is eligible under the provisions of chapter 87 of title 5, United States Code (relating to government employees group life insurance), all changes in rates of compensation or salary which result from the enactment of this title shall be held and considered to be effective as of the date of enactment of this Act.

SEC. 106. This title and the amendments made by this title shall take effect on the first day of the first pay period beginning on or after July 1, 1966.

SEC. 107. This title may be cited as the "District of Columbia Policemen and Firemen's Salary Act Amendments of 1966".

72 Stat. 483.

"Calendar week of active service."

Retroactive salary provisions.

Ante, p. 495.

Ante, p. 592.

Effective date.

Citation of title.





"Salary class and group	Step								
	1	2	3	4	5	6	7	8	9
Class 9:									
Group A, bachelor's degree.....	\$10,470	\$10,760	\$11,060	\$11,340	\$11,630	\$11,920	\$12,210	\$12,500	\$12,790
Group B, master's degree.....	11,015	11,305	11,595	11,885	12,175	12,465	12,755	13,045	13,335
Group C, master's degree plus 30 credit hours.....	11,235	11,525	11,815	12,105	12,395	12,685	12,975	13,265	13,555
Group D, doctor's degree. Assistant director, food services.	11,455	11,745	12,035	12,325	12,615	12,905	13,195	13,485	13,775
Class 10:									
Group B, master's degree.....	10,535	10,825	11,115	11,405	11,695	11,985	12,275	12,565	12,855
Group C, master's degree plus 30 credit hours.....	10,755	11,045	11,335	11,625	11,915	12,205	12,495	12,785	13,075
Group D, doctor's degree. Assistant director, audiovisual instruction. Assistant director, subject field. Assistant director, adult education and summer school. Supervisor, elementary education.	10,975	11,265	11,555	11,845	12,135	12,425	12,715	13,005	13,295

"Salary class and group	Step						
	1	2	3	4	5	6	7
Class 11:							
Group B, master's degree.....	\$10,060	\$10,350	\$10,640	\$10,930	\$11,220	\$11,510	\$11,800
Group C, master's degree plus 30 credit hours.....	10,280	10,570	10,860	11,150	11,440	11,730	12,020
Group D, doctor's degree. Assistant director, practical nursing. Associate professor, teachers college. Chief librarian, teachers college.	10,500	10,790	11,080	11,370	11,660	11,950	12,240
Class 12:							
Group B, master's degree.....	9,590	9,880	10,170	10,460	10,750	11,040	11,330
Group C, master's degree plus 30 credit hours.....	9,810	10,100	10,390	10,680	10,970	11,260	11,550
Group D, doctor's degree. Chief attendance officer. Clinical psychologist.	10,030	10,320	10,610	10,900	11,190	11,480	11,770
Class 13:							
Group B, master's degree.....	8,600	8,955	9,310	9,665	10,020	10,375	10,730
Group C, master's degree plus 30 credit hours.....	8,820	9,175	9,530	9,885	10,240	10,595	10,950
Group D, doctor's degree. Assistant professor, teachers college. Assistant professor, laboratory school. Psychiatric social worker.	9,040	9,395	9,750	10,105	10,460	10,815	11,170
Class 14:							
Group A, bachelor's degree.....	7,005	7,300	7,595	7,890	8,185	8,480	8,775
Group B, master's degree.....	7,550	7,845	8,140	8,435	8,730	9,025	9,320
Group C, master's degree plus 30 credit hours.....	7,770	8,065	8,360	8,655	8,950	9,245	9,540
Group D, doctor's degree. Coordinator of practical nursing. Census supervisor.	7,990	8,285	8,580	8,875	9,170	9,465	9,760
Class 15:							
Group A, bachelor's degree.....	5,840	6,105	6,370	6,635	6,895	7,155	7,415
Group B, master's degree.....	6,385	6,650	6,915	7,180	7,440	7,700	7,960
Group C, master's degree plus 30 credit hours.....	6,605	6,870	7,135	7,400	7,660	7,920	8,180
Group D, master's degree plus 60 credit hours or doctor's degree. Teacher, elementary and secondary schools. Attendance officer. Child labor inspector. Counselor, placement. Counselor, elementary and secondary schools. Librarian, elementary and secondary schools. Librarian, teachers college. Research assistant. School social worker. Speech correctionist. Instructor, teachers college. Instructor, laboratory school. School psychologist.	6,825	7,090	7,355	7,620	7,880	8,140	8,400

"Salary class and group	Step						Longevity	
	8	9	10	11	12	13	X	Y
Class 11:								
Group B, master's degree.....	\$12,090	\$12,380						
Group C, master's degree plus 30 credit hours.....	12,310	12,600						
Group D, doctor's degree.....	12,530	12,820						
Assistant director, practical nursing.								
Associate professor, teachers college.								
Chief librarian, teachers college.								
Class 12:								
Group B, master's degree.....	11,620	11,910						
Group C, master's degree plus 30 credit hours.....	11,840	12,130						
Group D, doctor's degree.....	12,060	12,350						
Chief attendance officer.								
Clinical psychologist.								
Class 13:								
Group B, master's degree.....	11,085	11,440						
Group C, master's degree plus 30 credit hours.....	11,305	11,660						
Group D, doctor's degree.....	11,525	11,880						
Assistant professor, teachers college.								
Assistant professor, laboratory school.								
Psychiatric social worker.								
Class 14:								
Group A, bachelor's degree.....	9,070	9,365	\$9,660	\$9,955	\$10,250	\$10,545		
Group B, master's degree.....	9,615	9,910	10,205	10,500	10,795	11,090		
Group C, master's degree plus 30 credit hours.....	9,835	10,130	10,425	10,720	11,015	11,310		
Group D, doctor's degree.....	10,055	10,350	10,645	10,940	11,235	11,530		
Coordinator of practical nursing.								
Census supervisor.								
Class 15:								
Group A, bachelor's degree.....	7,675	7,935	8,195	8,455	8,715	8,975	\$9,580	\$10,185
Group B, master's degree.....	8,220	8,480	8,740	9,000	9,260	9,520	10,125	10,730
Group C, master's degree plus 30 credit hours.....	8,440	8,700	8,960	9,220	9,480	9,740	10,345	10,950
Group D, master's degree plus 60 credit hours or doctor's degree.....	8,660	8,920	9,180	9,440	9,700	9,960	10,565	11,170
Teacher, elementary and secondary schools.								
Attendance officer.								
Child labor inspectors.								
Counselor, placement.								
Counselor, elementary and secondary schools.								
Librarian, elementary and secondary schools.								
Librarian, teachers college.								
Research assistant.								
School social worker.								
Speech correctionist.								
Instructor, teachers college.								
Instructor, laboratory school.								
School psychologist. <sup>1</sup>								

(2) (A) Section 2(c) (1) (D.C. Code, sec. 31-1511(c) (1)) is amended to read as follows:

72 Stat. 1007.

"(1) The terms 'master's degree' and 'doctor's degree' mean, respectively, a master's degree and a doctor's degree granted in course by an accredited higher educational institution."

(B) Section 2(c) (2) (D.C. Code, sec. 31-1511(c) (2)) is amended by adding at the end thereof the following new sentences: "The term 'plus sixty credit hours' means the equivalent of not less than sixty graduate semester hours in academic, vocational, or professional courses beyond a master's degree, representing a definite educational program satisfactory to the Board, except that in the case of a shop teacher in the vocational education program the sixty semester hours need not be graduate semester hours. Graduate credit hours beyond thirty which were earned prior to obtaining a master's degree may be applied in computing such sixty credit hours."

76 Stat. 1232.

(3) Section 4 (D.C. Code, sec. 31-1521) is amended to read as follows:

"SEC. 4. Any employee of the Board of Education in group C of a salary class in the salary schedule in section 1 of this Act who possesses a doctor's degree, and any employee of the Board of Education in group C of salary class 15 of such salary schedule who possesses a master's degree plus sixty credit hours, shall be transferred in accordance with section 10(a) to group D of such salary class."

(4) Section 5 (D.C. Code, sec. 31-1522) is amended by adding the following new subsections:

"(c) The Board of Education, with the concurrence of the Board of Commissioners of the District of Columbia, is authorized to establish a position which shall be designated 'teacher-aide (noninstructional)'. Such positions shall be classified, in accordance with sections 5102 and 5106 of title 5, United States Code, at a grade not higher than GS-4, and shall be compensated in accordance with the General Schedule in section 5333(a) of title 5, United States Code. The minimum qualification for appointment to such position shall be successful completion of at least sixty semester hours at an accredited junior college, college, or university. A person appointed to such position shall be a non-instructional employee, and his primary duty shall be to assist the instructional staff in tasks related to instruction. The total of the number of teacher-aides (noninstructional) appointed under this Act and the number of persons appointed under any other Act to perform in the public school system of the District of Columbia the same duties as teacher-aides (noninstructional) shall at no time exceed 5 per centum of the number of classroom teachers in salary class 15.

"(d) The initial assignment of each position of school principal in the public school system of the District of Columbia to one of the four principal levels within salary class 6 of the salary schedule in section 1 of this Act shall be made in accordance with the following provisions:

"(1) Within 60 days following the date of enactment of this subsection, the Board of Education, with the cooperation of the Board of Commissioners of the District of Columbia, shall assign each position of school principal to one of the four principal levels within salary class 6 of the salary schedule in section 1. Such assignment shall be made on the basis of an evaluation by the Board of Education, with the cooperation of the Commissioners of the District of Columbia, of the duties and responsibilities of each position of school principal in the school administered by the person holding such position. Such evaluation shall be based on (A) such workload factors as (i) the academic program, (ii) the number of teachers, nonteaching personnel, and other professional and nonprofessional personnel supervised, (iii) school enrollment, (iv) cocurricular activities, (v) extracurricular activities, and (vi) community activities; and (B) such other factors as the Board of Education deems appropriate. The initial assignment of a position of school principal to a principal level within salary class 6 shall be effective on the effective date of this subsection.

"(2) In the case of a person holding the position of school principal on the effective date of this subsection, the initial assignment of the position held by such person to one of the four principal levels within salary class 6 shall not (A) affect the group and service step occupied by such person, or (B) for the period during which such person holds such position, reduce his rate of compensation below the rate of compensation to which he was entitled immediately prior to such effective date.

"Teacher-aide."  
Position estab-  
lished.  
69 Stat. 525;  
72 Stat. 1009.

Ante, p. 444.

Ante, p. 467.

School principal  
positions.

"(3) During the period beginning on such effective date and ending on the date of such initial assignment, each person holding the position of school principal on such effective date shall have his compensation fixed in accordance with the rate of compensation prescribed for that service step, corresponding to his creditable years of service, of principal level I in that group within salary class 6 which corresponds to his academic qualifications. Each such person shall be paid for such period the difference, if any, between the amount of compensation he received during such period and the amount of compensation that he would have been paid during such period if his compensation had been fixed in accordance with the rate of compensation prescribed for the principal level in salary class 6 to which his position was assigned.

"(e) On July 1, 1967, and on July 1 of each year thereafter, the Board of Education, with the cooperation of the Board of Commissioners of the District of Columbia, shall evaluate the duties and responsibilities of each position of school principal on the basis of the factors prescribed in paragraph (1) of subsection (d) to determine whether the principal level within salary class 6 to which such position is assigned is commensurate to the duties and responsibilities of such position. The Board of Education may assign a position of school principal to a different principal level within salary class 6 only if it determines on the basis of three consecutive annual evaluations that such assignment should be made. A person holding a position of school principal which the Board of Education has assigned to a different principal level shall not be placed in a lower service step in the new principal level than the service step he occupied immediately prior to such assignment."

Duties and responsibilities, evaluation.

(5) Subsection (a) of section 7 (D.C. Code, sec. 31-1532(a)) is amended to read as follows:

Service steps, assignment.  
72 Stat. 1010.

"(a) (1) Each employee who is newly appointed or reappointed to any position in salary classes 3 to 15, inclusive, of the salary schedule in section 1 shall be assigned to the service step numbered next above the number of years of service with which he is credited for the purpose of salary placement. The Board, on the written recommendation of the Superintendent of Schools, is authorized to evaluate the previous experience of each such employee to determine the number of years with which he may be so credited. Employees newly appointed, reappointed, or reassigned to any position in salary class 15 shall receive one year of such placement credit for each year of satisfactory service, not exceeding nine years, in the District of Columbia in salary class 15, or in the same type of position regardless of school level, in an educational system or institution of recognized standing outside the District of Columbia public schools, as determined by the Board. Employees newly appointed, reappointed, or reassigned to any position in salary classes 3 to 14, inclusive, except the positions of chief librarian and assistant professor, associate professor and professor, shall receive no placement credit for educational service or trade experience outside the District of Columbia public schools. Employees reappointed or reassigned to positions in salary classes 3 to 14, inclusive, shall receive one year of placement credit for each year of satisfactory service in the same salary class or in a position of equivalent or higher rank within the District of Columbia public schools, except that no such employee shall receive more than five years of placement credit for previous service rendered as a temporary employee within such system. Persons appointed to the position of shop teacher in the vocational education program shall receive one year of placement credit for each year of approved experience in the

trades, as determined by the Board but not in excess of nine years for any combination of trade experience and educational service outside the school system. Employees newly appointed or reappointed to positions of assistant professor (salary class 13), chief librarian and associate professor (salary class 11), and professor (salary class 8) shall receive one year of placement credit for each year of satisfactory service, not in excess of five years, in a position of the same or higher rank in a college or university of recognized standing outside the District of Columbia public schools, as determined by the Board.

“(2) Salary placement credit for service rendered either inside or outside the public school system of the District of Columbia shall be effective on the date of appointment or on the first day of the twelfth month prior to the date of approval of such placement credit by the Board, whichever is later.

“(3) Each probationary or permanent employee in salary class 15 who is in the employ of the Board of Education on the effective date of this paragraph shall move to the numerical service step or longevity step, as the case may be, commensurate with the additional creditable service allowed such employee under the amendments made by the District of Columbia Teachers' Salary Act Amendments of 1966.”

Temporary employees.  
69 Stat. 528.

(6) Section 9 (D.C. Code, sec. 31-1534) is amended by inserting “(a)” immediately after “Sec. 9.” and by adding at the end thereof the following new subsections:

“(b) The following provisions shall apply to all temporary employees in salary class 15:

“(A) Each temporary employee in salary class 15 employed cumulatively as such an employee in such salary class less than three full years as of July 1, 1966, must qualify as a probationary employee within five years after the date of employment or July 1, 1966, whichever date is later, or his employment shall be terminated as of the date of completion of the then current school year.

“(B) Each temporary employee in salary class 15 employed cumulatively as of July 1, 1966, for more than three but less than ten full years as such an employee in such salary class, must qualify as a probationary employee within seven years after July 1, 1966, or his employment shall be terminated as of the date of completion of the then current school year.

“(C) Each temporary employee in salary class 15 who has accumulated more than ten full years of satisfactory service as of July 1, 1966, as such an employee in such salary class, may be continued as temporary teacher contingent upon satisfactory service.

“(c) (1) A temporary employee in salary class 15 who receives a permanent appointment shall be advanced on and after the date of such appointment in double annual increments to the place in the salary schedule which he would have occupied if he had been employed as a probationary employee from the date of his appointment as a temporary employee. A temporary employee in salary class 15 who receives a probationary appointment within two years of the date of his appointment as a temporary employee shall receive full placement credit on the date of his appointment as a probationary employee as if he had been employed as a probationary employee from the date of his appointment as a temporary employee.

“(2) Temporary employees in salary class 15 with fifteen or more total years of satisfactory service in the District of Columbia public schools shall be advanced to service step 10, effective July 1, 1966.

“(d) An employee who is on temporary status only because of the age limitation, but is otherwise qualified, shall receive salary placement on the same basis as a probationary or permanent teacher, and may continue as temporary teacher contingent upon satisfactory service.”

(7) Section 10 (D.C. Code, sec. 31-1535) is amended to read as follows:

Promotions, effective date.  
69 Stat. 528.

“SEC. 10. (a) On and after the effective date of the District of Columbia Teachers’ Salary Act Amendments of 1966, each promotion to group B, group C, or group D, within a salary class, shall become effective—

“(1) on the date of the regular meeting of the Board immediately preceding the date of approval of that promotion by the Board, or

“(2) on the effective date of the master’s degree or doctor’s degree or on the completion of thirty or sixty credit hours beyond the master’s degree, as the case may be,

whichever is later.

“(b) Any employee in a position in a salary class in the salary schedules in section 1 of this Act who is promoted to group B, group C, or group D of such salary class, shall be placed in the same numerical service step in his new group which he would have occupied in the group from which promoted.”

(8) (A) Section 13(a) (D.C. Code, sec. 31-1542 (a)) is amended to read as follows:

Evening schools, etc.  
78 Stat. 886.

“(a) The Board is authorized to conduct as part of its public school system the following: extended school year programs, adult education school programs, and an Americanization school, under and within appropriations made by Congress. The pay for teachers, officers, and other educational employees in the summer schools, adult education schools, and veteran’s summer high school centers shall be as follows:

“Classification	Step		
	1	2	3
SUMMER SCHOOL (REGULAR)			
Per diem			
Teacher, elementary and secondary schools; counselor, elementary and secondary schools; librarian, elementary and secondary schools; school social worker; speech correctionist; school psychologist and instructor, District of Columbia Teachers College.....	\$22.73	\$25.11	\$27.50
Psychiatric social worker and assistant professor, District of Columbia Teachers College.....	27.28	30.13	33.00
Clinical psychologist.....	28.41	31.39	34.33
Associate professor, District of Columbia Teachers College.....	29.55	32.64	35.75
Assistant principal, elementary and secondary schools and professor, District of Columbia Teachers College.....	32.96	36.41	39.89
Supervising director.....	34.10	37.67	41.25
Principal, elementary and secondary schools.....	36.37	40.18	44.00
VETERANS SUMMER HIGH SCHOOL CENTERS			
Per diem			
Teacher.....	\$34.10	\$37.67	\$41.25
ADULT EDUCATION SCHOOLS			
Per period			
Teacher.....	\$5.56	\$6.14	\$6.72
Assistant principal.....	8.06	8.90	9.74
Principal.....	8.90	9.82	10.75.”

Extra duty activity, compensation.  
D.C. Code 31-1542.

(B) Section 13 is further amended by adding at the end the following new subsection:

“(d) (1) The Board is authorized to pay to a classroom teacher in salary class 15 who performs an extra duty activity, on a continuing basis, in addition to the standard teaching load assigned for a regular day school teacher at his particular school level, the additional annual compensation prescribed for such extra duty activity by the Board in accordance with this subsection. The Board may, with the approval of the Board of Commissioners of the District of Columbia and on the written recommendation of the Superintendent of Schools, prescribe the amount of additional compensation for a teacher who performs an extra duty activity, except that the amount of additional compensation for each such activity may not in any school year exceed \$750.

“(2) The additional compensation authorized by this subsection shall be in addition to the compensation prescribed by the salary schedule in section 1 of this Act for classroom teachers in salary class 15. Payment of such additional compensation shall be made monthly following the performance of such extra duty activity. Such additional compensation shall not be subject to deduction or withholding for retirement or insurance, and such additional compensation shall not be considered as salary (A) for the purpose of computing annuities pursuant to the Act entitled ‘An Act for the retirement of public-school teachers in the District of Columbia’, approved August 7, 1946 (D.C. Code, sec. 31-721 et seq.), and the provisions of section 3323 and subchapter III of chapter 81 of title 5, United States Code, or (B) for the purpose of computing insurance coverage under the provisions of chapter 87 of title 5, United States Code. Such additional compensation may be paid for more than one activity assigned to a classroom teacher so long as such activities are not performed concurrently.

“(3) The Board may make such regulations as may be necessary to carry out the purposes of this subsection.”

60 Stat. 875;  
Ante, p. 422, 564.

Ante, p. 592.

Retroactive salary provisions.

SEC. 203. (a) Retroactive compensation or salary shall be paid by reason of this title only in the case of an individual in the service of the Board of Education of the District of Columbia (including service in the Armed Forces of the United States) on the date of enactment of this Act, except that such retroactive compensation or salary shall be paid (1) to any employee covered in this title who retired during the period beginning on July 1, 1966, and ending on the date of enactment of this Act, for services rendered during such period, and (2) in accordance with the provisions of subchapter 8 of chapter 55 of title 5, United States Code (relating to settlement of accounts of deceased employees), for services rendered during the period beginning on July 1, 1966, and ending on the date of enactment of this Act, by any such employee who dies during such period.

(b) For purposes of this section, service in the Armed Forces of the United States in the case of an individual relieved from training and service in the Armed Forces of the United States or discharged from hospitalization following such training and service, shall include the period provided by law for the mandatory restoration of such individual to a position in or under the municipal government of the District of Columbia.

SEC. 204. For the purpose of determining the amount of insurance for which an individual is eligible under the provisions of chapter 87 of title 5, United States Code (relating to Government employees group life insurance), all changes in rates of compensation or salary

Group life insurance.

which result from the enactment of this title shall be held and considered to be effective as of the date of enactment of this Act.

SEC. 205. (a) Except as provided in subsection (b) of this section, this title and the amendments made by this title shall take effect on July 1, 1966.

Effective date.

(b) Paragraph 2 of section 7(a) of the District of Columbia Teachers Salary Act of 1955 (as added by paragraph (5) of section 202 of this title) shall take effect with respect to appointments made by the Board of Education of the District of Columbia after July 1, 1965.

Ante, p. 1599.

Approved November 13, 1966.



# REORGANIZATION PLANS



# REORGANIZATION PLANS

## Reorganization Plan No. 1 of 1966

*Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, February 10, 1966, pursuant to the provisions of the Reorganization Act of 1949, 63 Stat. 203, as amended.*

Transmitted Feb.  
10, 1966.  
Effective April  
22, 1966.  
Ante, p. 394.  
5 USC 901-913.

### COMMUNITY RELATIONS SERVICE

**SECTION 1. *Transfer of Service.*** Subject to the provisions of this reorganization plan, the Community Relations Service now existing in the Department of Commerce under the Civil Rights Act of 1964 (Pub. L. No. 88-352, July 2, 1964), including the office of Director thereof, is hereby transferred to the Department of Justice.

42 USC 2000a  
note.

**SEC. 2. *Transfer of functions.*** All functions of the Community Relations Service, and all functions of the Director of the Community Relations Service, together with all functions of the Secretary of Commerce and the Department of Commerce with respect thereto, are hereby transferred to the Attorney General.

**SEC. 3. *Incidental transfers.*** (a) Section 1 hereof shall be deemed to transfer to the Department of Justice the personnel, property, and records of the Community Relations Service and the unexpended balances of appropriations, allocations, and other funds available or to be made available to the Service.

(b) Such further measures and dispositions as the Director of the Bureau of the Budget shall deem to be necessary in order to effectuate the transfers referred to in subsection (a) of this section shall be carried out in such manner as he shall direct and by such agencies as he shall designate.

### Reorganization Plan No. 2 of 1966

Transmitted  
Feb. 28, 1966.  
Effective May  
10, 1966.  
Ante, p. 394.  
5 USC 901-913.

*Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, February 28, 1966, pursuant to the provisions of the Reorganization Act of 1949, 63 Stat. 203, as amended.*

#### WATER POLLUTION CONTROL

SECTION 1. *Transfers of functions and agencies.* (a) Except as otherwise provided in this section, all functions of the Secretary of Health, Education, and Welfare and of the Department of Health, Education, and Welfare under the Federal Water Pollution Control Act, as amended, hereinafter referred to as the Act (33 U.S.C. 466 et seq.), including all functions of other officers, or of employees or agencies, of that Department under the Act, are hereby transferred to the Secretary of the Interior.

70 Stat. 498.

(b) The Federal Water Pollution Control Administration is hereby transferred to the Department of the Interior.

(c) (1) The Water Pollution Control Advisory Board, together with its functions, is hereby transferred to the Department of the Interior.

79 Stat. 903.  
33 USC 466f.

(2) The functions of the Secretary of Health, Education, and Welfare (including those of his designee) under section 9 of the Act shall be deemed to be hereby transferred to the Secretary of the Interior.

(3) The Secretary of Health, Education, and Welfare shall be an additional member of the said Board as provided for by section 9 of the Act and as modified by this reorganization plan.

33 USC 466g.

(d) (1) The Hearing Boards provided for in sections 10(c) (4) and 10(f) of the Act, including any Boards so provided for which may be in existence on the effective date of this reorganization plan, together with their respective functions, are hereby transferred to the Department of the Interior.

(2) The functions of the Secretary of Health, Education, and Welfare under the said sections 10(c) (4) and 10(f) shall be deemed to be hereby transferred to the Secretary of the Interior.

(3) The Secretary of the Interior shall give the Secretary of Health, Education, and Welfare opportunity to select a member of each Hearing Board appointed pursuant to sections 10(c) (4) and 10(f) of the Act as modified by this reorganization plan.

33 USC 466.

(e) There are excepted from the transfers effected by subsection (a) of this section (1) the functions of the Secretary of Health, Education, and Welfare and the Assistant Secretary of Health, Education, and Welfare under clause (2) of the second sentence of section 1(b) of the Act, and (2) so much of the functions of the Secretary of Health, Education, and Welfare under section 3(b) (2) of the Act as relates to public health aspects.

33 USC 466-1  
note.

(f) The functions of the Surgeon General under section 2(k) of the Water Quality Act of 1965 (79 Stat. 905) are transferred to the Secretary of Health, Education, and Welfare. Within 90 days after this reorganization plan becomes effective, the Secretary of the Interior and the Secretary of Health, Education, and Welfare shall present to the President for his approval an interdepartmental agreement providing in detail for the implementation of the consultations provided for by said section 2(k). Such interdepartmental agreement may be modified from time to time by the two Secretaries with the approval of the President.

(g) The functions of the Secretary of Health, Education, and Welfare under sections 2(b), (c), and (g) of the Water Quality Act of 1965 are hereby transferred to the Secretary of the Interior: *Provided*, That the Secretary of the Interior may exercise the authority to provide further periods for the transfer to classified positions in the Federal Water Pollution Control Administration of commissioned officers of the Public Health Service under said section 2(b) only with the concurrence of the Secretary of Health, Education, and Welfare.

79 Stat. 903.  
33 USC 466-1  
note.

(h) The functions of the Secretary of Health, Education, and Welfare under the following provisions of law are hereby transferred to the Secretary of the Interior:

(1) Section 702(a) of the Housing and Urban Development Act of 1965 (79 Stat. 490).

42 USC 3102.

(2) Section 212 of the Appalachian Regional Development Act of 1965 (79 Stat. 16).

40 USC app. 212.

(3) Section 106 of the Public Works and Economic Development Act of 1965 (79 Stat. 554).

42 USC 3136.

SEC. 2. *Assistant Secretary of the Interior.* There shall be in the Department of the Interior one additional Assistant Secretary of the Interior, who shall be appointed by the President, by and with the advice and consent of the Senate, who shall, except as the Secretary of the Interior may direct otherwise, assist the Secretary in the discharge of the functions transferred to him hereunder, who shall perform such other duties as the Secretary shall from time to time prescribe, and who shall receive compensation at the rate now or hereafter prescribed by law for Assistant Secretaries of the Interior.

SEC. 3. *Performance of transferred functions.* The provisions of sections 2 and 5 of Reorganization Plan No. 3 of 1950 (64 Stat. 1262) shall be applicable to the functions transferred hereunder to the Secretary of the Interior to the same extent as they are applicable to the functions transferred to the Secretary thereunder.

5 USC 133z-15  
note.

SEC. 4. *Incidental provisions.* (a) So much of the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds, employed, used, held, available, or to be made available in connection with the functions transferred to the Secretary of the Interior or the Department of the Interior by this reorganization plan as the Director of the Bureau of the Budget shall determine shall be transferred to the Department of the Interior at such time or times as the Director shall direct.

Personnel, prop-  
erty, records, and  
funds.  
Transfers.

(b) Such further measures and dispositions as the Director of the Bureau of the Budget shall deem to be necessary in order to effectuate the transfers referred to in subsection (a) of this section shall be carried out in such manner as he shall direct and by such agencies as he shall designate.

(c) This reorganization plan shall not impair the transfer rights and benefits of commissioned officers of the Public Health Service provided by section 2 of the Water Quality Act of 1965.

33 USC 466-1  
and note.

SEC. 5. *Abolition of office.* (a) There is hereby abolished that office of Assistant Secretary of Health, Education, and Welfare the incumbent of which is on date of the transmittal of this reorganization plan to the Congress the Assistant Secretary of Health, Education, and Welfare designated by the Secretary of Health, Education, and Welfare under the provisions of section 1(b) of the Act.

33 USC 466.

(b) The Secretary of Health, Education, and Welfare shall make such provisions as he shall deem to be necessary respecting the winding up of any outstanding affairs of the Assistant Secretary whose office is abolished by subsection (a) of this section.

### Reorganization Plan No. 3 of 1966

Transmitted  
Apr. 25, 1966.  
Effective June  
25, 1966.

Ante, p. 394.  
5 USC 901-913.

*Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, April 25, 1966, pursuant to the provisions of the Reorganization Act of 1949, 63 Stat. 203, as amended.*

#### PUBLIC HEALTH SERVICE

**SECTION 1. *Transfer of functions.*** (a) Except as otherwise provided in subsection (b) of this section, there are hereby transferred to the Secretary of Health, Education, and Welfare (hereinafter referred to as the Secretary) all functions of the Public Health Service, of the Surgeon General of the Public Health Service, and of all other officers and employees of the Public Health Service, and all functions of all agencies of or in the Public Health Service.

(b) This section shall not apply to the functions vested by law in any advisory council, board, or committee of or in the Public Health Service which is established by law or is required by law to be established.

**SEC. 2. *Performance of transferred functions.*** The Secretary may from time to time make such provisions as he shall deem appropriate authorizing the performance of any of the functions transferred to him by the provisions of this reorganization plan by any officer, employee, or agency of the Public Health Service or of the Department of Health, Education, and Welfare.

**SEC. 3. *Abolitions.*** (a) The following agencies of the Public Health Service are hereby abolished:

(1) The Bureau of Medical Services, including the office of Chief of the Bureau of Medical Services.

(2) The Bureau of State Services, including the office of Chief of the Bureau of State Services.

(3) The agency designated as the National Institutes of Health (42 U.S.C. 203), including the office of Director of the National Institutes of Health (42 U.S.C. 206(b)) but excluding the several research Institutes in the agency designated as the National Institutes of Health.

(4) The agency designated as the Office of the Surgeon General (42 U.S.C. 203(1)), together with the office held by the Deputy Surgeon General (42 U.S.C. 206(a)).

(b) The Secretary shall make such provisions as he shall deem necessary respecting the winding up of any outstanding affairs of the agencies abolished by the provisions of this section.

**SEC. 4. *Incidental transfers.*** As he may deem necessary in order to carry out the provisions of this reorganization plan, the Secretary may from time to time effect transfers within the Department of Health, Education, and Welfare of any of the records, property, personnel and unexpended balances (available or to be made available) of appropriations, allocations, and other funds of the Department which relate to functions affected by this reorganization plan.

**Reorganization Plan No. 4 of 1966**

*Prepared by the President and Transmitted to the Senate and the House of Representatives in Congress Assembled, June 13, 1966, Pursuant to the Provisions of the Reorganization Act of 1949, 63 Stat. 203, as Amended.*

Transmitted  
June 13, 1966.  
Effective Aug.  
23, 1966.

Ante, p. 394.  
5 USC 901-913.

**NATIONAL ZOOLOGICAL PARK BUILDINGS AND BRIDGES**

All those functions of the Board of Commissioners of the District of Columbia which were vested in the municipal architect of the District of Columbia by the provisions of the Act of August 24, 1912, c. 355, 37 Stat. 437 (20 U.S.C. 84; D.C. Code § 8-134), in respect of buildings of the National Zoological Park, and all functions of that Board which were vested in the engineer of bridges of the District of Columbia by those provisions in respect of bridges of the National Zoological Park, are hereby transferred to the Smithsonian Institution.

**Reorganization Plan No. 5 of 1966**

*Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, June 29, 1966, pursuant to the provisions of the Reorganization Act of 1949, 63 Stat. 203, as amended.*

Transmitted  
June 29, 1966.  
Effective Sept.  
8, 1966.

Ante, p. 394.  
5 USC 901-913.

**NATIONAL CAPITAL REGIONAL PLANNING COUNCIL**

**SECTION 1. Abolition.** The National Capital Regional Planning Council (66 Stat. 783), together with all of its functions, is hereby abolished.

**SEC. 2. Liquidation.** The National Capital Planning Commission shall make such provisions as it shall deem necessary respecting the winding up of the outstanding affairs of the National Capital Regional Planning Council.



## GUIDE TO LEGISLATIVE HISTORY OF BILLS ENACTED INTO PUBLIC LAW

(89th CONGRESS 2D SESSION)

NOTE: Companion bills are in parentheses

Public Law		80 Stat.	Bill No.	Report No. and Committee reporting				Dates of consideration and passage (Congressional Record: 1965, Vol. 111; 1966, Vol. 112)	
No.	Date approved			House		Senate		House	Senate
	1966								
89-350	Jan. 19	3	S.J. Res. 125					Jan. 17, 1966	Jan. 14, 1966.
89-351	Jan. 21	4	H.J. Res. 767			944	Judiciary	Jan. 12, 1966	Jan. 19, 1966.
89-352	Feb. 2	4	H.R. 327	1078	Ways and Means	945	Finance	Oct. 21, 1965	Jan. 20, 1966.
89-353	Feb. 2	5	H.R. 8210	1099	Ways and Means	946	Finance	Oct. 21, 1965	Jan. 20, 1966.
89-354	Feb. 2	5	H.R. 8445	959	Ways and Means	947	Finance	Oct. 21, 1965	Jan. 20, 1966.
89-355	Feb. 19	5	H.R. 30	974	Foreign Affairs	937	Foreign Relations	Sept. 22, 1965; Feb. 3, 1966.	Jan. 19, 1966.
89-356	Feb. 21	7	S. 1698 (H.R. 12173).	1221	Banking and Currency	299	Banking and Currency	Feb. 8, 1966	June 11, 1965; Feb. 9, 1966.
89-357	Mar. 1	10	H.J. Res. 403	709	Foreign Affairs	955	Foreign Relations	Aug. 30, 1965	Feb. 10, 1966.
89-358	Mar. 3	12	S. 9 (H.R. 12410).	1258	Veterans' Affairs	269	Labor and Public Welfare	Feb. 7, 10, 1966.	July 16, 19, 1965; Feb. 10, 1966.
89-359	Mar. 7	28	H.R. 10185	1222	Ways and Means	956	Finance	Feb. 7, 1966	Feb. 21, 1966.
89-360	Mar. 7	29	H.R. 11006	1213	Veterans' Affairs	1001	Finance	Feb. 7, 1966	Feb. 21, 1966.
89-361	Mar. 7	29	H.R. 11007	1214	Veterans' Affairs	1002	Finance	Feb. 7, 1966	Feb. 21, 1966.
89-362	Mar. 7	30	H.R. 11747	1215	Veterans' Affairs	1003	Finance	Feb. 7, 1966	Feb. 21, 1966.
89-363	Mar. 7	30	S. 1904 (H.R. 12265).	1282	Interior and Insular Affairs	492	Interior and Insular Affairs	Feb. 21, 1966	July 22, 1965.
89-364	Mar. 8	31	S.J. Res. 9 (H.J. Res. 343, S.J. Res. 33).	1283	Interior and Insular Affairs	923	Interior and Insular Affairs	Feb. 16, 1966	Oct. 21, 1965; Feb. 24, 1966.
89-365	Mar. 8	32	H.R. 10625	1118	Ways and Means	1004	Finance	Oct. 21, 1965	Feb. 21, 1966.
89-366	Mar. 10	33	S. 251 (H.R. 1784).	1278	Interior and Insular Affairs	509	Interior and Insular Affairs	Feb. 16, 28, 1966.	July 27, 1965; Feb. 23, 1966.
89-367	Mar. 15	36	H.R. 12889 (S. 2791).	1293 1312	Armed Services [Conference]	992	Armed Services	Mar. 1, 10, 1966.	Feb. 16-18, 21, 23-26, 28, Mar. 1, 10, 1966.
89-368	Mar. 15	38	H.R. 12752	1285 1323	Ways and Means [Conference]	1010	Finance	Feb. 23, Mar. 15, 1966.	Mar. 4, 7-9, 15, 1966.
89-369	Mar. 16	71	H.R. 12563	1267	Banking and Currency	1008	Foreign Relations	Feb. 9, 1966	Mar. 2, 1966.
89-370	Mar. 17	73	H.R. 2627	1072	Judiciary	1030	Judiciary	Oct. 5, 1965	Mar. 4, 1966.
89-371	Mar. 18	74	H.R. 12169	1295 1328	Foreign Affairs [Conference]	1060	Foreign Relations	Feb. 24, Mar. 16, 1966.	Mar. 9, 10, 15, 1966.

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NOTE: Companion bills are in parentheses

Public Law		80 Stat.	Bill No.	Report No. and Committee reporting				Dates of consideration and passage (Congressional Record: 1965, Vol. 111; 1966, Vol. 112)	
No.	Date approved			House		Senate		House	Senate
89-372	1966 Mar. 18	75	S. 1666-----	1277	Judiciary-----	303	Judiciary-----	Mar. 2, 1966---	June 30, 1965; Mar. 8, 1966.
89-373	Mar. 23	78	H.R. 432-----	508	Post Office and Civil Service.	1064	Post Office and Civil Service.	June 21, 1965---	Mar. 14, 1966.
89-374	Mar. 25	79	H.R. 13546-----	1316	Appropriations-----	1074	Appropriations-----	Mar. 15, 23, 1966.	Mar. 21, 22, 1966.
89-375	Mar. 26	82	S. 2614 (H.R. 9963).	1187	Public Works-----	928	Commerce-----	Mar. 2, 1966---	Oct. 22, 1965; Mar. 14, 1966.
89-376	Mar. 26	84	H.R. 3584-----	181	Education and Labor--	1055	Labor and Public Welfare.	June 1, 1965---	Mar. 14, 1966.
89-377	Mar. 28	92	H.R. 8030-----	483	Post Office and Civil Service.	1065	Post Office and Civil Service.	July 12, 1965---	Mar. 14, 1966.
89-378	Mar. 30	93	H.R. 969-----	1035	Post Office and Civil Service.	1069	Post Office and Civil Service.	Oct. 5, 1965---	Mar. 17, 1966.
89-379	Mar. 30	94	H.R. 10553-----	880	Post Office and Civil Service.	1063	Post Office and Civil Service.	Sept. 20, 1965; Mar. 21, 1966.	Mar. 14, 1966.
89-380	Mar. 30	94	H.R. 1647-----	32	Post Office and Civil Service.	1062	Post Office and Civil Service.	Feb. 10, 1965; Mar. 21, 1966.	Mar. 14, 1966.
89-381	Mar. 30	96	H.R. 12762-----	1305	Merchant Marine and Fisheries.	1077	Commerce-----	Mar. 7, 1966---	Mar. 21, 1966.
89-382	Mar. 31	98	H.R. 7526-----	1136	Banking and Currency--	1072	Banking and Currency--	Oct. 18, 1965---	Mar. 17, 1966.
89-383	Mar. 31	98	H.R. 10722 (S. 2271).	1161	Government Operations.	810	Government Operations.	Oct. 18, 1965; Mar. 16, 1966.	Mar. 2, 1966.
89-384	Apr. 8	99	H.R. 6319 (H.R. 14224).	1125, 1419	Ways and Means-----	1091	Finance-----	Oct. 21, 1965; Apr. 6, 1966.	Apr. 1, 6, 1966.
89-385	Apr. 9	106	S.J. Res. 127-----					Apr. 6, 1966-----	Apr. 5, 7, 1966.
89-386	Apr. 9	106	S. 2394-----	1310	Public Works-----	914	Public Works-----	Mar. 22, 1966---	Oct. 21, 1965; Mar. 25, 1966.
89-387	Apr. 13	107	S. 1404 (H.R. 6785).	1315	Interstate and Foreign Commerce.	268	Commerce-----	Mar. 16, 30, 1966.	June 3, 1965; Mar. 22, 29, 1966.
89-388	Apr. 13	109	H.R. 6568-----	1385 1012	[Conference] Ways and Means-----	1009	Finance-----	Oct. 18, 1965; Mar. 30, 1966.	Mar. 2, 1966.
89-389	Apr. 14	111	H.R. 9883-----	1238	Ways and Means-----	1007	Finance-----	Feb. 7, Mar. 30, 1966.	Mar. 2, 1966.
89-390	Apr. 14	116	S. 2642-----	1391	Armed Services-----	1076	Armed Services-----	Apr. 4, 1966---	Mar. 21, Apr. 5, 1966.

89-391	Apr. 14	117	H.R. 6845-----	519	Post Office and Civil Service.	951	Post Office and Civil Service.	Aug. 3, 1965; Mar. 31, 1966.	Feb. 10, Mar. 29, 1966.
				1347	[Conference]				
89-392	Apr. 14	118	H.R. 7723-----	1075	Ways and Means-----	949	Finance-----	Oct. 21, 1965; Mar. 30, 1966.	Jan. 24, 1966.
89-393	Apr. 14	119	S. 2719-----	1382	Banking and Currency--	1066	Banking and Currency--	Apr. 4, 1966----	Mar. 14, 1966.
89-394	Apr. 14	119	S. 1488-----	1390	Armed Services-----	1075	Armed Services-----	Apr. 4, 1966----	Mar. 21, 1966.
89-395	Apr. 14	120	H.R. 3349-----	257	Judiciary-----	892	Judiciary-----	May 3, 1965----	Apr. 1, 1966.
89-396	Apr. 14	120	S. 2573-----	1403	Post Office and Civil Service.	1061	Post Office and Civil Service.	Apr. 4, 1966----	Mar. 14, 1966.
89-397	Apr. 16	120	H.J. Res. 837---	1364	Judiciary-----			Apr. 4, 1966----	Apr. 5, 1966.
89-398	Apr. 16	121	H.R. 7813-----	624	Armed Services-----	950	Armed Services-----	Aug. 30, 1965; Apr. 5, 1966.	Jan. 24, 1966.
89-399	Apr. 16	121	H.R. 959-----	733	District of Columbia--	1097	District of Columbia--	Aug. 9, 1965----	Apr. 5, 1966.
89-400	Apr. 16	122	S. 2831-----	1383	Banking and Currency--	1067	Banking and Currency--	Apr. 4, 1966----	Mar. 14, 1966.
89-401	Apr. 16	122	S. 2835-----	1384	Banking and Currency--	1068	Banking and Currency--	Apr. 4, 1966----	Mar. 14, 1966.
89-402	Apr. 18	123	H.R. 11664-----	1182	District of Columbia--	1099	District of Columbia--	Oct. 21, 1965; Apr. 6, 1966.	Apr. 5, 1966.
89-403	Apr. 18	126	H.R. 8466-----	736	District of Columbia--	1098	District of Columbia--	Aug. 9, 1965----	Apr. 5, 1966.
89-404	Apr. 19	129	S. 22 (H.R. 3606)	1350	Interior and Insular Affairs.	127	Interior and Insular Affairs.	Mar. 30, 1966----	Mar. 25, 1965; Apr. 5, 1966.
89-405	Apr. 19	130	H.R. 11029-----	1100	Ways and Means-----	1092	Finance-----	Oct. 5, 1965; Apr. 6, 1966.	Apr. 1, 1966.
89-406	Apr. 19	131	H.J. Res. 997 (S.J. Res. 149).	1408	Agriculture-----	1101	Agriculture and Forestry.	Apr. 4, 1966----	Apr. 6, 1966.
89-407	Apr. 25	131	H.R. 1746-----	33	Post Office and Civil Service.	1070	Post Office and Civil Service.	Feb. 10, 1965; Apr. 19, 1966.	Mar. 17, 1966.
89-408	Apr. 27	132	S. 1938 (H.R. 9070).	1413	Interior and Insular Affairs.	491	Interior and Insular Affairs.	Apr. 18, 1966--	July 22, 1965.
89-409	May 2	132	S. 2729-----	1348	Banking and Currency--	1057	Banking and Currency--	Mar. 31, Apr. 18, 1966.	Mar. 8, Apr. 5, 1966.
89-410	May 4	134	S.J. Res. 86-----			724	Judiciary-----	Apr. 25, 1966----	Sept. 17, 1965; Apr. 27, 1966.
89-411	May 4	134	S.J. Res. 18-----	1422	Judiciary-----	1011	Judiciary-----	Apr. 19, 25, 1966.	Mar. 4, Apr. 21, 1966.
89-412	May 5	134	S.J. Res. 130-----			1131	Judiciary-----	Apr. 25, 1966----	Apr. 21, 1966.
89-413	May 5	135	H.R. 13369-----	1395	Armed Services-----	1133	Armed Services-----	Apr. 4, 1966----	Apr. 25, 1966.
89-414	May 10	135	S. 1924-----	1252	Judiciary-----	744	Judiciary-----	Feb. 21, 1966----	Sept. 17, 1965; Apr. 28, 1966.
89-415	May 11	136	H.R. 13365-----	1392	Armed Services-----	1143	Armed Services-----	Apr. 4, 1966----	May 9, 1966.
89-416	May 11	136	H.R. 13367-----	1393	Armed Services-----	1144	Armed Services-----	Apr. 4, 1966----	May 9, 1966.
89-417	May 11	136	H.R. 13368-----	1394	Armed Services-----	1145	Armed Services-----	Apr. 4, 1966----	May 9, 1966.
89-418	May 11	137	H.R. 13371-----	1396	Armed Services-----	1146	Armed Services-----	Apr. 4, 1966----	May 9, 1966.
89-419	May 11	137	H.R. 13373-----	1397	Armed Services-----	1147	Armed Services-----	Apr. 4, 1966----	May 9, 1966.
89-420	May 11	138	H.R. 13578-----	1398	Armed Services-----	1148	Armed Services-----	Apr. 4, 1966----	May 9, 1966.
89-421	May 11	138	H.R. 13579-----	1399	Armed Services-----	1149	Armed Services-----	Apr. 4, 1966----	May 9, 1966.
89-422	May 11	138	H.R. 13580-----	1400	Armed Services-----	1150	Armed Services-----	Apr. 4, 1966----	May 9, 1966.

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NOTE: Companion bills are in parentheses

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Public Law		80 Stat.	Bill No.	Report No. and Committee reporting				Dates of consideration and passage (Congressional Record: 1965, Vol. 111; 1966, Vol. 112)	
No.	Date approved			House		Senate		House	Senate
	1966								
89-423	May 11	139	H. R. 13663	1401	Armed Services	1151	Armed Services	Apr. 4, 1966	May 9, 1966.
89-424	May 11	139	H. R. 13774	1402	Armed Services	1152	Armed Services	Apr. 6, 1966	May 9, 1966.
89-425	May 11	139	S. 1804	1352	Judiciary	711	Judiciary	May 2, 1966	Sept. 17, 1965.
89-426	May 13	141	H. R. 14012	1349	Appropriations	1137	Appropriations	Mar. 29, May 10, 1966.	Apr. 27, May 10, 1966.
89-427	May 20	161	S. 1308 (H. R. 5305)	1449	Banking and Currency	531	Banking and Currency	May 2, 1966	Aug. 3, 1965; May 5, 1966.
89-428	May 21	162	H. R. 14732 (S. 3293)	1471	Atomic Energy	1142	Atomic Energy	May 9, 1966	May 10, 1966.
89-429	May 24	164	S. 3283 (H. R. 14544)	1448	Banking and Currency	1140	Banking and Currency	May 16-18, 1966.	May 3, 5, 19, 23, 1966.
89-430	May 26	168	S. 1098	1183	Interstate and Foreign Commerce	386	Commerce	May 12, 1966	June 30, 1965; May 17, 1966.
89-431	May 26	168	H. R. 8376	1353	Ways and Means	1170	Finance	May 2, 1966	May 19, 1966.
89-432	May 31	169	H. R. 10998	1354	Ways and Means	1171	Finance	May 2, 1966	May 19, 1966.
89-433	May 31	169	H. R. 11653	1355	Ways and Means	1172	Finance	May 2, 1966	May 19, 1966.
89-434	May 31	169	H. R. 12997	1362	Ways and Means	1177	Finance	May 2, 1966	May 19, 1966.
89-435	May 31	170	H. R. 14215	1405	Appropriations	1154	Appropriations	Apr. 5, 6, May 18, 1966.	May 12, 19, 1966.
89-436	May 31	189	H. R. 12864	1361	Ways and Means	1176	Finance	May 2, 1966	May 19, 1966.
89-437	May 31	190	H. R. 12262	1356	Ways and Means	1173	Finance	May 2, 1966	May 19, 1966.
89-438	May 31	190	H. R. 10366	910	Agriculture	1182	Agriculture and Forestry	Sept. 7, 1965	May 23, 1966.
89-439	May 31	191	H. R. 12463	1359	Ways and Means	1174	Finance	May 2, 1966	May 19, 1966.
89-440	May 31	192	H. R. 12657	1360	Ways and Means	1175	Finance	May 2, 1966	May 19, 1966.
89-441	June 3	192	S. 265 (H. R. 1791)	1327	Interior and Insular Affairs	1006	Interior and Insular Affairs	Apr. 4, May 19, 1966.	Mar. 4, May 19, 1966.
89-442	June 8	194	H. R. 10476	1540	[Conference]				
				1343	Interior and Insular Affairs	1192	Interior and Insular Affairs	Apr. 4, 1966	June 1, 1966.
89-443	June 9	194	H. J. Res. 763	1421	Judiciary			May 2, 1966	June 1, 1966.
89-444	June 9	195	S. 2471 (H. R. 11781)	1523	Merchant Marine and Fisheries	911	Commerce	May 25, 1966	Oct. 22, 1965.
89-445	June 9	198	H. R. 12264	1281	Interior and Insular Affairs	1190	Interior and Insular Affairs	Feb. 21, 1966	June 1, 1966.
89-446	June 11	199	H. R. 10451	1301	Interior and Insular Affairs	1188	Interior and Insular Affairs	Mar. 7, 1966	June 1, 1966.
89-447	June 13	199	S. 2267	1619	Interstate and Foreign Commerce	1195	Commerce	June 8, 1966	June 2, 1966.

89-448	June 14	200	S. 1761 (H.R. 7406).	1409	Interior and Insular Affairs.	314	Interior and Insular Affairs.	Apr. 19, 1966	June 16, 1965; June 2, 1966.
89-449	June 15	201	S.J. Res. 160			1228	Judiciary	June 13, 1966	June 13, 1966.
89-450	June 15	201	S.J. Res. 161			1229	Judiciary	June 13, 1966	June 13, 1966.
89-451	June 17	202	H.R. 15151	1549	Agriculture			May 24, June 7, 1966.	June 1, 8, 9, 1966.
89-452	June 17	202	S. 2421	1563	[Conference] Armed Services	1134	Armed Services	June 6, 1966	Apr. 25, 1966.
89-453	June 17	203	S. 2469	1537	Merchant Marine and Fisheries.	773	Commerce	June 6, 1966	Sept. 24, 1965.
89-454	June 17	203	S. 944	1025	Merchant Marine and Fisheries.	528	Commerce	Sept. 20, 1965; May 26, 1966.	Aug. 5, 1965; June 2, 1966.
89-455	June 18	208	H. R. 11748	1216	[Conference] Veterans' Affairs	1214	Labor and Public Welfare.	Feb. 7, 1966	June 9, 1966.
89-456	June 20	208	H.R. 706	1114	Interstate and Foreign Commerce.	1201	Labor and Public Welfare.	Feb. 9, 1966	June 7, 1966.
89-457	June 20	210	H.R. 6646	697	Interior and Insular Affairs.	1206	Interior and Insular Affairs.	Aug. 16, 1965	June 8, 1966.
89-458	June 20	211	H.R. 3957	580	Interior and Insular Affairs.	1208	Interior and Insular Affairs.	July 12, 1965	June 8, 1966.
89-459	June 20	211	H.R. 10431 (S. 2912).	1279	Interior and Insular Affairs.	1193	Interior and Insular Affairs.	Feb. 21, June 8, 1966.	June 1, 1966.
89-460	June 21	212	H.R. 13366	1525	Armed Services	1225	Armed Services	May 18, 1966	June 9, 1966.
89-461	June 21	212	H.R. 13768	1526	Armed Services	1221	Armed Services	May 18, 1966	June 9, 1966.
89-462	June 21	212	H.R. 13769	1527	Armed Services	1223	Armed Services	May 18, 1966	June 9, 1966.
89-463	June 21	213	H.R. 13770	1528	Armed Services	1224	Armed Services	May 18, 1966	June 9, 1966.
89-464	June 21	213	H.R. 13773	1530	Armed Services	1222	Armed Services	May 18, 1966	June 9, 1966.
89-465	June 22	214	S. 1357	1541	Judiciary	750	Judiciary	June 7, 1966	Sept. 21, 1965; June 9, 1966.
89-466	June 22	217	H.R. 3177	1500	Veterans' Affairs	1218	Finance	May 16, 1966	June 9, 1966.
89-467	June 22	218	H.R. 9961	1503	Veterans' Affairs	1219	Finance	May 16, 1966	June 9, 1966.
89-468	June 23	218	H.R. 12676	1472	Ways and Means	1220	Finance	May 16, 1966	June 9, 1966.
89-469	June 24	219	H.R. 10357	1207	Banking and Currency	1279	Banking and Currency	Apr. 4, 1966	June 16, 1966.
89-470	June 24	220	H.R. 5984	696	Interior and Insular Affairs.	1213	Interior and Insular Affairs.	Aug. 16, 1965	June 9, 1966.
89-471	June 24	220	H.R. 15124	1606	Agriculture	1271	Agriculture and Forestry.	June 6, 1966	June 15, 1966.
89-472	June 24	221	H.R. 15202	1607	Ways and Means	1275	Finance	June 8, 1966	June 16, 1966.
89-473	June 29	221	H.R. 6438	722	Government Operations.	1284	Government Operations.	Aug. 16, 1965	June 16, 1966.
89-474	June 29	222	H.R. 14266	1412	Appropriations	1178	Appropriations	Apr. 6, June 15, 1966.	May 23, June 15, 1966.
89-475	June 29	229	H.R. 6515	982	[Conference] Interior and Insular Affairs.	1209	Interior and Insular Affairs.	Sept. 20, 1965; June 16, 1966.	June 8, 1966.
89-476	June 29	229	S. 2142	1618	Merchant Marine and Fisheries.	677	Commerce	June 20, 1966	Sept. 8, 1965.
89-477	June 29	231	H.R. 7042	376	Interstate and Foreign Commerce.	1217	Labor and Public Welfare.	June 7, 1965; June 16, 1966.	June 9, 1966.

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NOTE: Companion bills are in parentheses

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Public Law		80 Stat.	Bill No.	Report No. and Committee reporting				Dates of consideration and passage (Congressional Record: 1965, Vol. 111; 1966, Vol. 112)	
No.	Date approved			House		Senate		House	Senate
89-478	1966 June 29	231	S. 1495-----	1623	Post Office and Civil Service.	310	Post Office and Civil Service.	June 20, 1966---	June 11, 1965.
89-479	June 30	232	H.R. 7402-----	1496	Interior and Insular Affairs.	1197	Interior and Insular Affairs.	May 16, June 16, 1966.	June 2, 1966.
89-480	June 30	232	H.R. 13431-----	1610	Ways and Means-----	1295	Finance-----	June 15, 1966---	June 24, 1966.
89-481	June 30	233	H.J. Res 1180-----	1662	Appropriations-----			June 28, 1966---	June 28, 1966.
89-482	June 30	235	H.R. 14025-----	1411	Banking and Currency--	1303	Banking and Currency--	June 16, 1966---	June 27, 1966.
89-483	June 30	235	H.R. 13125-----	1671	Armed Services-----			June 28, 1966---	June 29, 1966.
89-484	June 30	235	S. 3368-----	1640	Banking and Currency--	1215	Banking and Currency--	June 23, 1966---	June 9, 1966.
89-485	July 1	236	H.R. 7371-----	534	Banking and Currency--	1179	Banking and Currency--	Sept. 13, 23, 1965; June 21, 1966.	June 6, 7, 1966.
89-486	July 4	244	S. 693-----	1470	Judiciary-----	143	Foreign Relations-----	May 16, June 21, 1966.	Apr. 5, 1965; June 21, 1966.
89-487	July 4	250	S. 1160-----	1632 1497	[Conference] Government Operations.	813	Judiciary-----	June 20, 1966---	Oct. 13, 1965.
89-488	July 4	252	H.R. 10721-----	1304	Education and Labor--	1285	Labor and Public Welfare.	Mar. 7, June 21, 1966.	June 20, 1966.
89-489	July 4	257	H.R. 1582-----	1098	Merchant Marine and Fisheries.	863	Commerce-----	Oct. 5, 1965-----	June 22, 1966.
89-490	July 4	258	H.R. 12270-----	1524	Armed Services-----	1277	Armed Services-----	May 12, June 22, 1966.	June 16, 1966.
89-491	July 4	259	S.J. Res. 162 (H.J. Res. 903).	1672	Judiciary-----	1317	Judiciary-----	June 29, 1966---	June 28, 1966.
89-492	July 5	262	H.R. 13822-----	1542	Post Office and Civil Service.	1289	Post Office and Civil Service.	June 6, 1966---	June 23, 1966.
89-493	July 5	263	S. 1611-----	1483	District of Columbia---	639	District of Columbia---	May 9, 1966-----	Aug. 25, 1965; June 27, 1966.
89-494	July 5	266	H.R. 11439-----	1134	District of Columbia---	1135	District of Columbia---	Oct. 11, 1965; June 27, 1966.	May 9, 10, 1966.
89-495	July 5	268	H.R. 136 (S. 1912)	686	Judiciary-----	997, 999 277, 1159	Finance----- Judiciary.	Aug. 2, 1965; June 23, 1966.	June 21, 1966.
89-496	July 5	270	H.R. 3438 (S. 976)	687	Judiciary-----	996, 998 114, 1158	Finance----- Judiciary.	Aug. 2, 1965---	June 21, 1966.
89-497	July 8	271	H.R. 12232-----	1251	Judiciary-----	1310	Judiciary-----	Feb. 21, 1966---	June 27, 1966.
89-498	July 8	272	H.R. 3788-----	611	Public Works-----	1306	Public Works-----	July 19, 1965---	June 27, 1966.

89-499	July 8	274	H.R. 3976-----	290	Public Works-----	1305	Public Works-----	May 17, 1965---	June 27, 1966.
89-500	July 12	274	H.R. 7423-----	1331	Post Office and Civil Service.	1288	Post Office and Civil Service.	Mar. 21, June 29, 1966.	June 27, 1966.
89-501	July 13	275	S. 2950-----	1536	Armed Services-----	1136	Armed Services-----	June 14, July 12, 1966.	Apr. 27, 28, July 12, 1966.
89-502	July 13	279	H.R. 12322-----	1300	Agriculture-----	1272	Agriculture and Forestry.	Mar. 3, June 30, 1966.	June 15, 28, 1966.
89-503	July 18	287	S. 2266-----	1673	[Conference]	1048	Judiciary-----	June 29, 1966---	Mar. 8, 1966.
89-504	July 18	288	H.R. 14122-----	1676	Interstate and Foreign Commerce.	1187	Post Office and Civil Service.	Apr. 4, 6, July 12, 1966.	July 11, 1966.
89-505	July 18	304	H.R. 13652-----	1410	Post Office and Civil Service.	1328	Judiciary-----	June 6, 1966---	June 27, 1966.
89-506	July 18	306	H.R. 13650-----	1534	Judiciary-----	1327	Judiciary-----	June 6, 1966---	June 27, 1966.
89-507	July 18	308	H.R. 14182-----	1532	Judiciary-----	1329	Judiciary-----	June 6, 1966---	June 27, 1966.
89-508	July 19	308	H.R. 13651-----	1535	Judiciary-----	1331	Judiciary-----	June 6, July 11, 1966.	June 27, 1966.
89-509	July 19	310	H.R. 6125-----	1533	Judiciary-----	1344	Rules and Administration.	Feb. 7, 1966---	June 29, 1966.
89-510	July 19	312	S. 2999-----	1042	House Administration--	1094	Interior and Insular Affairs.	June 6, 29, 1966.	Apr. 6, June 24, 1966.
89-511	July 19	313	H.R. 14050-----	1561	Interior and Insular Affairs.	1291	Labor and Public Welfare.	June 2, 28, 1966.	June 22, 1966.
89-512	July 19	318	H.R. 1535-----	1474	Education and Labor--	1294	Post Office and Civil Service.	Feb. 10, 1965; June 29, 1966.	June 24, 1966.
89-513	July 19	319	H.R. 13417-----	31	Post Office and Civil Service.	1347	Interior and Insular Affairs.	May 2, 1966---	June 30, 1966.
89-514	July 19	320	H.J. Res. 1178--	1465	Interior and Insular Affairs.	1353	District of Columbia--	June 27, 1966---	July 11, 1966.
89-515	July 19	322	H.R. 14312 (S. 3186).	1659	District of Columbia--	1340	Interior and Insular Affairs.	June 6, 1966---	June 30, 1966.
89-516	July 21	323	H.R. 10607-----	1560	Interior and Insular Affairs.	1357	Government Operations.	Mar. 23, 1966---	July 11, 1966.
89-517	July 23	325	H.R. 9599-----	1199	Government Operations.	1354	Interior and Insular Affairs.	June 6, 1966---	July 11, 1966.
89-518	July 25	326	H.R. 8337-----	1562	Interior and Insular Affairs.	1364	District of Columbia--	June 27, July 14, 1966.	July 11, 1966.
89-519	July 26	327	H.R. 15860-----	1653	District of Columbia--	1365	District of Columbia--	June 27, July 14, 1966.	July 11, 1966.
89-520	July 26	329	S. 3150-----	1658	District of Columbia--	1283	Government Operations.	July 18, 1966---	June 16, 1966.
89-521	July 27	330	H.R. 14888 (S. 3325).	1645	Government Operations.	1342	Agriculture and Forestry.	June 6, July 12, 1966.	June 29, 1966.
89-522	July 30	330	S. 3093 (H.R. 13783).	1555	Agriculture-----	1343	Rules and Administration.	July 18, 1966---	June 29, 1966.
89-523	Aug. 1	331	H.R. 318-----	1600	House Administration--	1375	Finance-----	Oct. 5, 7, 1965--	July 19, 1966.
89-524	Aug. 1	332	S. 2948 (H.R. 14687).	1096	Ways and Means-----	1191	Interior and Insular Affairs.	July 18, 1966---	June 1, July 20, 1966.
89-525	Aug. 2	333	S. 2822-----	1683	Interior and Insular Affairs.	1102	Agriculture and Forestry.	July 18, 1966---	Apr. 14, July 21, 1966.
				1695	Agriculture-----				

## GUIDE TO LEGISLATIVE HISTORY OF BILLS ENACTED INTO PUBLIC LAW—Continued

NOTE: Companion bills are in parentheses

III

Public Law		80 Stat.	Bill No.	Report No. and Committee Reporting				Dates of consideration and passage (Congressional Record: 1965, Vol. 111; 1966, Vol. 112)	
No.	Date approved			House		Senate		House	Senate
89-526	1966 Aug. 4	335	H.R. 8317-----	1077	Judiciary-----	1395	Judiciary-----	Oct. 18, 1965---	July 25, 1966.
89-527	Aug. 5	335	H.R. 139-----	1206	Banking and Currency--	1369	Banking and Currency--	Apr. 4, July 21, 1966.	July 12, 1966.
89-528	Aug. 5	336	H.R. 14324-----	1441	Science and Astro- nautics. [Conference]	1184	Aeronautical and Space Sciences.	May 3, July 21, 1966.	May 23, 24, July 22, 1966.
89-529	Aug. 11	339	H.R. 13374-----	1748	Armed Services-----	1416	Armed Services-----	July 18, 1966---	July 29, 1966.
89-530	Aug. 11	339	H.R. 12389-----	1634 1567	Interior and Insular Affairs.	1402	Interior and Insular Affairs.	June 20, 1966---	July 27, 1966.
89-531	Aug. 11	340	S. 3249-----	1734	Judiciary-----	1255	Judiciary-----	Aug. 1, 1966----	June 13, 1966.
89-532	Aug. 11	344	S. 3498 (H.R. 15785).	1741	Foreign Affairs-----	1374	Foreign Relations-----	Aug. 1, 1966----	July 19, 1966.
89-533	Aug. 11	344	H.R. 11980-----	1518	Armed Services-----	1415	Armed Services-----	May 16, 1966---	July 29, 1966.
89-534	Aug. 11	345	H.R. 3013-----	1633	Armed Services-----	1418	Armed Services-----	July 18, 1966---	July 29, 1966.
89-535	Aug. 11	346	S. 2412-----	1733	Interior and Insular Affairs.	1203	Interior and Insular Affairs.	Aug. 1, 1966----	June 7, 1966.
89-536	Aug. 11	346	H.R. 7327-----	692	Armed Services-----	1423	Armed Services-----	Aug. 16, 1965; Aug. 4, 1966.	Aug. 1, 1966.
89-537	Aug. 12	346	H.R. 15225-----	1559	Public Works-----	1399	Public Works-----	June 13, 1966---	July 27, 1966.
89-538	Aug. 14	347	H.R. 14875-----	1666	Armed Services-----	1422	Armed Services-----	July 18, Aug. 4, 1966.	Aug. 1, 1966.
89-539	Aug. 19	348	H.R. 13772-----	1529	Armed Services-----	1431	Armed Services-----	May 18, 1966---	Aug. 8, 1966.
89-540	Aug. 19	348	H.R. 15485-----	1747	Armed Services-----	1430	Armed Services-----	Aug. 1, 1966---	Aug. 8, 1966.
89-541	Aug. 22	349	H.R. 10284-----	1322	Public Works-----	1438	Public Works-----	Mar. 21, 1966---	Aug. 10, 1966.
89-542	Aug. 23	349	S. 3484 (H.R. 15566).	1685	Interior and Insular Affairs.	1292	Interior and Insular Affairs.	Aug. 15, 1966---	June 23, 1966.
89-543	Aug. 23	350	H.R. 11671-----	1693	Interior and Insular Affairs.	1429	Interior and Insular Affairs.	July 18, Aug. 11, 1966.	Aug. 8, 1966.
89-544	Aug. 24	350	H.R. 13881-----	1418 1848	Agriculture----- [Conference]	1281	Commerce-----	Apr. 28, Aug. 16, 1966.	June 22, Aug. 17, 1966.
89-545	Aug. 27	354	H.R. 15456-----	1608 1852	Appropriations----- [Conference]	1409	Appropriations-----	June 7, Aug. 16, 1966.	July 28, Aug. 19, 1966.
89-546	Aug. 27	370	H.J. Res. 810---	1739	Judiciary-----	1440	Judiciary-----	Aug. 1, 1966----	Aug. 11, 1966.
89-547	Aug. 27	370	H.J. Res. 1207--	1801	Government Opera- tions.	1456	Government Opera- tions.	Aug. 3, 1966----	Aug. 12, 1966.
89-548	Aug. 30	371	H.R. 13277-----	1511	Interior and Insular Affairs.	1407	Interior and Insular Affairs.	May 16, Aug. 17, 1966.	July 27, Aug. 11, 1966.
89-549	Aug. 31	371	H.J. Res. 1284--	1851 1907	[Conference] Appropriations-----			Aug. 29, 1966---	Aug. 29, 1966.

89-550	Sept. 1	371	H.R. 17419 (S. 3784).			1559	Judiciary	Aug. 31, 1966	Aug. 31, 1966.
89-551	Sept. 1	372	H.R. 8760	1620	Merchant Marine and Fisheries.	1479	Commerce	June 20, 1966	Aug. 19, 1966.
89-552	Sept. 2	375	H.R. 13298	1512	Interior and Insular Affairs.	1420	Interior and Insular Affairs.	May 16, Aug. 24, 1966.	Aug. 2, 1966.
89-553	Sept. 2	376	S. 602 (H.R. 4851).	894	Interior and Insular Affairs.	336	Interior and Insular Affairs.	Sept. 7, 1965; July 21, Aug. 22, 1966.	June 25, July 1, 1965; Aug. 11, 18, 1966.
89-554	Sept. 6	378	H.R. 10104	1627, 1858 901	[Conference] Judiciary	1380	Judiciary	Sept. 7, 1965; Aug. 11, 1966.	July 25, 1966.
89-555	Sept. 6	663	H.R. 14921	1477	Appropriations	1433	Appropriations	May 10, Aug. 18, 1966.	Aug. 8-10, 24, 1966.
89-556	Sept. 7	689	H.R. 14596	1859 1446	[Conference] Appropriations	1370	Appropriations	Apr. 26, Aug. 24, 1966.	July 13, 15, Aug. 24, 1966.
89-557	Sept. 7	704	S. 490 (H.R. 2829).	1867 1321	[Conference] Interior and Insular Affairs.	61	Interior and Insular Affairs.	Mar. 30, 1966	Feb. 10, 1965; Aug. 25, 1966.
89-558	Sept. 7	705	H.R. 2653	1073	Judiciary	1506	Judiciary	Oct. 5, 1965	Aug. 26, 1966.
89-559	Sept. 7	705	H.R. 9824	1479	District of Columbia	1529	District of Columbia	May 9, 1966	Aug. 29, 1966.
89-560	Sept. 7	706	S. 902	1804	Agriculture	1180	Agriculture and Forestry.	Aug. 15, 1966	May 23, Aug. 25, 1966.
89-561	Sept. 7	707	S. 3034 (H.R. 13419).	1686	Interior and Insular Affairs.	1368	Interior and Insular Affairs.	July 18, Aug. 24, 1966.	July 12, Aug. 25, 1966.
89-562	Sept. 8	715	S. 3700 (H.R. 14810).	1865 1487	[Conference] Banking and Currency.	1436	Banking and Currency.	Aug. 16, 26, 1966.	Aug. 15, 25, 1966.
89-563	Sept. 9	718	S. 3005 (H.R. 13228).	1869 1776	[Conference] Interstate and Foreign Commerce.	1301	Committee on Commerce.	Aug. 17, 31, 1966.	June 24, Aug. 18, 31, 1966.
89-564	Sept. 9	731	S. 3052 (H.R. 13290).	1919 1700	[Conference] Public Works	1302	Public Works	Aug. 18, 31, 1966.	June 24, 27, Sept. 1, 1966.
89-565	Sept. 9	737	S. 489 (H.R. 2623).	1920 1665	[Conference] Interior and Insular Affairs.	510	Interior and Insular Affairs.	July 18, 1966	July 29, 1965; Aug. 25, 1966.
89-566	Sept. 10	738	S. 3688 (H.R. 15639).	1647 1868	Banking and Currency. [Conference]	1428	Banking and Currency.	Aug. 15, 26, 1966.	Aug. 11, 25, 1966.
89-567	Sept. 10	738	H.R. 13703	1482	District of Columbia	1520	District of Columbia	May 9, 1966	Aug. 29, 1966.
89-568	Sept. 12	739	S. 3105	1763 1887	Armed Services [Conference]	1185	Armed Services	Aug. 10, 25, 1966.	May 25, Aug. 29, 1966.
89-569	Sept. 12	758	H.R. 15858	1657	District of Columbia	1536	District of Columbia	June 27, 1966	Aug. 30, 1966.
89-570	Sept. 12	759	H.R. 4665	1237 1925	Ways and Means [Conference]	1377	Finance	Feb. 7, Sept. 1, 1966.	July 29, Aug. 31, 1966.
89-571	Sept. 12	764	H.R. 3999	135	Judiciary	1504	Judiciary	Mar. 15, 1965	Aug. 26, 1966.
89-572	Sept. 13	764	S. 3418 (H.R. 16574).	1778	Foreign Affairs	1486	Foreign Relations	Aug. 31, 1966	Aug. 23, 1966.
89-573	Sept. 13	765	H.R. 12328	1357	Ways and Means	1539	Finance	May 2, 1966	Sept. 1, 1966.

## GUIDE TO LEGISLATIVE HISTORY OF BILLS ENACTED INTO PUBLIC LAW—Continued

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NOTE: Companion bills are in parentheses

Public Law		80 Stat.	Bill No.	Report No. and Committee reporting				Dates of consideration and passage (Congressional Record: 1965, Vol. 111; 1966, Vol. 112)	
No.	Date approved			House		Senate		House	Senate
89-574	1966 Sept. 13	766	S. 3155 (H.R. 14359)	1704	Public Works	1410	Public Works	Aug. 11, 31, 1966.	July 28, Aug. 30, 1966.
89-575	Sept. 13	771	H.R. 12461	1903	[Conference]				
89-576	Sept. 14	772	H.R. 13284 (S. 3336)	1358	Ways and Means	1540	Finance	May 2, 1966	Sept. 1, 1966.
				1889	Judiciary			Aug. 31, 1966	Aug. 31, 1966.
89-577	Sept. 16	772	H.R. 8989	606	Education and Labor	1296	Labor and Public Welfare	Sept. 2, 1965; Aug. 31, 1966.	June 23, Aug. 31, 1966.
				1921	[Conference]				
89-578	Sept. 16	785	H.R. 13558	1480	District of Columbia	1535	District of Columbia	May 9, 1966	Aug. 30, 1966.
89-579	Sept. 16	793	H.R. 399	429	Interior and Insular Affairs	1541	Interior and Insular Affairs	June 7, 1965	Aug. 31, 1966.
89-580	Sept. 16	794	H.R. 7446	1074	Judiciary	1569	Judiciary	Oct. 5, 1965	Sept. 1, 1966.
89-581	Sept. 16	795	H.R. 790	616	Public Works	1542	Public Works	Aug. 2, 1965	Aug. 31, 1966.
89-582	Sept. 16	795	H.R. 8000	1773	Merchant Marine & Fisheries	1545	Commerce	Aug. 1, 1966	Sept. 1, 1966.
89-583	Sept. 19	795	H.R. 15750 (S. 3584)	1651	Foreign Affairs	1359	Foreign Relations	July 12-14, Sept. 1, 1966.	July 18-22, 25, 26, Sept. 7, 1966.
				1927	[Conference]				
89-584	Sept. 19	808	S. 2747 (H.R. 11880)	1744	Foreign Affairs	1485	Foreign Relations	Sept. 1, 1966	Aug. 22, Sept. 7, 1966.
89-585	Sept. 19	809	H.R. 8058	746	District of Columbia	1558	District of Columbia	Aug. 9, 1965; Sept. 7, 1966.	Sept. 1, 1966.
89-586	Sept. 19	809	S. 112 (H.R. 15951)	1856	Agriculture	1274	Agriculture and Forestry	Aug. 30, 1966	June 15, Sept. 7, 1966.
89-587	Sept. 19	810	H.R. 1066	21	District of Columbia	1528	District of Columbia	Feb. 8, 1965; Sept. 7, 1966.	Aug. 29, 1966.
89-588	Sept. 19	811	S. 2366	1812	Interior and Insular Affairs	1204	Interior and Insular Affairs	Sept. 6, 1966	June 8, 1966.
89-589	Sept. 19	811	S. 2858 (H.R. 12591)	1617	Merchant Marine and Fisheries	1198	Commerce	June 20, Aug. 18, 1966.	June 15, Sept. 1, 1966.
				1861	[Conference]				
89-590	Sept. 19	811	S. 3576 (H.R. 7618)	1894	Judiciary	1502	Judiciary	Sept. 6, 1966	Aug. 26, 1966.
89-591	Sept. 19	812	H.R. 11087	1546	District of Columbia	1521	District of Columbia	May 23, Sept. 7, 1966.	Aug. 29, 1966.
89-592	Sept. 19	814	S. 3354 (H.R. 15059)	1850	Interior and Insular Affairs	1518	Interior and Insular Affairs	Sept. 6, 1966	Aug. 26, 1966.
89-593	Sept. 20	815	H.R. 14904	1543, 1543 pt. 2	Post Office and Civil Service	1534	Post Office and Civil Service	June 27, Aug. 30, 1966.	Aug. 29, 1966.

89-594	Sept. 20	821	H.R. 10823	1654	District of Columbia	1530	District of Columbia	June 27, Sept. 7, 1966.	Aug. 29, 1966.
89-595	Sept. 20	821	S.J. Res 178 (H.J. Res 1217)	1803	Agriculture	1427	Agriculture and Forestry.	Sept. 6, 1966	Aug. 8, 1966.
89-596	Sept. 20	822	S. 254 (H.R. 707)	1324	Interior and Insular Affairs.	142	Interior and Insular Affairs.	Mar. 30, Sept. 6, 1966.	Apr. 1, 1965; Sept. 7, 1966.
89-597	Sept. 21	823	H.R. 14026	1932	[Conference]				
89-598	Sept. 21	825	S. 2263	1777	Banking and Currency	1601	Banking and Currency	Sept. 7, 8, 1966	Sept. 15, 1966.
				1484	District of Columbia	624	District of Columbia	May 9, Sept. 7, 1966.	Aug. 24, 1965; Aug. 29, 1966.
89-599	Sept. 21	826	S. 3051	1901	Judiciary	1398	Judiciary	Sept. 6, 1966	July 25, Sept. 9, 1966.
89-600	Sept. 21	829	H.R. 14205	1481	District of Columbia	1531	District of Columbia	May 9, Sept. 7, 1966.	Aug. 29, 1966.
89-601	Sept. 23	830	H.R. 13712	1366	Education and Labor	1487	Labor and Public Welfare.	May 24-26, Sept. 7, 1966.	Aug. 24-26, Sept. 14, 1966.
				2004	[Conference]				
89-602	Sept. 24	845	S. 3625			1590	Public Works	Sept. 13, 1966	Sept. 8, 1966.
89-603	Sept. 24	846	H.R. 11488	1824	Armed Services	1595	Armed Services	Aug. 15, 1966	Sept. 13, 1966.
89-604	Sept. 26	846	H.R. 6686	350	Post Office and Civil Service.	1488	Post Office and Civil Service.	June 7, 1965	Sept. 8, 1966.
89-605	Sept. 26	847	H.R. 13508	1917	Interior and Insular Affairs.	1592	Interior and Insular Affairs.	Sept. 6, 1966	Sept. 13, 1966.
89-606	Sept. 26	849	H.R. 15005	1639	Armed Services	1597	Armed Services	June 28, Sept. 15, 1966.	Sept. 13, 1966.
89-607	Sept. 27	850	H.R. 3041	693	Armed Services	1548	Armed Services	Aug. 16, 1965; Sept. 15, 1966.	Sept. 1, 1966.
89-608	Sept. 30	851	H.R. 11979	1749	Armed Services	1594	Armed Services	Aug. 1, Sept. 15, 1966.	Sept. 13, 1966.
89-609	Sept. 30	852	H.R. 420	1823	Armed Services	1596	Armed Services	Aug. 15, 1966	Sept. 13, 1966.
89-610	Sept. 30	855	H.R. 11487	1135	District of Columbia	1157	District of Columbia	Oct. 11, 1965; Sept. 29, 1966.	May 16, Sept. 28, 1966.
				2089	[Conference]				
89-611	Sept. 30	859	H.J. Res. 1308	2078	Appropriations			Sept. 28, 1966	Sept. 28, 1966.
89-612	Sept. 30	859	H.R. 16330	1807	Veterans' Affairs	1603	Labor and Public Welfare.	Aug. 31, Sept. 19, 1966.	Sept. 16, 1966.
89-613	Sept. 30	861	H.R. 16367	1808	Veterans' Affairs	1604	Labor and Public Welfare.	Aug. 31, 1966	Sept. 16, 1966.
89-614	Sept. 30	862	H.R. 14088	1407	Armed Services	1434	Armed Services	May 11, Sept. 28, 1966.	Aug. 11, Sept. 28, 1966.
				2064	[Conference]				
89-615	Oct. 3	866	S. 3261	2041	Interior and Insular Affairs.	1522	Interior and Insular Affairs.	Sept. 19, 1966	Aug. 29, 1966.
89-616	Oct. 3	867	S. 3510	1870	Interior and Insular Affairs.	1345	Interior and Insular Affairs.	Sept. 19, 1966	June 30, Sept. 21, 1966.
89-617	Oct. 3	868	S. 1474	2018	House Administration	408	Rules and Administration.	Sept. 19, 1966	Aug. 25, 1965.
89-618	Oct. 4	870	S. 2287	1866	Interior and Insular Affairs.	1362	Interior and Insular Affairs.	Sept. 19, 1966	July 11, Sept. 20, 1966.

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NOTE: Companion bills are in parentheses

LIX

Public Law		80 Stat.	Bill No.	Report No. and Committee reporting				Dates of consideration and passage (Congressional Record: 1965, Vol. 111; 1966, Vol. 112)	
No.	Date approved			House		Senate		House	Senate
89-619	Oct. 4 <sup>1966</sup>	871	S. 3353 (H.R. 12543).	2066	Interstate and Foreign Commerce.	1635	Judiciary	Sept. 27, 1966	Sept. 26, 1966.
89-620	Oct. 4	871	S. 3421	1975	Agriculture	1426	Agriculture and Forestry.	Sept. 19, 1966	Aug. 5, 1966.
89-621	Oct. 4	872	H.R. 483	1513	Ways and Means	1599	Finance	Aug. 11, Sept. 26, 1966.	Sept. 15, 1966.
89-622	Oct. 4	873	H.R. 5852	1797	Veterans' Affairs	1624	Finance	Aug. 15, 1966	Sept. 22, 1966.
89-623	Oct. 4	873	H.R. 7850	1502	Veterans' Affairs	1612	Labor and Public Welfare.	May 16, 1966	Sept. 22, 1966.
89-624	Oct. 4	873	H.R. 9976	1784	Interior and Insular Affairs.	1619	Interior and Insular Affairs.	Aug. 15, 1966	Sept. 21, 1966.
89-625	Oct. 4	874	H.R. 11927	1239	Veterans' Affairs	1613	Labor and Public Welfare.	Feb. 7, 1966	Sept. 22, 1966.
89-626	Oct. 4	874	H.R. 12664	1505	Veterans' Affairs	1614	Labor and Public Welfare.	May 16, 1966	Sept. 22, 1966.
89-627	Oct. 4	875	H.R. 12119	1655	District of Columbia	1620	District of Columbia	June 27, 1966	Sept. 22, 1966.
89-628	Oct. 4	875	H.R. 16940	1863	District of Columbia	1622	District of Columbia	Aug. 22, 1966	Sept. 22, 1966.
89-629	Oct. 4	876	H.R. 13012	1506	Veterans' Affairs	1615	Labor and Public Welfare.	May 16, 1966	Sept. 22, 1966.
89-630	Oct. 4	876	H.R. 12352	1799	Veterans' Affairs	1617	Government Operations.	Aug. 15, 1966	Sept. 22, 1966.
89-631	Oct. 4	877	H.R. 16863	1834	District of Columbia	1621	District of Columbia	Aug. 22, 1966	Sept. 22, 1966.
89-632	Oct. 8	878	S. 2393	1604	Post Office and Civil Service.	652	Post Office and Civil Service.	June 6, Sept. 21, 1966.	Sept. 1, 1965; Sept. 22, 1966.
89-633	Oct. 8	879	H.R. 15510	2047 1785	[Conference] Agriculture	1633	Agriculture and Forestry.	Sept. 6, 1966	Sept. 26, 1966.
89-634	Oct. 8	879	H.J. Res. 688	1780	Ways and Means	1626	Finance	Sept. 12, 1966	Sept. 22, 1966.
89-635	Oct. 10	880	S. 1356	2040	Judiciary	1507	Judiciary	Oct. 3, 1966	Aug. 26, 1966.
89-636	Oct. 10	881	H.R. 14019	1551	Foreign Affairs	1607	Foreign Relations	June 13, Sept. 28, 1966.	Sept. 21, 1966.
89-637	Oct. 10	882	S.J. Res. 197 (H.R. 14548)	1694	Post Office and Civil Service.	1400, 1591	Public Works	July 18, Oct. 5, 1966.	July 27, Aug. 22, Oct. 4, 1966.
89-638	Oct. 10	883	S. 2070	2142	Judiciary	749	Judiciary	Oct. 3, 1966	Sept. 20, 1965.
89-639	Oct. 10	883	H.R. 16608	1815	District of Columbia	1623	District of Columbia	Aug. 16, Sept. 28, 1966.	Sept. 22, 1966.
89-640	Oct. 10	884	S. 2540 (H.R. 13825).	1745	Foreign Affairs	1049	Foreign Relations	Sept. 22, 1966	Mar. 8, Sept. 27, 1966.

89-641	Oct. 11	884	H. R. 16557-----	2010	Veterans' Affairs-----	1658	Finance-----	Sept. 19, 1966---	Sept. 28, 1966.
89-642	Oct. 11	885	S. 3467----- (H. R. 13361).	1787	Agriculture-----	1360	Agriculture and Forestry.	Sept. 1, Oct. 5, 1966.	July 12, Oct. 6, 1966.
89-643	Oct. 13	890	S. 3080 (H. R. 15953).	1802	Education and Labor--- [Conference]	1421	Interior and Insular Affairs.	Oct. 3, 1966----	Aug. 2, 1966.
89-644	Oct. 13	890	H. R. 10860-----	1862	Interior and Insular Affairs.	1544	Commerce-----	June 20, Oct. 5, 1966.	Sept. 1, 1966.
89-645	Oct. 13	891	S. 3830 (H. R. 17685).	1631	Interstate and Foreign Commerce.	1605	Joint Committee on Atomic Energy.	Sept. 30, 1966---	Sept. 22, 1966.
89-646	Oct. 13	893	S.J. Res. 108----	2043	Joint Committee on Atomic Energy.	1156	Foreign Relations-----	Oct. 3, 1966----	May 12, Oct. 5, 1966.
89-647	Oct. 13	894	S. 3096 (H. R. 13665).	1743	Foreign Affairs-----	1282	Commerce-----	Oct. 3, 1966----	June 20, 1966.
89-648	Oct. 13	895	S. 3807 (H. R. 17558).	2164	Interstate and Foreign Commerce.	1662	Joint Committee on Atomic Energy.	Oct. 3, 1966----	Sept. 29, 1966.
89-649	Oct. 13	895	S. 2434 (H. R. 10700).	2145	Joint Committee on Atomic Energy.	772	Commerce-----	Oct. 3, 1966----	Sept. 24, 1965.
89-650	Oct. 13	896	H. R. 9916-----	2163	Interstate and Foreign Commerce.	1670	Armed Services-----	July 18, 1966---	Oct. 4, 1966.
89-651	Oct. 14	897	H. R. 8664-----	1690	Armed Services-----	1678	Finance-----	Sept. 12, 1966---	Oct. 7, 1966.
89-652	Oct. 14	902	H. R. 5297-----	1779	Ways and Means-----	1693	Armed Services-----	July 18, 1966---	Oct. 7, 1966.
89-653	Oct. 14	903	H. R. 8034-----	1689	Armed Services-----	1671	Labor and Public Welfare.	Sept. 6, 1966---	Oct. 5, 1966.
89-654	Oct. 14	904	S. 3433-----	1924	Interior and Insular Affairs.	1555	Commerce-----	Oct. 3, 1966----	Sept. 1, Oct. 4, 1966.
89-655	Oct. 14	905	H. R. 10633-----	2144	Judiciary-----	1686	Interior and Insular Affairs.	July 18, 1966---	Oct. 7, 1966.
89-656	Oct. 14	906	H. R. 12437-----	1684	Interior and Insular Affairs.	1689	Interior and Insular Affairs.	Sept. 6, 1966----	Oct. 7, 1966.
89-657	Oct. 14	907	H. R. 722-----	1918	Interior and Insular Affairs.	1547	Commerce-----	July 12, 1965; Oct. 5, 1966.	Sept. 1, 1966.
89-658	Oct. 14	908	S. 2218 (H. R. 9531).	576	Merchant Marine and Fisheries.	1280	Commerce-----	Oct. 3, 1966----	June 20, Oct. 5, 1966.
89-659	Oct. 14	909	H. R. 7466-----	2086	Merchant Marine and Fisheries.	1685	Interior and Insular Affairs.	July 12, 1965---	Oct. 7, 1966.
89-660	Oct. 14	910	H. R. 10747-----	522	Interior and Insular Affairs.	1688	Interior and Insular Affairs.	Aug. 15, 1966---	Oct. 7, 1966.
89-661	Oct. 14	911	H. R. 10674-----	1783	Interior and Insular Affairs.	1687	Interior and Insular Affairs.	Feb. 16, 1966---	Oct. 7, 1966.
89-662	Oct. 14	912	S. 3715-----	1280	Interior and Insular Affairs.	1546	Commerce-----	Oct. 3, 1966----	Sept. 1, 1966.
89-663	Oct. 14	913	H. R. 3596-----	2083	Merchant Marine and Fisheries.	1684	Interior and Insular Affairs.	May 17, 1965---	Oct. 7, 1966.
89-664	Oct. 15	913	S. 491 (H. R. 2778).	276	Interior and Insular Affairs.	64	Interior and Insular Affairs.	Sept. 19, Oct. 3, 1966.	Feb. 10, 1965; Oct. 3, 1966.
89-665	Oct. 15	915	S. 3035-----	1819	Interior and Insular Affairs.	1363	Interior and Insular Affairs.	Sept. 19, Oct. 10, 1966.	July 11, Oct. 11, 1966.
				1916	Interior and Insular Affairs.				

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NOTE: Companion bills are in parentheses

AIX

Public Law		80 Stat.	Bill No.	Report No. and Committee reporting				Dates of consideration and passage (Congressional Record: 1965, Vol. 111; 1966, Vol. 112)	
No.	Date approved			House		Senate		House	Senate
89-666	Oct. 15	1966 919	S. 1607-----	2067	Interior and Insular Affairs.	1526	Interior and Insular Affairs.	Oct. 3, 1966----	Aug. 29, Oct. 7, 1966.
89-667	Oct. 15	920	H.R. 698-----	1566	Interior and Insular Affairs.	1682	Interior and Insular Affairs.	June 20, Oct. 10, 1966.	Oct. 7, 1966.
89-668	Oct. 15	922	H.R. 8678-----	1896	Interior and Insular Affairs.	1681	Interior and Insular Affairs.	Sept. 19, Oct. 10, 1966.	Oct. 7, 1966.
89-669	Oct. 15	926	H.R. 9424-----	1168	Merchant Marine and Fisheries.	1463	Commerce-----	Oct. 18, 1965; Oct. 13, 1966.	Aug. 31, Oct. 7, 1966.
89-670	Oct. 15	931	H.R. 15963 (S. 3010)	2205 1701	[Conference] Government Operations.	1659, 1660	Government Operations.	Aug. 24, 29, 30, Oct. 13, 1966.	Sept. 29, Oct. 13, 1966.
89-671	Oct. 15	950	S. 3423-----	2236 1821	[Conference] Interior and Insular Affairs.	1346	Interior and Insular Affairs.	Sept. 19, Oct. 10, 1966.	June 30, 1966.
89-672	Oct. 15	951	S. 3460-----	2068	Interior and Insular Affairs.	1523	Interior and Insular Affairs.	Oct. 3, 1966----	Aug. 29, Oct. 10, 1966.
89-673	Oct. 15	952	S. 2463-----	2052	Foreign Affairs-----	1160	Foreign Relations-----	Oct. 3, 1966----	May 17, 1966.
89-674	Oct. 15	953	S. 1310 (H.R. 7315).	1599	House Administration--	704	Rules and Administration.	July 18, Oct. 5, 1966.	Sept. 10, 1965; Oct. 11, 1966.
89-675	Oct. 15	954	S. 3112-----	2170	Interstate and Foreign Commerce.	1361	Public Works-----	Oct. 3, 13, 1966--	July 11, 12, Oct. 14, 1966.
89-676	Oct. 15	955	S. 3704 (H.R. 16923).	2256 2194	[Conference] Banking and Currency.	1616	Banking and Currency.	Oct. 10, 1966----	Sept. 21, 1966.
89-677	Oct. 15	955	S. 801-----	1954	Ways and Means-----	1078	Banking and Currency.	Oct. 7, 1966----	Mar. 22, 1966.
89-678	Oct. 15	956	S. 3809-----	2221	House Administration--	1602	Rules and Administration.	Oct. 11, 1966----	Sept. 15, 1966.
89-679	Oct. 15	956	S.J. Res. 153----	2193	Banking and Currency--	1278	Banking and Currency--	Oct. 10, 1966----	June 16, 1966.
89-680	Oct. 15	957	H.R. 266-----	962	Armed Services-----	1692	Armed Services-----	Sept. 20, 1965----	Oct. 7, 1966.
89-681	Oct. 15	958	H.R. 1665-----	306	Judiciary-----	1643	Judiciary-----	May 17, 1965; Oct. 11, 1966.	Sept. 26, Oct. 12, 1966.
89-682	Oct. 15	959	H.R. 3314-----	26 2228	District of Columbia-- [Conference]	785	District of Columbia--	Feb. 8, 1965; Oct. 12, 1966.	Sept. 30, 1965; Oct. 12, 1966.
89-683	Oct. 15	960	H.R. 17119-----	1874	Armed Services-----	1694	Armed Services-----	Sept. 6, 1966----	Oct. 7, 1966.
89-684	Oct. 15	961	H.R. 8126-----	552	District of Columbia--	864	District of Columbia--	June 28, 1965; Oct. 4, 1966.	Jan. 19, 20, Oct. 4, 1966.
89-685	Oct. 15	971	H.R. 15098-----	2175 1740	[Conference] Foreign Affairs-----	1673	Foreign Relations-----	Sept. 1, Oct. 7, 1966.	Oct. 6, 1966.

89-686	Oct. 15	975	H.R. 15662	2042	Agriculture	1632	Agriculture and Forestry	Sept. 19, Oct. 5, 1966.	Sept. 26, 1966.
89-687	Oct. 15	980	H.R. 15941	1652	Appropriations	1458	Appropriations	July 19, 20, Aug. 25, Oct. 11 1966.	Aug. 16-18, Oct. 11, 1966.
89-688	Oct. 15	998	H.R. 16559 (S. 2439).	1795	Merchant Marine and Fisheries.	1307	Labor and Public Welfare.	Sept. 13, Oct. 4, 1966.	Sept. 14, 30, 1966.
89-689	Oct. 15	1002	H.R. 17787	2156	[Conference]				
89-690	Oct. 15	1016	H.R. 16646	2044	Appropriations	1672	Appropriations	Sept. 21, Oct. 11, 1966.	Oct. 7, 12, 1966.
89-691	Oct. 15	1018	H.R. 17788	2216	[Conference]				
89-692	Oct. 15	1025	H.R. 16774	1826	Armed Services	1669	Armed Services	Aug. 15, Oct. 6, 1966.	Oct. 4, 1966.
89-693	Oct. 15	1026	H.R. 16813	2045	Appropriations	1663	Appropriations	Sept. 20, Oct. 7, 1966.	Oct. 5, 7, 1966.
89-694	Oct. 15	1027	H.R. 17190 (S. 3758).	1885	Ways and Means	1711	Finance	Oct. 7, 1966	Oct. 13, 1966.
89-695	Oct. 16	1028	S. 3158 (H.R. 17899).	1873	Interior and Insular Affairs.	1696	Interior and Insular Affairs.	Sept. 6, 1966	Oct. 10, 1966.
89-696	Oct. 19	1056	S. 3834 (H.R. 17500).	2214	Education and Labor	1713	Labor and Public Welfare.	Oct. 11, 1966	Oct. 13, 1966.
89-697	Oct. 27	1057	H.R. 18381	2077	Banking and Currency	1482	Banking and Currency	Oct. 4, 12, 1966	Aug. 19, 22, Oct. 13, 1966.
89-698	Oct. 29	1066	H.R. 14643	2232	[Conference]				
89-699	Oct. 30	1073	H.R. 17285	2185	Armed Services	1668	Armed Services	Oct. 7, 1966	Oct. 4, 1966.
89-700	Oct. 30	1079	H.R. 14355	2284	Appropriations	1841	Appropriations	Oct. 18, 21, 1966.	Oct. 20, 22, 1966.
89-701	Nov. 2	1089	S. 2720 (H.R. 14699).	2333	[Conference]				
89-702	Nov. 2	1091	S. 2102	1539	Education and Labor	1715	Labor and Public Welfare.	June 6, Oct. 21, 1966.	Oct. 13, 21, 1966.
89-703	Nov. 2	1099	H.S. Res. 1001	2169	Interstate and Foreign Commerce.	1718	Labor and Public Welfare.	Oct. 3, 1966	Oct. 14, 1966.
89-704	Nov. 2	1099	H.J. Res. 1322	2171	Interstate and Foreign Commerce.	1719	Labor and Public Welfare.	Oct. 3, 1966	Oct. 14, 1966.
89-705	Nov. 2	1099	H.R. 203	2165	Merchant Marine and Fisheries.	1304	Commerce	Oct. 3, 19, 1966	June 27, Oct. 14, 1966.
89-706	Nov. 2	1100	H.R. 647	2290	[Conference]				
89-707	Nov. 2	1100	H.R. 872	2154	Merchant Marine and Fisheries.	1235	Commerce	Oct. 3, 14, 1966	June 20, Oct. 17, 1966.
89-708	Nov. 2	1101	H.R. 2600	2274	[Conference]				
				1451	Judiciary	1230	Judiciary	May 2, Oct. 20, 1966.	June 13, 1966.
				4	Veterans Affairs	1610	Labor and Public Welfare.	Oct. 22, 1966	Oct. 22, 1966.
				17	District of Columbia	671	District of Columbia	Feb. 2, 1965; Oct. 21, 1966.	Sept. 22, 1966.
				2330	[Conference]				
				721	Judiciary	1770	Judiciary	Feb. 8, 1965; Oct. 21, 1966.	Sept. 2, 1965; Oct. 20, 1966.
				1205	Interior and Insular Affairs.	1731	Interior and Insular Affairs.	Aug. 16, 1965	Oct. 20, 1966.
								Feb. 7, Oct. 18, 1966.	Oct. 17, 1966.

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NOTE: Companion bills are in parentheses

TAX

Public Law		80 Stat.	Bill No.	Report No. and Committee reporting				Dates of consideration and passage (Congressional Record: 1965, Vol. 111; 1966, Vol. 112)	
No.	Date approved			House		Senate		House	Senate
89-709	Nov. 2 1966	1103	H.R. 3348.....	2167	Interstate and Foreign Commerce.	1714	Labor and Public Welfare.	Oct. 3, 17, 1966.	Oct. 13, 22, 1966.
89-710	Nov. 2	1104	H.R. 3993.....	1155	Judiciary.....	1794	Judiciary.....	Oct. 18, 1965....	Oct. 20, 1966.
89-711	Nov. 2	1104	H.R. 5958.....	1892	Judiciary.....	1797	Judiciary.....	Sept. 6, 1966....	Oct. 20, 1966.
89-712	Nov. 2	1106	H.R. 5990.....	279	Merchant Marine and Fisheries.	1879	Armed Services.....	May 10, 1965; Oct. 21, 1966.	Oct. 20, 1966.
89-713	Nov. 2	1107	H.R. 6958.....	1915	Ways and Means.....	1625	Finance.....	Sept. 6, Oct. 20, 1966.	Sept. 22, Oct. 19, 1966.
89-714	Nov. 2	1111	H.R. 7382.....	1893	Judiciary.....	1752	Judiciary.....	Sept. 6, 1966....	Oct. 20, 1966.
89-715	Nov. 2	1112	H.R. 7648.....	1855	Interior and Insular Affairs.	1703	Interior and Insular Affairs.	Sept. 6, Oct. 14, 1966.	Oct. 11, 1966.
89-716	Nov. 2	1114	H.R. 7973.....	1750	Armed Services.....	1878	Armed Services.....	Aug. 1, Oct. 21, 1966.	Oct. 20, 1966.
89-717	Nov. 2	1114	H.R. 8917.....	891	Interior and Insular Affairs.	1683	Interior and Insular Affairs.	Sept. 7, 1965; Oct. 18, 1966.	Oct. 7, 1966.
89-718	Nov. 2	1115	H.R. 9778.....	900	Judiciary.....	1748	Judiciary.....	Sept. 7, 1965; Oct. 21, 1966.	Oct. 20, 1966.
89-719	Nov. 2	1125	H.R. 11256....	1884	Ways and Means.....	1708	Finance.....	Sept. 12, Oct. 20, 1966.	Oct. 13, 1966.
89-720	Nov. 2	1149	H.R. 11475....	2088	Merchant Marine and Fisheries.	1834	Commerce.....	Oct. 3, 20, 1966.	Oct. 19, 1966.
89-721	Nov. 2	1150	H.R. 11660....	2161	Ways and Means.....	1709	Finance.....	Oct. 7, 1966....	Oct. 13, 1966.
89-722	Nov. 2	1151	H.R. 11782....	2157	Ways and Means.....	1710	Finance.....	Oct. 7, 1966....	Oct. 13, 1966.
89-723	Nov. 2	1153	H.R. 13320....	2178	Armed Services.....	1767	Armed Services.....	Oct. 7, 1966....	Oct. 19, 1966.
89-724	Nov. 2	1153	H.R. 13370....	2180	Armed Services.....	1769	Armed Services.....	Oct. 7, 1966....	Oct. 20, 1966.
89-725	Nov. 2	1154	H.R. 13448....	1332	Post Office and Civil Service.	1484	Post Office and Civil Service.	Mar. 21, Oct. 13, 1966.	Aug. 22, Oct. 12, 1966.
				2226	[Conference]				
89-726	Nov. 2	1155	H.R. 13661....	2179	Armed Services.....	1768	Armed Services.....	Oct. 7, 1966....	Oct. 20, 1966.
89-727	Nov. 2	1156	H.R. 13935....	1363	Judiciary.....	1232	Judiciary.....	Apr. 4, June 21, Oct. 19, 1966.	June 13, Oct. 19, 1966.
				2321	[Conference]				
89-728	Nov. 2	1156	H.R. 13982....	1735	Judiciary.....	1856	Judiciary.....	Aug. 1, 1966....	Oct. 20, 1966.
89-729	Nov. 2	1156	H.R. 14075....	1736	Judiciary.....	1857	Judiciary.....	Aug. 1, 1966....	Oct. 20, 1966.
89-730	Nov. 2	1157	H.R. 14347....	1508	Veterans' Affairs.....	1300	Finance.....	May 16, Oct. 21, 1966.	June 27, Oct. 22, 1966.
89-731	Nov. 2	1160	H.R. 14741....	1638	Armed Services.....	1838	Armed Services.....	June 28, 1966....	Oct. 20, 1966.
89-732	Nov. 2	1161	H.R. 15183....	1978	Judiciary.....	1675	Judiciary.....	Sept. 19, Oct. 21, 1966.	Oct. 6, 20, 1966.
			(S. 3712).	2334	[Conference]				

89-733	Nov. 2	1162	H. R. 15335-----	2065	Government Operations.	1747	Government Operations.	Oct. 3, 1966-----	Oct. 19, 1966.
89-734	Nov. 2	1163	H. R. 15727-----	1953	Post Office and Civil Service.	1730	Post Office and Civil Service.	Sept. 19, Oct. 19, 1966.	Oct. 17, 1966.
89-735	Nov. 2	1163	H. R. 15748-----	1765	Armed Services-----	1691	Armed Services-----	Aug. 1, Oct. 14, 1966.	Oct. 11, 1966.
89-736	Nov. 2	1164	H. R. 16074-----	1738	Judiciary-----	1762	Judiciary-----	Aug. 1, 1966-----	Oct. 20, 1966.
89-737	Nov. 2	1164	H. R. 16114-----	1697	Post Office and Civil Service.	1729	Post Office and Civil Service.	Aug. 15, Oct. 19, 1966.	Oct. 17, 1966.
89-738	Nov. 2	1165	H. R. 16394-----	2181	Armed Services-----	1877	Armed Services-----	Oct. 7, 1966-----	Oct. 20, 1966.
89-739	Nov. 2	1165	H. R. 17271-----	2270	Ways and Means-----	-----	-----	Oct. 21, 1966-----	Oct. 22, 1966.
89-740	Nov. 2	1166	H. R. 17376-----	2182	Armed Services-----	1916	Armed Services-----	Oct. 7, 1966-----	Oct. 21, 1966.
89-741	Nov. 2	1166	H. R. 17451-----	2207	Armed Services-----	1880	Armed Services-----	Oct. 17, 21, 1966.	Oct. 20, 1966.
89-742	Nov. 2	1167	H. R. 17588-----	2223	Agriculture-----	-----	-----	Oct. 17, 1966-----	Oct. 20, 1966.
89-743	Nov. 2	1167	H. R. 17636-----	2019	Appropriations-----	1706	Appropriations-----	Sept. 13, Oct. 19, 1966.	Oct. 12, 19, 1966.
89-744	Nov. 2	1174	H. R. 17637-----	2292	[Conference] Appropriations-----	1695	Appropriations-----	Sept. 14, Oct. 14, 1966.	Oct. 10, 17, 1966.
89-745	Nov. 2	1177	H. R. 17798-----	2275	[Conference] District of Columbia-----	1867	District of Columbia-----	Oct. 17, 1966-----	Oct. 20, 1966.
89-746	Nov. 2	1179	H. R. 18019-----	2264	Armed Services-----	1766	Armed Services-----	Oct. 7, 1966-----	Oct. 20, 1966.
89-747	Nov. 2	1179	H. R. 18217-----	2190	Armed Services-----	-----	-----	Oct. 17, 1966-----	Oct. 18, 1966.
89-748	Nov. 2	1180	H. R. 18284-----	2200	Post Office and Civil Service.	-----	-----	-----	-----
89-749	Nov. 3	1180	S. 3008 (H. R. 18231.)	2271	Interstate and Foreign Commerce.	1665	Labor and Public Welfare.	Oct. 19, 1966-----	Oct. 20, 1966.
89-750	Nov. 3	1191	H. R. 13161 (S. 3046.)	1814 and 1814 pt. II	Education and Labor-----	1674	Labor and Public Welfare.	Oct. 17, 1966-----	Sept. 30, Oct. 3, 18, 1966.
89-751	Nov. 3	1222	H. R. 13196-----	2309	[Conference] Interstate and Foreign Commerce.	1722	Labor and Public Welfare.	Oct. 5, 6, 20, 1966.	Oct. 5-7, 19, 1966.
89-752	Nov. 3	1240	H. R. 14644-----	1628	Education and Labor [Conference]	1677	Labor and Public Welfare.	June 23, Oct. 17, 1966.	Oct. 14, 1966.
89-753	Nov. 3	1246	S. 2947 (H. R. 16076).	1467	Education and Labor [Conference]	1677	Labor and Public Welfare.	May 22, Oct. 21, 1966.	Oct. 7, 10, 21, 1966.
89-754	Nov. 3	1255	S. 3708 (S. 3711 (H. R. 15890).	2021	Public Works-----	1367	Public Works-----	Sept. 30, Oct. 17, 1966.	July 13, Oct. 17, 1966.
89-755	Nov. 3	1296	S. 985 (H. R. 15440).	2289	[Conference] Banking and Currency.	1439, 1455	Banking and Currency.	Oct. 13, 14, 20, 1966.	Aug. 11, 12, 18, 19, Oct. 18, 1966.
89-756	Nov. 3	1303	S. 3298-----	1699: Parts I-III; 1931	[Conference] Interstate and Foreign Commerce.	1186	Commerce-----	Oct. 3, 17, 1966.	May 27, June 1, 2, 8, 9, Oct. 19, 1966.
89-757	Nov. 5	1306	H. R. 2266-----	2301	[Conference] Interstate and Foreign Commerce.	1551	Commerce-----	Oct. 3, 1966-----	Sept. 1, Oct. 14, 1966.
89-758	Nov. 5	1307	H. R. 12360-----	2076	Judiciary-----	1788	Judiciary-----	Oct. 3, 1966-----	Oct. 20, 1966.
				2286	Agriculture-----	1835	Agriculture and Forestry.	Oct. 3, 1966-----	Oct. 19, 1966.

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NOTE: Companion bills are in parentheses

Public Law		80 Stat.	Bill No.	Report No. and Committee reporting				Dates of consideration and passage (Congressional Record: 1965, Vol. 111; 1966, Vol. 112)	
No.	Date approved			House		Senate		House	Senate
89-759	1966 Nov. 5	1308	H.R. 15024	1828	Public Works	1865	Public Works	Aug. 15, Oct. 21, 1966.	Oct. 20, 1966.
89-760	Nov. 5	1308	S. 84 (H.R. 4429).	1976	Agriculture	1699	Interior and Insular Affairs.	Oct. 17, 1966	Oct. 10, 1966.
89-761	Nov. 5	1309	S. 360 (H.R. 51).	1782	Interior and Insular Affairs.	334	Interior and Insular Affairs.	Oct. 11, 12, 14, 1966.	June 21, 1965; Oct. 18, 1966.
89-762	Nov. 5	1312	S. 1496	2202	Post Office and Civil Service.	309	Post Office and Civil Service.	Oct. 17, 1966	June 11, 1965; Oct. 19, 1966.
89-763	Nov. 5	1313	S. 476 (H.R. 11089).	2195	Interstate and Foreign Commerce.	1462	Commerce	Oct. 17, 1966	Aug. 19, 1966.
89-764	Nov. 5	1313	S. 1349	2277	Merchants Marine and Fisheries.	675	Commerce	Oct. 17, 1966	Sept. 8, 1965; Oct. 19, 1966.
89-765	Nov. 5	1314	S. 1556	2079	Banking and Currency	533	Banking and Currency	Oct. 17, 1966	Aug. 3, 1965.
89-766	Nov. 5	1314	S. 1760	1126	Ways and Means	362	Foreign Relations	Oct. 17, 1966	June 25, 1965; Oct. 18, 1966.
89-767	Nov. 5	1315	S. 3148	2177	Armed Services	1417	Armed Services	Oct. 17, 1966	July 29, Oct. 18, 1966.
89-768	Nov. 5	1315	S.J. Res. 133			1012	Judiciary	Oct. 20, 1966	Mar. 4, Oct. 21, 1966.
89-769	Nov. 6	1316	S. 1861	2141	Public Works	459	Public Works	Oct. 17, 1966	July 22, 1965; Oct. 18, 1966.
89-770	Nov. 6	1322	S. 2829	2150	Judiciary	1495	Judiciary	Oct. 17, 1966	Aug. 26, 1966.
89-771	Nov. 6	1322	S. 2979	2208	Interstate and Foreign Commerce.	1554	Commerce	Oct. 17, 1966	Sept. 1, 1966.
89-772	Nov. 6	1322	S. 3230	2204	House Administration	1580	Rules and Administration.	Oct. 17, 1966	Sept. 1, 1966.
89-773	Nov. 6	1323	S. 3254	2153	Judiciary	1406	Judiciary	Oct. 20, 1966	July 27, Oct. 21, 1966.
89-774	Nov. 6	1324	S. 3488 (H.J. Res. 1163).	1914	Judiciary	1491	Judiciary	Oct. 7, 1966	Aug. 25, Oct. 13, 1966.
89-775	Nov. 6	1354	H.R. 10304	744 2230	District of Columbia [Conference]	788	District of Columbia	Aug. 9, 1965; Oct. 13, 1966.	Sept. 30, 1965; Oct. 12, 1966.
89-776	Nov. 6	1355	H.R. 9985	742 2229	District of Columbia [Conference]	787	District of Columbia	Aug. 9, 1965; Oct. 13, 1966.	Sept. 30, 1965; Oct. 12, 1966.
89-777	Nov. 6	1356	H.R. 10327	1089	Merchant Marine and Fisheries.	1483	Commerce	Oct. 5, 1965; Oct. 19, 1966.	Aug. 22, Oct. 17, 1966.
89-778	Nov. 6	1358	S. 3391	2285 2248	[Conference] Merchant Marine and Fisheries.	1459	Commerce	Oct. 17, 1966	Aug. 17, 1966.

89-779	Nov. 6	1359	H.R. 18021 (S. 3695).	2159	Banking and Currency.	1585	Banking and Currency.	Oct. 19, 1966----	Oct. 20, 1966.
89-780	Nov. 6	1365	S. 3675-----	2233	Foreign Affairs-----	1586	Foreign Relations-----	Oct. 17, 1966----	Sept. 6, 1966.
89-781	Nov. 6	1366	H.R. 6103-----	1899	Judiciary-----	1849	Judiciary-----	Oct. 3, 1966-----	Oct. 20, 1966.
89-782	Nov. 6	1366	H.R. 14615-----	1737	Judiciary-----	1812	Judiciary-----	Aug. 1, 1966-----	Oct. 20, 1966.
89-783	Nov. 6	1367	H.R. 17658 (S. 3881).	2287	Banking and Currency.	1746	Banking and Currency.	Oct. 19, 1966----	Oct. 18, 20, 1966.
89-784	Nov. 6	1367	S. 3466-----	2320	Government Operations.	1372	Government Operations.	Oct. 21, 1966----	July 19, 1966.
89-785	Nov. 7	1368	H.R. 11631-----	1240	Veterans' Affairs-----	1727	Labor and Public Welfare.	Feb. 7, Oct. 21, 1966.	Oct. 14, 22, 1966.
89-786	Nov. 7	1377	S. 2338 (H.R. 14195).	1864	House Administration--	1196	Interior and Insular Affairs.	Aug. 31, 1966---	June 2, Oct. 14, 1966.
89-787	Nov. 7	1378	H.R. 14745-----	1464	Appropriations-----	1631	Appropriations-----	May 4, 5, Oct. 21, 1966.	Sept. 26-28, Oct. 21, 1966.
89-788	Nov. 7	1403	S. 3389-----	2222	Public Works-----	1538	Public Works-----	Oct. 17, 1966----	Sept. 1, 1966.
						1583	Rules and Administration.		
89-789	Nov. 7	1405	H.R. 18233 (S. 3906).	2217	Public Works-----	1720	Public Works-----	Oct. 19, 20, 1966.	Oct. 20, 1966.
89-790	Nov. 7	1424	H.R. 14604-----	1637	Public Works-----	1745	Interior and Insular Affairs.	Aug. 15, Oct. 7, 20, 1966.	Oct. 18, 1966.
89-791	Nov. 7	1426	H.R. 16958 (S. 293).	2249	District of Columbia---	1557	District of Columbia---	Oct. 13, 1966---	Sept. 21, Oct. 14, 1966.
89-792	Nov. 7	1434	H.R. 16715-----	2017	Education and Labor--	1712	Labor and Public Welfare.	Sept. 19, 1966---	Oct. 13, 1966.
89-793	Nov. 8	1438	H.R. 9167 (S. 2191).	1486	Judiciary-----	1667	Judiciary-----	May 31, June 1, Oct. 21, 1966.	Oct. 6, 19, 1966.
89-794	Nov. 8	1451	H.R. 15111 (S. 3164).	2316	[Conference]				
89-795	Nov. 8	1477	H.R. 11555 (S. 2630).	1568	Education and Labor--	1666	Labor and Public Welfare.	Sept. 26-29, Oct. 20, 1966.	Sept. 30, Oct. 3, 4, 18, 1966.
				2298	[Conference]				
89-795	Nov. 8	1477	H.R. 11555 (S. 2630).	1827	Public Works-----	1657	Foreign Relations-----	Aug. 15, Sept. 22, Oct. 20, 1966.	Oct. 3, 19, 1966.
				2322	[Conference]				
89-796	Nov. 8	1478	S. 688 (H.R. 13669).	2046	Agriculture-----	1676	Agriculture and Forestry.	Oct. 17, 1966---	Oct. 7, 1966.
89-797	Nov. 8	1479	H.R. 18119-----	2160	Appropriations-----	1726	Appropriations-----	Oct. 4, 20, 1966---	Oct. 14, 20, 1966.
89-798	Nov. 8	1506	H.R. 13551-----	2325	[Conference]				
89-799	Nov. 8	1507	S.J. Res. 167 (H.J. Res. 1169).	1890	Judiciary-----	1861	Judiciary-----	Sept. 6, 1966----	Oct. 20, 1966.
				1742	Foreign Affairs-----	1373	Foreign Relations-----	Sept. 19, Oct. 19, 1966.	July 19, Oct. 20, 1966.
89-800	Nov. 8	1508	H.R. 17607-----	2087	Ways and Means-----	1724	Finance-----	Sept. 30, Oct. 20, 1966.	Oct. 14, 21, 1966.
				2308	[Conference]				
89-801	Nov. 8	1516	H.R. 15766-----	1891	Judiciary-----	1862	Judiciary-----	Sept. 6, 1966----	Oct. 20, 1966.
89-802	Nov. 9	1518	S. 3887-----	2247	Armed Services-----	1690	Armed Services-----	Oct. 17, 1966----	Oct. 7, 18, 1966.
89-803	Nov. 10	1519	S. 1319-----	2250	District of Columbia---	178	District of Columbia---	Oct. 13, 1966----	May 11, 1965; Oct. 20, 1966.

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NOTE: Companion bills are in parentheses

Public Law		80 Stat.	Bill No.	Report No. and Committee reporting				Dates of consideration and passage (Congressional Record: 1965, Vol. 111; 1966, Vol. 112)	
No.	Date approved			House		Senate		House	Senate
89-804	1966 Nov. 10	1521	S. 2893-----	2265	Interstate and Foreign Commerce.	1552	Commerce-----	Oct. 17, 1966---	Sept. 1, Oct. 19, 1966.
89-805	Nov. 10	1521	H.R. 8436-----	1076	Ways and Means-----	1679	Finance-----	Oct. 21, 1965; Oct. 20, 1966.	Oct. 11, 1966.
89-806	Nov. 10	1523	H.R. 11216-----	1104 2297 [Conference]	Ways and Means-----	1600	Finance-----	Oct. 21, 1965; Oct. 20, 1966.	Sept. 15, Oct. 19, 1966.
89-807	Nov. 11	1525	S. 2770-----	2143	Judiciary-----	1396	Judiciary-----	Oct. 3, 1966-----	July 25, Oct. 22, 1966.
89-808	Nov. 11	1526	H.R. 14929	1558 2075, 2304 [Conference]	Agriculture-----	1527	Agriculture and Forestry.	June 8, 9, Oct. 5, 21, 1966.	Aug. 29-31, Oct. 21, 1966.
89-809	Nov. 13	1539	H.R. 13103-----	1450 2327 [Conference]	Ways and Means-----	1707	Finance-----	June 15, Oct. 20, 1966.	Oct. 12, 13, 22, 1966.
89-810	Nov. 13	1591	H.R. 15857-----	1656 2276 [Conference]	District of Columbia--	1609	District of Columbia--	June 27, Oct. 17, 1966.	Sept. 21, Oct. 14, 1966.

# LAWS AFFECTED IN VOLUME 80

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## EXPLANATION

### General.

The following tables are designed to serve as a guide to prior laws and other Federal instruments which are patently amended, repealed, referred to, or otherwise cited by the textual provisions of the public laws contained in this volume. These tables were initiated as a separate pamphlet to accompany Volume 70 of the United States Statutes at Large. Beginning with Volume 71, they are being published as an integral part of each volume.

From time to time the tables will be cumulated and made separately available as a convenience to users. Tables 1-9 of Volumes 70-79 covering the years 1956 through 1965 have been cumulated and published as a separate pamphlet. Coverage and arrangement of the tables are subject to change with a view to improved usefulness.

The arrangement of the tables is outlined above. There are two basic groups: (1) Tables 1-10 cover amendments, repeals, and other actions directly affecting prior laws and other Federal instruments; and (2) Tables 11-19 cover all citations and other references to prior laws and other Federal instruments.

### Details of Arrangement.

Tables 1-9 are limited to cases in which prior laws and other Federal instruments are expressly affected.

Table 10 is a catch-all table designed as a finding aid to relationships which are expressed in general terms. Listed in this table are all public laws in this volume which contain such provisions as "notwithstanding any other provision of law," and "all laws in conflict with this law are hereby repealed."

Tables 11-19 cover all other cases in which prior laws or other Federal instruments are mentioned in the text of the public laws in this volume, without regard to the purpose underlying such reference.

In each of the basic groups the first and largest table is entitled "General Legislation," and contains listings of all laws affected which have not been codified in the Revised Statutes, the Internal Revenue Codes, the Canal Zone Code, or in those titles of the United States Code or District of Columbia Code which have been enacted into law. Succeeding tables cover these codified provisions, as well as other instruments such as reorganization plans, veterans' regulations, Executive orders and proclamations, and treaties and international agreements. The numbering of the tables in the two groups is parallel. Thus Table 2 and Table 12 both relate to the Revised Statutes; Table 7 and Table 17 both relate to veterans' regulations.

Table 1 is arranged chronologically. In preparing this table the "basic act" principle has been followed. Under this principle the key listing of amendatory legislation will be found under the basic act affected, rather than under intervening amendments thereto. Furthermore, all laws included are treated as if tables covering prior volumes of the United States Statutes at Large were in existence. Thus, no attempt is made to give an historical picture of a law, and only the latest amendment in the chain will be reflected. Occasionally, to promote clarity, cross references have been supplied at key points.

Users of Table 1 should, therefore, look under the date, public law number, or statutes volume and page number of the basic act affected, in order to determine whether changes have been made by the public laws contained in this volume. Although a given section of any act may have been added at a later date, the section is carried under the date and statutes citation of the basic act. For this reason the page numbers in the column headed "Statutes volume and page" are the numbers of the page on which each act begins.

All tables are arranged chronologically, except where the existence of a system of codification makes possible a sequential arrangement from the lowest to the highest title or section number. In Tables 1-10 there is a "Comment" column, in which the nature of the affecting action is described. These are editorial comments, intended to reflect what is patent in the laws reviewed, and every effort has been made to avoid interpretations.

In Tables 11-19 the "Comment" column is unnecessary, since in each instance the comment would be "Cited" or "Referred to." In these tables, moreover, the number of columns has been held to a minimum in the interest of brevity. Thus Table 11 contains only three columns listing the date and number of the law referred to, and the page number in this volume at which the reference may be found.

#### **Caveat.**

All the tables are editorially compiled and presented as reference guides only. Hence they have no evidentiary status or legal effect. Indirect or implied relationships are not included. These may be found through use of the Subject Index or through research based on the text itself.

The Office of the Federal Register invites criticisms or suggestions with a view to improving the tables wherever possible.

# LAWS AFFECTED IN VOLUME 80

## TABLES OF AMENDMENTS AND REPEALS OF PRIOR LAWS AND OTHER FEDERAL INSTRUMENTS

TABLE 1.—*General Legislation*

NOTE: All cross references in this table are to entries in Table 1 unless otherwise indicated.

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Chapter	Section	80 Stat.	Public law	Section	Comment
<b>1844</b>							
June 10	6:912	141	1-3	877	89-631	-----	Amendment.
<b>1874</b>							
June 11	18:66	275	-----	633	89-554	8	Repeal.
20	18:85	328	1	633	89-554	8	Partial repeal.
20	18:85	328	3	633	89-554	8	Repeal.
20	18:125	344	2-5	633	89-554	8	Do.
22	18:146	389	2	633	89-554	8	Do.
22	18:186	391	23	633	89-554	8	Do.
23	18:245	459	-----	633	89-554	8	Do.
<b>1875</b>							
Feb. 8	18:307	36	12	633	89-554	8	Do.
Mar. 3	18:343	129	1	633	89-554	8	Partial repeal.
3	18:371	130	3, 10	633	89-554	8	Repeal.
3	18:402	131	14	633	89-554	8	Do.
3	18:420	132	5, 10	633	89-554	8	Do.
3	18:480	147	-----	633	89-554	8	Do.
3	18:483	153	-----	633	89-554	8	Do.
3	18:486	157	-----	633	89-554	8	Do.
<b>1876</b>							
Apr. 25	19:36	78	2	633	89-554	8	Do.
29	19:41	86	-----	1072	89-698	401	Exception.
July 12	19:83	180	14	633	89-554	8	Repeal.
22	19:96	225	-----	633	89-554	8	Do.
24	19:97	226	2-4	633	89-554	8	Do.
31	19:102	246	-----	633	89-554	8	Partial repeal.
Aug. 9	19:126	256	2	633	89-554	8	Repeal.
14	19:139	270	2	633	89-554	8	Do.
15	19:143	287	1	633	89-554	8	Partial repeal.
15	19:143	287	3, 6	633	89-554	8	Repeal.
15	19:207	307	2	633	89-554	8	Do.
<b>1877</b>							
Jan. 16	19:222	22	-----	633	89-554	8	Do.
16	19:222	23	-----	633	89-554	8	Do.
Feb. 27	19:240	69	1	633	89-554	8	Partial repeal.
<b>1878</b>							
May 2	20:47	78	-----	633	89-554	8	Repeal.
27	20:63	142	1	633	89-554	8	Partial repeal.

<sup>1</sup> Private law.

TABLE 1.—General Legislation—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Chapter	Section	80 Stat.	Public law	Section	Comment
<b>1878</b>							
June 7	20:100	162	2, 4	633	89-554	8	Repeal.
11	20:102	180	11	633	89-554	8	Do.
14	20:112	188	-----	633	89-554	8	Partial repeal.
14	20:132	196	-----	633	89-554	8	Repeal.
14	20:133	198	-----	633	89-554	8	Do.
15	20:137	215	3, 8	633	89-554	8	Do.
18	20:166	269	2	633	89-554	8	Do.
19	20:178	329	1	633	89-554	8	Partial repeal.
20	20:206	359	1	633	89-554	8	Do.
20	20:206	359	1	973	89-685	6	Exception.
20	20:206	359	1	1490	89-797	-----	Do.
<b>1879</b>							
Jan. 24	20:264	21	-----	634	89-554	8	Repeal.
27	20:266	26	1	634	89-554	8	Partial repeal.
31	20:277	38	-----	634	89-554	8	Repeal.
Feb. 4	20:282	48	2	634	89-554	8	Do.
24	20:318	97	7, 9	634	89-554	8	Do.
25	20:320	99	1	634	89-554	8	Do.
26	20:322	103	-----	634	89-554	8	Do.
Mar. 3	20:355	177	2	634	89-554	8	Do.
3	20:355	180	6	634	89-554	8	Do.
3	20:377	182	1	634	89-554	8	Partial repeal.
3	20:473	194	2	634	89-554	8	Repeal.
June 28	21:37	43	2	1423	89-789	208	Amendment.
<b>1880</b>							
Jan. 13	21:59	4	-----	634	89-554	8	Partial repeal.
24	21:62	13	-----	634	89-554	8	Repeal.
Apr. 16	21:304	J. Res. 22	-----	634	89-554	8	Do.
June 10	21:173	189	-----	634	89-554	8	Do.
<b>1881</b>							
Jan. 31	21:603	<sup>1</sup> 32	2, 3	634	89-554	8	Do.
31	21:603	<sup>1</sup> 32	2, 3	952	89-673	8(1)	Do.
Feb. 26	21:350	80	1	634	89-554	8	Partial repeal.
Mar. 3	21:507	144	6	634	89-554	8	Repeal.
<b>1882</b>							
Mar. 6	22:13	25	-----	634	89-554	8	Partial repeal.
22	22:30	47	9	634	89-554	8	Repeal.
May 17	22:68	163	1	634	89-554	8	Partial repeal.
June 5	22:98	195	2	634	89-554	8	Repeal.
15	22:101	218	4	634	89-554	8	Do.
19	22:106	230	3	634	89-554	8	Do.
July 7	22:153	277	-----	634	89-554	8	Do.
Aug. 3	22:214	376	-----	634	89-554	8	Do.
5	22:219	389	1	634	89-554	8	Partial repeal.
5	22:219	389	4	634	89-554	8	Repeal.
5	22:301	399	-----	634	89-554	8	Do.
7	22:302	433	1	634	89-554	8	Partial repeal.
7	22:344	436	-----	634	89-554	8	Repeal.

<sup>1</sup> Private law.

TABLE 1.—General Legislation—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Chapter	Section	80 Stat.	Public law	Section	Comment
<b>1883</b>							
Jan. 13	22:402	23	-----	634	89-554	8	Repeal.
16	22:403	27	1-3, 5-10	634	89-554	8	Do.
31	22:412	41	3	634	89-554	8	Do.
Mar. 1	22:433	61	8	634	89-554	8	Do.
3	22:484	101	-----	634	89-554	8	Do.
3	22:531	128	4	634	89-554	8	Do.
3	22:567	135	-----	635	89-554	8	Do.
3	22:568	137	3, 10, 14	635	89-554	8	Do.
3	22:582	140	4	635	89-554	8	Do.
<b>1884</b>							
Mar. 31	23:6	18	-----	635	89-554	8	Do.
May 1	23:15	37	-----	635	89-554	8	Partial repeal.
13	23:21	46	2, 3	635	89-554	8	Repeal.
17	23:24	53	2-6, 9, 12	635	89-554	8	Do.
June 3	23:33	62	-----	635	89-554	8	Do.
11	23:40	75	-----	635	89-554	8	Do.
12	23:41	80	-----	635	89-554	8	Do.
26	23:53	121	27	635	89-554	8	Do.
July 5	23:118	221	6	635	89-554	8	Do.
7	23:159	331	1	635	89-554	8	Partial repeal.
7	23:194	332	-----	953	89-674	3	Amendment.
7	23:227	333	-----	635	89-554	8	Partial repeal.
7	23:236	334	1	635	89-554	8	Do.
<b>1885</b>							
Mar. 3	23:388	343	1	635	89-554	8	Do.
3	23:444	357	-----	635	89-554	8	Repeal.
3	23:446	359	1	635	89-554	8	Partial repeal.
<b>1886</b>							
June 2	24:77	416	-----	635	89-554	8	Repeal.
30	24:91	572	-----	635	89-554	8	Do.
July 2	24:122	611	-----	635	89-554	8	Partial repeal.
31	24:172	827	1	635	89-554	8	Do.
Aug. 2	24:213	842	-----	635	89-554	8	Repeal.
<b>1887</b>							
Feb. 4	24:379	104	-----	829	89-599	2(b)	Applicability.
4	24:379	104	1(14)(a)	168	89-430	1	Amendment.
4	24:379	104	25	939,	89-670	6(e)(6),	Transfer of
				940		(f)(1)-(3)	functions.
4	24:379	104	204(a)(1)-	939,	89-670	6(e)(6),	Do.
			(3a), (5)	940		(f)(1)-(3)	
4	24:379	104	208(c)	1521	89-804	-----	Revision.
4	24:379	104	212(a)	943	89-670	8(d)	Amendment.
4	24:379	104	221(a), (c)	940	89-670	6(e)(6),	Transfer of
						(f)(1)-(3)	functions.
4	24:379	104	224	940	89-670	6(e)(6),	Do.
						(f)(1)-(3)	
4	24:379	104	226	939,	89-670	6(e)(6),	Do.
				940		(f)(1)-(3)	
23	24:644	J. Res.	-----	635	89-554	8	Repeal.
		6	-----				
Mar. 1	24:439	313	-----	635	89-554	8	Partial repeal.
3	24:594	392	1	635	89-554	8	Do.

TABLE 1.—General Legislation—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Chapter	Section	80 Stat.	Public law	Section	Comment
<b>1888</b>							
May 2	25:134	227	-----	635	89-554	8	Repeal.
14	25:147	251	2, 3	635	89-554	8	Do.
15	25:150	255	1	635	89-554	8	Do.
21	25:152	297	3	635	89-554	8	Do.
June 4	25:166	341	2	635	89-554	8	Do.
13	25:182	389	3, 4	635	89-554	8	Do.
18	25:185	391	-----	635	89-554	8	Do.
25	25:203	486	-----	635	89-554	8	Do.
29	25:217	503	1	635	89-554	8	Partial repeal.
July 11	25:256	615	1	635	89-554	8	Do.
18	25:314	676	1	635	89-554	8	Do.
Aug. 1	25:352	722	-----	635	89-554	8	Repeal.
1	25:353	723	-----	635	89-554	8	Do.
8	25:387	786	-----	635	89-554	8	Do.
9	25:398	823	-----	635	89-554	8	Do.
Oct. 19	25:565	1209	-----	635	89-554	8	Partial repeal.
Dec. 18	25:637	6	2	635	89-554	8	Repeal.
<b>1889</b>							
Feb. 9	25:658	121	-----	636	89-554	8	Partial repeal.
9	25:659	122	1	636	89-554	8	Do.
9	25:659	122	3	636	89-554	8	Repeal.
26	25:705	279	1	636	89-554	8	Partial repeal.
Mar. 1	25:751	311	3	636	89-554	8	Repeal.
1	25:772	327	2	636	89-554	8	Do.
1	25:772	328	49	636	89-554	8	Do.
2	25:793	370	1	636	89-554	8	Partial repeal.
2	25:793	370	4	636	89-554	8	Repeal.
2	25:980	412	15	636	89-554	8	Do.
<b>1890</b>							
Mar. 19	26:670	J. Res. 12	-----	636	89-554	8	Do.
Apr. 10	26:53	77	-----	636	89-554	8	Do.
May 2	26:81	182	2, 3, 14	636	89-554	8	Do.
June 10	26:131	407	30	636	89-554	8	Do.
July 2	26:209	647	-----	1515	89-800	6(b)(1)	Exception.
11	26:228	667	1	636	89-554	8	Partial repeal.
Aug. 8	26:313	729	-----	636	89-554	8	Repeal.
28	26:362	812	-----	636	89-554	8	Do.
28	26:363	814	3	636	89-554	8	Do.
29	26:370	820	1	636	89-554	8	Partial repeal.
Oct. 1	26:655	1267	-----	636	89-554	8	Repeal.
<b>1891</b>							
Feb. 6	26:733	113	-----	636	89-554	8	Do.
24	26:783	287	-----	636	89-554	8	Do.
Mar. 3	26:854	539	-----	636	89-554	8	Do.
3	26:908	541	1	636	89-554	8	Partial repeal.
3	26:1084	550	-----	636	89-554	8	Repeal.
3	26:1089	555	2	636	89-554	8	Do.
3	26:1104	564	1, 2, 18	636	89-554	8	Do.
<b>1892</b>							
June 4	27:41	88	-----	636	89-554	8	Do.
July 6	27:87	154	-----	636	89-554	8	Do.
13	27:119	161	-----	636	89-554	8	Partial repeal.
16	27:183	196	1	636	89-554	8	Do.

TABLE 1.—General Legislation—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Chapter	Section	80 Stat.	Public law	Section	Comment
<b>1892</b>							
July 22	27:257	231	-----	636	89-554	8	Repeal.
26	27:268	250	1-3	636	89-554	8	Do.
Aug. 5	27:349	380	1	636	89-554	8	Partial repeal.
<b>1893</b>							
Mar. 1	27:523	187	-----	636	89-554	8	Do.
2	27:531	196	-----	939, 940	89-670	6(e)(1), (f)(1)-(3)	Transfer of functions.
3	27:537	199	1	636	89-554	8	Partial repeal.
3	27:563	204	2, 3	636	89-554	8	Repeal.
3	27:572	208	-----	636	89-554	8	Partial repeal.
3	27:612	209	1	636	89-554	8	Do.
3	27:675	211	1	636	89-554	8	Do.
3	27:675	211	4, 5	636	89-554	8	Repeal.
3	27:734	214	-----	637	89-554	8	Partial repeal.
Dec. 21	28:20	5	-----	637	89-554	8	Repeal.
<b>1894</b>							
May 11	28:75	73	-----	637	89-554	8	Partial repeal.
June 19	28:93	108	-----	637	89-554	8	Do.
28	28:96	118	-----	637	89-554	8	Repeal.
July 31	28:162	174	1	637	89-554	8	Partial repeal.
31	28:162	174	3, 4	637	89-554	8	Repeal.
Aug. 3	28:225	202	-----	637	89-554	8	Do.
14	28:282	287	15	637	89-554	8	Do.
15	28:286	290	1	637	89-554	8	Partial repeal.
18	28:338	299	5	941	89-670	6(g)(2)	Transfer of functions.
18	28:372	301	1	637	89-554	8	Partial repeal.
23	28:424	307	1	637	89-554	8	Do.
23	28:488	308	-----	637	89-554	8	Repeal.
27	28:509	349	33, 64, 65	637	89-554	8	Do.
27	28:509	349	73-77	1515	89-800	6(b)(1)	Exception.
Dec. 27	28:597	12	4	637	89-554	8	Repeal.
<b>1895</b>							
Jan. 12	28:601	23	-----	956	89-678	-----	Amendment.
12	28:601	23	23, 44, 46, 48	637	89-554	8	Repeal.
12	28:601	23	73	637	89-554	8	Partial repeal.
12	28:601	23	87	973	89-685	6	Exception.
12	28:601	23	87	1490	89-797	-----	Do.
Feb. 8	28:645	64	1, rule 9	940	89-670	6(g)(1)	Transfer of functions.
8	28:645	64	1, rules 19, 24	1313	89-764	3, 4	Amendment.
11	28:651	80	3	637	89-554	8	Repeal.
28	28:689	138	1-3, 6	637	89-554	8	Do.
Mar. 1	28:699	146	2	637	89-554	8	Do.
2	28:740	172	2	637	89-554	8	Do.
2	28:741	173	2, 4	230	89-476	2(e), (f)	Do.
2	28:744	176	1	637	89-554	8	Partial repeal.
2	28:764	177	1	637	89-554	8	Do.
2	28:910	189	1	637	89-554	8	Do.
<b>1896</b>							
Feb. 27	29:28	34	-----	637	89-554	8	Do.
Mar. 16	29:60	58	-----	637	89-554	8	Repeal.
28	29:75	73	-----	637	89-554	8	Do.

TABLE 1.—General Legislation—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Chapter	Section	80 Stat.	Public law	Section	Comment
<b>1896</b>							
May 28	29:140	252	1	637	89-554	8	Partial repeal.
28	29:140	252	3	637	89-554	8	Repeal.
June 3	29:198	313	-----	637	89-554	8	Do.
9	29:316	387	"Sec. 4"	637	89-554	8	Do.
10	29:321	398	1	637	89-554	8	Partial repeal.
11	29:393	419	1	637	89-554	8	Do.
Dec. 22	29:479	2	-----	637	89-554	8	Do.
<b>1897</b>							
Feb. 15	29:530	231	-----	637	89-554	8	Repeal.
19	29:538	265	1	637	89-554	8	Partial repeal.
Mar. 3	29:665	387	1	637	89-554	8	Do.
Apr. 23	30:1	1	-----	637	89-554	8	Do.
June 4	30:11	2	1	637	89-554	8	Do.
7	30:62	3	1	637	89-554	8	Do.
7	30:96	4	1, art. 11	940	89-670	6(g)(1)	Transfer of functions.
7	30:96	4	1, arts. 20,	1313	89-764	1, 2	Amendment.
July 24	30:151	11	25	637	89-554	8	Partial repeal.
24	30:215	14	2, 3	637	89-554	8	Repeal.
<b>1898</b>							
Jan. 27	30:234	10	-----	638	89-554	8	Do.
Mar. 15	30:277	68	1	638	89-554	8	Partial repeal.
15	30:277	68	7	638	89-554	8	Repeal.
June 6	30:432	389	-----	638	89-554	8	Do.
July 1	30:544	541	1(29a)	268	89-495	1	Addition.
1	30:544	541	2a(2A)	270	89-496	1	Do.
1	30:544	541	17a(1)	270	89-496	2	Revision.
1	30:544	541	39b	135	89-414	-----	Partial revision.
1	30:544	541	60	268	89-495	3	Exception.
1	30:544	541	62a(2)	293	89-504	202(a)	Compensation rates, increase.
1	30:544	541	64a(4)	271	89-496	3	Revision.
1	30:544	541	64a(5)	268	89-495	2	Do.
1	30:544	541	67b	268	89-495	3	Do.
1	30:544	541	67c	268, 269	89-495	4	Revision; non- applicability.
1	30:544	541	70c	269	89-495	5	Revision.
1	30:544	541	263	1278	89-754	504(e)	Amendment.
1	30:597	546	1	638	89-554	8	Partial repeal.
7	30:652	571	1	638	89-554	8	Do.
<b>1899</b>							
Feb. 4	30:820	89	-----	638	89-554	8	Do.
21	30:841	176	4	638	89-554	8	Repeal.
24	30:846	187	1	638	89-554	8	Partial repeal.
24	30:846	187	4	638	89-554	8	Repeal.
Mar. 3	30:1121	425	9	941	89-670	6(g)(6)	Transfer of functions.
3	30:1214	427	1	638	89-554	8	Partial repeal.
<b>1900</b>							
Apr. 4	31:59	158	-----	638	89-554	8	Do.
12	31:77	191	26, 29, 36, 37, 40	638	89-554	8	Repeal.
17	31:86	192	1	638	89-554	8	Partial repeal.
17	31:86	192	3	638	89-554	8	Repeal.
May 25	31:191	555	-----	638	89-554	8	Partial repeal.
26	31:218	589	-----	638	89-554	8	Repeal.
31	31:221	598	1, 2	638	89-554	8	Partial repeal.

TABLE 1.—General Legislation—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Chapter	Section	80 Stat.	Public law	Section	Comment
<b>1900</b>							
June 2	31:262	614	-----	638	89-554	8	Repeal.
6	31:554	789	1	638	89-554	8	Partial repeal.
6	31:588	791	1	638	89-554	8	Do.
<b>1901</b>							
Feb. 1	31:746	190	-----	638	89-554	8	Repeal.
12	31:787	363	-----	638	89-554	8	Partial repeal.
27	31:816	615	-----	638	89-554	8	Repeal.
28	31:819	622	3	638	89-554	8	Do.
Mar. 2	31:922	805	-----	638	89-554	8	Partial repeal.
2	31:938	806	12	638	89-554	8	Repeal.
2	31:950	809	3	638	89-554	8	Do.
3	31:960	830	1	638	89-554	8	Partial repeal.
3	31:960	830	3	638	89-554	8	Repeal.
3	31:1058	832	1, 2	638	89-554	8	Partial repeal.
3	31:1133	853	1	638	89-554	8	Do.
3	31:1189	854	3	638	89-554	8	Repeal.
3	31:1189	854	179	638	89-554	8	Do.
3	31:1189	854	522	1100	89-706	1(a)	Amendment.
3	31:1189	854	534	1100	89-706	1(b)	Do.
3	31:1189	854	537	1100	89-706	1(c)	Do.
3	31:1189	854	538(a), (b)	1100	89-706	1(d)	Existing text designated as (a); subsec. (b) added.
3	31:1189	854	538(a)	1100	89-706	1(d)	Exception.
3	31:1189	854	548a(a), (b)	266	89-493	17(b)	Existing text designated as (a); subsec. (b) added.
3	31:1189	854	552	1178	89-745	6, 8(c)	Amendment.
3	31:1189	854	553	638	89-554	8	Repeal.
3	31:1189	854	561	263	89-493	1	Amendment.
3	31:1189	854	563	263	89-493	2	Revision.
3	31:1189	854	572, 573	263	89-493	3, 4	Amendment.
3	31:1189	854	586b-586e	1430	89-791	106(a)(1)	Do.
3	31:1189	854	586g	1430	89-791	106(a)(2)	Addition.
3	31:1189	854	715	121	89-399	1(b)	Amendment.
3	31:1189	854	877	263	89-493	6	Do.
3	31:1189	854	878b, 878f	263	89-493	6	Do.
3	31:1189	854	1187, 1189	638	89-554	8	Repeal.
3	31:1189	854	1238	265	89-493	15(a), (b)	Amendment.
3	31:1189	854	1239, 1241	265	89-493	15(a)	Do.
3	31:1189	854	1246	265	89-493	15(b)	Do.
3	31:1189	854	1288	264	89-493	13(a), (b)	Do.
3	31:1189	854	1290, 1291, 1293	264	89-493	13(a)	Do.
3	31:1437	858	-----	638	89-554	8	Repeal.
3	31:1449	872	4	638	89-554	8	Do.
<b>1902</b>							
Feb. 14	32:5	9	-----	638	89-554	8	Partial repeal.
Apr. 28	32:120	83	1	638	89-554	8	Do.
28	32:120	83	3	639	89-554	8	Repeal.
28	32:171	84	2	639	89-554	8	Do.
May 2	32:184	98	-----	639	89-554	8	Do.
27	32:245	125	1, 2	639	89-554	8	Partial repeal.
June 3	32:286	139	-----	639	89-554	8	Do.
17	32:388	161	5	639	89-554	8	Do.
28	32:419	182	1	639	89-554	8	Do.
28	32:492	193	-----	639	89-554	8	Repeal.
July 1	32:691	235	-----	639	89-554	8	Do.
1	32:715	238	-----	639	89-554	8	Do.
1	32:731	249	3	639	89-554	8	Do.
Dec. 16	32:753	2	-----	639	89-554	8	Do.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1903</b>							
Feb. 14	32:825	87	1	639	89-554	8	Partial repeal.
14	32:825	87	6	639	89-554	8	Repeal.
14	32:825	87	10	639	89-554	8	Partial repeal.
19	32:841	102	-----	639	89-554	8	Do.
25	32:854	115	1	639	89-554	8	Do.
Mar. 2	32:943	133	-----	939, 940	89-670	6(e)(1), (f)(1)-(3)	Transfer of functions.
3	32:982	144	1, 2	639	89-554	8	Partial repeal.
3	32:1031	156	1	639	89-554	8	Do.
3	32:1083	157	1	639	89-554	8	Do.
<b>1904</b>							
Jan. 30	33:9	11	-----	639	89-554	8	Repeal.
Mar. 18	33:85	57	1	639	89-554	8	Partial repeal.
Apr. 21	33:189	125	1, 2	639	89-554	8	Do.
23	33:259	149	-----	639	89-554	8	Do.
23	33:276	150	-----	639	89-554	8	Do.
28	33:452	194	1	639	89-554	8	Do.
28	33:452	194	4	639	89-554	8	Repeal.
28	33:538	215	-----	639	89-554	8	Do.
28	33:550	238	4, 6	639	89-554	8	Do.
<b>1905</b>							
Jan. 19	33:609	16	-----	639	89-554	8	Do.
Feb. 3	33:631	40	1	639	89-554	8	Partial repeal.
6	33:689	43	7	639	89-554	8	Repeal.
23	33:743	98	-----	939, 940	89-670	6(e)(3), (f)(1)-(3)	Transfer of functions.
Mar. 3	33:861	138	-----	639	89-554	8	Partial repeal.
3	33:883	139	1	639	89-554	8	Do.
3	33:983	146	2	639	89-554	8	Repeal.
3	33:990	155	-----	639	89-554	8	Do.
3	33:1026	188	-----	639	89-554	8	Do.
3	33:1028	190	1, 2	639	89-554	8	Do.
3	33:1048	212	1, 2	639	89-554	8	Partial repeal.
3	33:1156	216	1	639	89-554	8	Do.
<b>1906</b>							
Feb. 27	34:27	28	1	640	89-554	8	Do.
Mar. 23	34:84	65	-----	941	89-670	6(g)(6)	Transfer of functions.
23	34:84	65	4	941	89-670	6(g)(4)	Do.
Apr. 5	34:99	83	-----	640	89-554	8	Repeal.
9	34:106	89	-----	640	89-554	8	Do.
24	34:136	126	3	640	89-554	8	Do.
May 7	34:169	147	2	640	89-554	8	Do.
June 16	34:286	236	-----	640	89-554	8	Partial repeal.
19	34:302	246	3	640	89-554	8	Repeal.
20	34:314	251	4	640	89-554	8	Do.
20	34:316	254	4, 8, 9	640	89-554	8	Do.
21	34:325	258	-----	640	89-554	8	Partial repeal.
22	34:389	267	1	640	89-554	8	Do.
22	34:389	267	5, 6	640	89-554	8	Repeal.
25	34:456	280	-----	640	89-554	8	Do.
27	34:482	302	1	640	89-554	8	Partial repeal.
30	34:634	381	4	640	89-554	8	Repeal.
30	34:669	382	-----	640	89-554	8	Partial repeal.
30	34:697	383	1, 4	640	89-554	8	Do.
30	34:697	383	6	640	89-554	8	Repeal.
30	34:816	404	-----	640	89-554	8	Do.
30	34:838	Pub. Res. 46	-----	939, 940	89-670	6(e)(1), (f)(1)-(3)	Transfer of functions.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1907</b>							
Feb. 1	34:874	50	2	640	89-554	8	Repeal.
20	34:898	96	34	640	89-554	8	Do.
22	34:916	107	-----	640	89-554	8	Partial repeal.
26	34:935	129	1	640	89-554	8	Do.
26	34:935	129	4	640	89-554	8	Repeal.
Mar. 1	34:1015	154	-----	640	89-554	8	Partial repeal.
2	34:1241	217	-----	640	89-554	8	Repeal.
2	34:1252	233	-----	640	89-554	8	Do.
4	34:1256	242	-----	640	89-554	8	Partial repeal.
4	34:1295	253	1	640	89-554	8	Do.
4	34:1412	266	-----	640	89-554	8	Repeal.
4	34:1415	274	-----	939, 940	89-670	6(e)(2), (f)(1)-(3)	Transfer of functions.
<b>1908</b>							
Mar. 16	35:45	61	2	640	89-554	8	Repeal.
26	35:46	63	-----	640	89-554	8	Do.
Apr. 30	35:70	104	-----	640	89-554	8	Partial repeal.
May 11	35:102	111	"Sec. 5"	640	89-554	8	Repeal.
11	35:125	113	-----	640	89-554	8	Do.
21	35:171	127	-----	640	89-554	8	Partial repeal.
22	35:184	130	1	641	89-554	8	Do.
23	35:251	136	-----	641	89-554	8	Do.
26	35:274	139	6	641	89-554	8	Repeal.
27	35:317	141	-----	939, 940	89-670	6(e)(1), (f)(1)-(3)	Transfer of functions.
27	35:317	141	1	641	89-554	8	Partial repeal.
28	35:424	152	9	641	89-554	8	Repeal.
29	35:465	160	13	641	89-554	8	Partial repeal.
30	35:476	165	-----	939, 940	89-670	6(e)(1), (f)(1)-(3)	Transfer of functions.
30	35:556	176	-----	641	89-554	8	Repeal.
<b>1909</b>							
Feb. 6	35:597	213	-----	641	89-554	8	Partial repeal.
17	35:626	235	-----	641	89-554	8	Repeal.
18	35:637	242	-----	641	89-554	8	Do.
24	35:645	256	-----	641	89-554	8	Do.
27	35:657	283	-----	641	89-554	8	Do.
Mar. 2	35:672	292	-----	641	89-554	8	Partial repeal.
3	35:688	303	1	641	89-554	8	Do.
3	35:781	316	-----	641	89-554	8	Do.
3	35:838	322	11, 12, 20, 21	641	89-554	8	Repeal.
4	35:845	326	1	641	89-554	8	Partial repeal.
4	35:945	328	-----	939, 940	89-670	6(e)(1), (f)(1)-(3)	Transfer of functions.
4	35:945	328	1	641	89-554	8	Partial repeal.
4	35:1039	330	-----	641	89-554	8	Do.
4	35:1065	343	2-4, 6-8	641	89-554	8	Repeal.
Aug. 5	36:11	5	28 ("Sec. 30")	641	89-554	8	Do.
<b>1910</b>							
Feb. 25	36:202	62	1	641	89-554	8	Partial repeal.
Apr. 14	36:298	133	-----	939, 940	89-670	6(e)(1), (f)(1)-(3)	Transfer of functions.
May 6	36:337	156	-----	641	89-554	8	Partial repeal.
6	36:350	165	-----	939, 940	89-670	6(e)(1), (f)(1)-(3)	Transfer of functions.
18	36:374	185	1	641	89-554	8	Partial repeal.
26	36:416	190	-----	641	89-554	8	Do.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1910</b>							
June 17	36:468	213	1	641	89-554	8	Partial repeal.
25	36:703	266	1	641	89-554	8	Do.
25	36:774	267	-----	641	89-554	8	Do.
25	36:828	279	-----	641	89-554	8	Repeal.
25	36:838	293	-----	641	89-554	8	Do.
Dec. 23	36:888	328	-----	641	89-554	8	Partial repeal.
<b>1911</b>							
Jan. 23	36:894	336	-----	641	89-554	8	Repeal.
Feb. 13	36:898	347	-----	641	89-554	8	Do.
17	36:913	383	-----	939, 940	89-670	6(e)(1), (f)(1)-(3)	Transfer of functions.
24	36:928	411	-----	641	89-554	8	Repeal.
Mar. 1	36:961	435	-----	184	89-435	-----	Restriction.
2	36:966	441	1	641	89-554	8	Partial repeal.
3	36:1027	452	-----	641	89-554	8	Do.
3	36:1058	454	1	641	89-554	8	Do.
4	36:1170	477	1	641	89-554	8	Do.
4	36:1235	478	-----	641	89-554	8	Do.
4	36:1363	525	1	641	89-554	8	Do.
<b>1912</b>							
Feb. 10	37:63	80	-----	641	89-554	8	Repeal.
Mar. 11	37:74	101	-----	641	89-554	8	Do.
Apr. 30	37:94	139	-----	641	89-554	8	Partial repeal.
May 10	37:110	149	-----	641	89-554	8	Repeal.
June 15	37:133	193	-----	641	89-554	8	Do.
15	37:133	194	-----	641	89-554	8	Do.
26	37:139	201	1	642	89-554	8	Partial repeal.
26	37:139	201	8	642	89-554	8	Repeal.
July 25	37:201	241	1	642	89-554	8	Partial repeal.
Aug. 10	37:269	261	-----	642	89-554	8	Do.
17	37:311	271	1	642	89-554	8	Do.
23	37:360	299	1	642	89-554	8	Do.
23	37:360	299	5	642	89-554	8	Repeal.
24	37:417	302	-----	180	89-435	-----	Exception.
24	37:417	302	1	642	89-554	8	Partial repeal.
24	37:417	302	8	642	89-554	8	Repeal.
24	37:512	334	4, 6, 7, 18	642	89-554	8	Do.
24	37:518	335	1	642	89-554	8	Partial repeal.
24	37:539	336	6	642	89-554	8	Repeal.
24	37:539	336	6(b)	95	89-380	5(1)	Do.
24	37:560	337	5	642	89-554	8	Partial repeal.
<b>1913</b>							
Feb. 28	37:688	394	1	642	89-554	8	Do.
Mar. 4	37:736	426	1	642	89-554	8	Do.
4	37:736	426	8	642	89-554	8	Repeal.
4	37:739	427	1	642	89-554	8	Partial repeal.
4	37:828	430	-----	642	89-554	8	Do.
4	37:866	432	28	642	89-554	8	Repeal.
4	37:938	435	8, 9	642	89-554	8	Partial repeal.
4	37:1013	444	-----	642	89-554	8	Repeal.
June 23	38:4	3	1	642	89-554	8	Partial repeal.
30	38:77	4	1	642	89-554	8	Do.
Sept. 4	38:110	10	-----	642	89-554	8	Repeal.
Oct. 3	38:114	16	II-N	642	89-554	8	Do.
22	38:208	32	1	642	89-554	8	Partial repeal.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1913</b>							
Dec. 23	38:251	43	4	243	89-485	13(e)	Amendment.
23	38:251	43	9	243	89-485	13(f), (g)	Amendment; partial repeal.
23	38:251	43	11(d)	161	89-427	2	Amendment.
23	38:251	43	11(k)	1314	89-765	-----	Addition.
23	38:251	43	14(b)	235	89-484	-----	Amendment.
23	38:251	43	14(b)(1), (2)	825	89-597	6, 7	Existing text designated as (1); par. (2) added; expiration date.
23	38:251	43	16	161	89-427	3	Amendment.
23	38:251	43	19	824, 825	89-597	2(d), 7	Last par. repealed; expiration date.
23	38:251	43	19(a)-(c)	823, 825	89-597	2(a), 7	Pars. 1-6 deleted; replaced by subsecs. (a)-(c); expiration date.
23	38:251	43	19(d)-(j)	824, 825	89-597	2(b), 7	Pars. 7-13 redesignated as subsecs. (d)-(j); expiration date.
23	38:251	43	19(j)	824, 825	89-597	2(c), 7	Amendment; expiration date.
23	38:251	43	23A	241, 243	89-485	12(a), 13(h)	Amendment.
23	38:251	43	23A	242	89-485	12(a)-(c)	Exception; applicability.
23	38:251	43	24	1277	89-754	504(a)(2)	Amendment.
23	38:251	43	25	241	89-485	12(b)	Do.
<b>1914</b>							
Feb. 24	38:291	60	1, 3-5	971	89-684	3, 4	Nonapplicability.
24	38:291	60	10	970, 971	89-684	3, 4	Addition.
Mar. 12	38:305	69	-----	941	89-670	6(i)	Transfer of functions.
Apr. 6	38:312	82	1	642	89-554	8	Partial repeal.
6	38:312	82	5	642	89-554	8	Repeal.
May 16	38:378	102	-----	642	89-554	8	Do.
16	38:378	103	-----	642	89-554	8	Do.
June 30	38:415	122	-----	642	89-554	8	Partial repeal.
30	38:442	123	-----	642	89-554	8	Do.
July 16	38:454	127	1	642	89-554	8	Do.
16	38:454	127	5	973	89-685	6	Exception.
16	38:454	127	6	642	89-554	8	Repeal.
21	38:517	145	1	642	89-554	8	Partial repeal.
Aug. 1	38:582	160	1	642	89-554	8	Do.
1	38:609	161	1	642	89-554	8	Do.
1	38:609	161	12, 13	642	89-554	8	Repeal.
Sept. 26	38:717	203	-----	1302	89-755	11	Exception.
26	38:717	203	5(b)	1300	89-755	7(b)	Applicability.
Oct. 15	38:730	212	-----	1515	89-800	6(b)(1)	Exception.
Dec. 28	38:790	225	-----	642	89-554	8	Repeal.
<b>1915</b>							
Feb. 5	38:805	242	1, 2, 8	643	89-554	8	Do.
Mar. 3	38:822	263	1	643	89-554	8	Partial repeal.
4	38:997	290	1	643	89-554	8	Do.
4	38:997	290	6	643	89-554	8	Repeal.
4	38:1049	291	7	940	89-670	6(g)(1)	Transfer of functions.
4	38:1116	294	-----	643	89-554	8	Partial repeal.
4	38:1192	318	-----	939, 940	89-670	6(e)(1), (f)(1)-(3)	Transfer of functions.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1916</b>							
Feb. 28	39:14	26	1	643	89-554	8	Partial repeal.
Apr. 27	39:54	57	-----	643	89-554	8	Repeal.
May 10	39:66	73	1	643	89-554	8	Partial repeal.
18	39:123	80	1	643	89-554	8	Do.
June 15	39:226	93	3	643	89-554	8	Repeal.
July 1	39:252	131	-----	643	89-554	8	Partial repeal.
1	39:262	132	1	643	89-554	8	Do.
17	39:360	158	12, 13	334	89-525	2	Amendment.
17	39:360	158	28	643	89-554	8	Partial repeal.
17	39:360	158	202(a)(4)	334	89-525	3(a)	Addition.
17	39:360	158	203(b)	821	89-595	-----	Amendment.
17	39:360	158	208(b)	334	89-525	3(b)	Revision.
28	39:412	169	1	643	89-554	8	Partial repeal.
Aug. 25	39:535	235	-----	211	89-458	3	Applicability.
25	39:535	235	-----	232	89-479	3	Do.
25	39:535	235	-----	325	89-517	3	Do.
25	39:535	235	-----	737	89-565	2	Do.
25	39:535	235	3	1417	89-789	111(c)	Exception.
29	39:545	240	20	643	89-554	8	Repeal.
29	39:619	242	1	643	89-554	8	Partial repeal.
Sept. 1	39:676	250	1	643	89-554	8	Do.
1	39:676	250	12	256	89-488	15	Exception.
7	39:728	260	-----	1357,	89-777	2(d), 3(d)	Applicability.
				1358			
7	39:728	260	-----	1358	89-778	-----	Exemption provision.
7	39:728	260	35	1358	89-778	-----	Addition.
7	39:742	267	-----	256	89-488	13	Existing compensation awards, increase.
7	39:742	267	-----	256	89-488	15	Applicability of certain amendments.
7	39:742	267	-----	643	89-554	8	Repeal.
7	39:742	267	-----	1187,	89-749	3	Applicability.
				1188			
7	39:742	267	-----	1381	89-787	-----	Do.
7	39:742	267	5(a)	252	89-488	2(a)	Amendment.
7	39:742	267	5(b)	252	89-488	2(b)	Revision.
7	39:742	267	5(c), (d)(1)	252	89-488	2(c), (d)	Amendment.
7	39:742	267	6	254	89-488	7(b)	Exception.
7	39:742	267	6(a)(1)	252	89-488	2(e), 3(a)	Amendment.
7	39:742	267	6(a)(2)(C)	254	89-488	7(b)	Do.
7	39:742	267	6(b)(1)	253	89-488	4(a)	Do.
7	39:742	267	6(c)	252	89-488	3(b)	Do.
7	39:742	267	7(a)	253	89-488	5(a)	Do.
7	39:742	267	9(a)	253	89-488	5(b)	Do.
7	39:742	267	9(c)	253	89-488	6	Addition.
7	39:742	267	10	253	89-488	7(a)	Exception.
7	39:742	267	10(G)	253	89-488	7(a)	Amendment.
7	39:742	267	10(K)	252	89-488	3(c)	Revision.
7	39:742	267	10(M)	254	89-488	7(c)	Addition.
7	39:742	267	14(a), (b)	254	89-488	8	Existing text designated as (a); subsec. (b) added.
7	39:742	267	20(a), (b)	254	89-488	9	Existing text designated as (a) and amended; subsec. (b) added.
7	39:742	267	26	255	89-488	10(a)	Amendment.
7	39:742	267	27(B)	255	89-488	10(b)	Do.
7	39:742	267	32	255	89-488	11(a), 12	Do.
7	39:742	267	35(d)	255	89-488	10(c)	Addition.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1916</b>							
Sept. 7	39:742	267	36(a), (b)	255	89-488	11(b)	Existing text designated as (a);
7	39:742	267	43, 44	256	89-488	14	subsec. (b) added. Sec. 43 redesignated as 44; new 43 added.
8	39:756	271	700, 701, 705, 707, 708	643	89-554	8	Repeal.
<b>1917</b>							
Feb. 23	39:929	347	6	643	89-554	8	Do.
Mar. 2	39:969	369	1	643	89-554	8	Partial repeal.
2	39:996	375	4	643	89-554	8	Repeal.
3	39:1004	378	1	643	89-554	8	Partial repeal.
3	39:1047	379	-----	643	89-554	8	Do.
3	39:1070	381	1	643	89-554	8	Do.
3	39:1070	381	5, 8	643	89-554	8	Repeal.
3	39:1132	389	1	643	89-554	8	Do.
May 18	40:76	12	4, 6	643	89-554	8	Do.
22	40:84	17	16	907	89-657	1(1), (2)	Partial revision.
June 12	40:105	21	1	643	89-554	8	Partial repeal.
Aug. 9	40:270	38	3	643	89-554	8	Repeal.
10	40:273	40	5	643	89-554	8	Do.
10	40:273	40	8	643	89-554	8	Partial repeal.
10	40:276	41	20	643	89-554	8	Repeal.
Sept. 24	40:288	43	-----	584	89-554	1	Supplemental provision.
24	40:288	43	8	824, 825	89-597	2(d), 7	Partial repeal; expiration date.
24	40:288	43	16	1590	89-809	401	Amendment.
24	40:288	43	21	221	89-472	-----	Debt limit, increase.
24	40:288	43	21	1515	89-800	5	Applicability.
24	40:288	43	22(c), (e), (g)-(i)	1515	89-800	5	Do.
24	40:288	43	22A	1514	89-800	4, 5	Addition.
Oct. 6	40:345	64	1	643	89-554	8	Partial repeal.
6	40:345	64	6, 7	643	89-554	8	Repeal.
6	40:411	91	39(a)-(d)	871	89-619	-----	Exception.
6	40:411	91	39(e)	871	89-619	-----	Addition.
<b>1918</b>							
Mar. 19	40:450	106	-----	939, 940	89-670	6(e)(5), (f)(1)-(3)	Transfer of functions.
19	40:450	106	1, 2, 4	108	89-387	4(a)-(c)	Revision.
21	40:451	107	3	643	89-554	8	Repeal.
27	40:459	Pub. Res. 24	-----	643	89-554	8	Do.
28	40:459	109	2	643	89-554	8	Do.
Apr. 5	40:506	121	1, 2, 5-19	643	89-554	8	Do.
5	40:506	121	200-206	643	89-554	8	Do.
5	40:506	121	300, 302-306	643	89-554	8	Do.
15	40:519	128	-----	643	89-554	8	Partial repeal.
May 20	40:556	152	-----	643	89-554	8	Repeal.
June 26	40:616	176	-----	643	89-554	8	Do.
July 1	40:634	181	1	643	89-554	8	Partial repeal.
2	40:739	183	-----	643	89-554	8	Repeal.
3	40:757	188	1	643	89-554	8	Partial repeal.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1918</b>							
July 12	40:899	Pub. Res. 37	-----	644	89-554	8	Repeal.
18	40:904	200	9	644	89-554	8	Do.
18	40:912	201	-----	644	89-554	8	Do.
Aug. 31	40:918	208	1	644	89-554	8	Partial repeal.
31	40:955	210	5	644	89-554	8	Repeal.
Sept. 19	40:960	215 (title I)	1-23	961, 971	89-684	1, 4	Title I revised; replaced by new secs. 1-19.
19	40:960	215 (title I)	3	964, 971	89-684	1, 4	Exemptions.
19	40:960	215 (title I)	3(b)(1)	964, 971	89-684	1, 4	Do.
Oct. 5	40:1009	220	7, 8, 11	644	89-554	8	Repeal.
<b>1919</b>							
Jan. 7	40:1052	246	-----	644	89-554	8	Do.
Feb. 24	40:1057	254	1302	644	89-554	8	Do.
Mar. 1	40:1213	314	1	644	89-554	8	Partial repeal.
1	40:1213	314	4, 6, 9, 10	644	89-554	8	Repeal.
1	40:1213	314	11	973	89-685	6	Exception. (See also 1895, Ch. 23, sec. 87.)
3	40:1291	324	-----	644	89-554	8	Repeal.
3	40:1309	328	9, 10	644	89-554	8	Do.
3	40:1314	329	2	644	89-554	8	Do.
4	40:1325	346	-----	644	89-554	8	Partial repeal.
July 11	41:35	5	1	644	89-554	8	Do.
11	41:68	6	1	644	89-554	8	Do.
11	41:68	6	5, 11	644	89-554	8	Repeal.
19	41:163	21	1	644	89-554	8	Partial repeal.
24	41:234	22	-----	644	89-554	8	Do.
Sept. 16	41:284	47	3, 5	371, 372	89-550	1, 2	Revision.
Nov. 4	41:327	73	1	644	89-554	8	Partial repeal.
Dec. 24	41:377	105	-----	644	89-554	8	Do.
<b>1920</b>							
Feb. 25	41:437	146	38	644	89-554	8	Repeal.
Mar. 23	41:536	Pub. Res. 34	-----	644	89-554	8	Do.
May 22	41:614	215	-----	644	89-554	8	Do.
29	41:631	231	1	644	89-554	8	Partial repeal.
31	41:694	234	-----	644	89-554	8	Do.
June 2	41:735	236	6	644	89-554	8	Repeal.
4	41:739	238	1	644	89-554	8	Partial repeal.
5	41:837	245	1	644	89-554	8	Do.
5	41:874	246	1	644	89-554	8	Do.
5	41:987	259	4	644	89-554	8	Repeal.
5	41:988	261	30, (subsecs. E, 1)	795	89-582	1, 2	Amendment.
5	41:1057	275	2	644	89-554	8	Repeal.
<b>1921</b>							
Jan. 4	41:1084	Pub. Res. 55	-----	644	89-554	8	Do.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1921</b>							
Feb. 22	41:1109	326	1	644	89-554	8	Partial repeal.
Mar. 2	41:1205	357	1	644	89-554	8	Do.
3	41:1252	364	1	644	89-554	8	Do.
3	41:1252	364	5	644	89-554	8	Repeal.
3	41:1315	367	-----	644	89-554	8	Partial repeal.
4	41:1367	389	1	644	89-554	8	Do.
4	41:1446	401	-----	939, 940	89-670	6(e)(5), (f)(1)-(3)	Transfer of functions.
June 10	42:20	13	303	329	89-520	1	Amendment; exception; applicability.
10	42:20	13	310, 314, 316, 317	644	89-554	8	Repeal.
10	42:20	13	319(a)	329	89-520	2	Amendment.
16	42:29	18	4	645	89-554	8	Partial repeal.
Aug. 19	42:171	56	1	645	89-554	8	Do.
24	42:181	60	-----	645	89-554	8	Repeal.
24	42:187	66	6, 13	645	89-554	8	Do.
24	42:192	69	1	645	89-554	8	Partial repeal.
Oct. 28	42:208	84	-----	645	89-554	8	Repeal.
<b>1922</b>							
Feb. 9	42:363	139	-----	645	89-554	8	Do.
14	42:364	142	-----	645	89-554	8	Do.
Mar. 21	42:469	Pub. Res. 43	-----	645	89-554	8	Do.
27	42:470	182	-----	645	89-554	8	Partial repeal.
28	42:470	183	-----	645	89-554	8	Do.
May 24	42:552	224	-----	645	89-554	8	Do.
26	42:596	227	1	645	89-554	8	Do.
June 1	42:599	229	-----	645	89-554	8	Do.
10	42:634	238	-----	645	89-554	8	Repeal.
12	42:635	240	-----	645	89-554	8	Partial repeal.
13	42:650	241	-----	645	89-554	8	Repeal.
17	42:651	243	-----	645	89-554	8	Do.
29	42:668	256	1	645	89-554	8	Partial repeal.
29	42:712	257	3-5	645	89-554	8	Repeal.
30	42:716	259	-----	645	89-554	8	Partial repeal.
30	42:766	261	-----	645	89-554	8	Repeal.
July 1	42:767	263	1	645	89-554	8	Partial repeal.
Sept. 22	42:1047	363	-----	645	89-554	8	Repeal.
<b>1923</b>							
Jan. 3	42:1068	377	-----	645	89-554	8	Partial repeal.
5	42:1110	380	-----	645	89-554	8	Do.
22	42:1154	385	1	645	89-554	8	Do.
24	42:1174	395	-----	645	89-554	8	Do.
Feb. 13	42:1227	409	-----	645	89-554	8	Do.
17	42:1261	427	-----	793	89-578	23	Repeal.
28	42:1325	455	-----	645	89-554	8	Do.
28	42:1327	457	1	645	89-554	8	Partial repeal.
Mar. 2	42:1374	461	-----	645	89-554	8	Repeal.
2	42:1377	465	-----	645	89-554	8	Partial repeal.
3	42:1444	Pub. Res. 99	-----	645	89-554	8	Repeal.
4	42:1453	502	7	645	89-554	8	Do.
4	42:1454	503	209(b)	645	89-554	8	Partial repeal.
4	42:1454	503	301	645	89-554	8	Repeal.
4	42:1454	503	501-503	645	89-554	8	Do.
4	42:1503	524	-----	645	89-554	8	Do.
4	42:1516	537	-----	645	89-554	8	Do.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1923</b>							
Mar. 4	42:1527	543	1	645	89-554	8	Partial repeal.
4	42:1557	544	3, 5	645	89-554	8	Repeal.
<b>1924</b>							
Feb. 20	43:14	31	-----	645	89-554	8	Do.
Apr. 19	43:104	102	-----	645	89-554	8	Do.
23	43:106	104	1, 14	858	89-610	801, 802	Amendment.
May 24	43:140	135	7, 8	645	89-554	8	Repeal.
28	43:177	151	7	646	89-554	8	Do.
28	43:177	151	13	263	89-493	5	Amendment.
28	43:205	153	-----	646	89-554	8	Partial repeal.
June 2	43:253	176	1102	646	89-554	8	Repeal.
5	43:389	196	-----	646	89-554	8	Do.
5	43:390	199	-----	646	89-554	8	Partial repeal.
7	43:477	213	-----	646	89-554	8	Do.
7	43:521	214	1	646	89-554	8	Do.
7	43:539	224	1	646	89-554	8	Do.
7	43:599	237	3	646	89-554	8	Repeal.
7	43:604	238	-----	1252	89-753	211	Revision.
7	43:659	277	6	646	89-554	8	Repeal.
7	43:669	Pub.	-----	646	89-554	8	Do.
Dec. 13	43:713	Res. 35 295	12	646	89-554	8	Do.
<b>1925</b>							
Jan. 14	43:748	322	-----	646	89-554	8	Do.
17	43:752	325	-----	646	89-554	8	Do.
22	43:763	328	-----	646	89-554	8	Partial repeal.
31	43:803	356	3	646	89-554	8	Repeal.
Feb. 9	43:819	384	-----	646	89-554	8	Do.
10	43:822	390	-----	646	89-554	8	Partial repeal.
11	43:861	398	-----	646	89-554	8	Do.
12	43:892	413	-----	646	89-554	8	Do.
21	43:957	434	-----	646	89-554	8	Repeal.
27	43:1014	502	-----	646	89-554	8	Partial repeal.
28	43:1053	506	207(b)	819, 821	89-593	4(b), 6	Repeal.
Mar. 3	43:1119	561	6(j)	856	89-610	201	Amendment.
3	43:1141	580	-----	646	89-554	8	Partial repeal.
3	43:1198	586	2	646	89-554	8	Repeal.
3	43:1216	595	1	646	89-554	8	Partial repeal.
4	43:1286	624	3	646	89-554	8	Repeal.
4	43:1355	Pub. Res. 73	5	646	89-554	8	Do.
<b>1926</b>							
Feb. 26	44:9	20	1201, 1202, 1206	646	89-554	8	Do.
Mar. 16	44:208	47	1, 5	646	89-554	8	Do.
18	44:212	50	-----	646	89-554	8	Do.
Apr. 15	44:254	123	-----	646	89-554	8	Partial repeal.
16	44:297	125	-----	646	89-554	8	Repeal.
29	44:330	156	-----	646	89-554	8	Partial repeal.
May 7	44:403	186	-----	882	89-636	2, 4	Exception.
7	44:403	186	1(a), (b)	881	89-636	2	Existing text designated as (a); subsec. (b) added.
7	44:403	186	4(d), (e)	881	89-636	1(1), (2)	Amendment.
7	44:403	186	4(f), (g)	881	89-636	1(3)	Addition.
7	44:403	186	9	882	89-636	3	Revision.
7	44:403	186	10	882	89-636	4	Addition.

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<b>1926</b>							
May 10	44:417	205	1	646	89-554	8	Partial repeal.
10	44:453	206	1	646	89-554	8	Do.
11	44:499	214	-----	646	89-554	8	Do.
17	44:558	231	-----	646	89-554	8	Repeal.
20	44:577	257	3[1st(m)]	209	89-456	2(a)	Amendment.
20	44:577	257	3[1st(o)]	209	89-456	2(b)	Do.
20	44:577	257	3[1st(p)]	210	89-456	2(c), (d)	Do.
20	44:577	257	3[1st (q)-(x)]	210	89-456	2(e)	Pars. (q)-(w) redesignated as (r)-(x); new (q) added.
20	44:577	257	3[2nd]	208	89-456	1	Amendment.
20	44:587	258	-----	646	89-554	8	Repeal.
June 14	44:741	386	2(b)	210	89-457	1	(Revised. See 1954, P.L. 387.)
26	44:772	432	-----	646	89-554	8	Repeal.
July 2	44:790	448	21	646	89-554	8	Do.
3	44:809	458	1	263	89-493	7(a)	Amendment.
3	44:830	473	-----	647	89-554	8	Repeal.
3	44:834	481	2	647	89-554	8	Do.
3	44:837	486	-----	647	89-554	8	Do.
3	44:892	504	-----	647	89-554	8	Do.
3	44:904	522	-----	647	89-554	8	Do.
Dec. 11	44:918	526	-----	647	89-554	8	Do.
15	44:920	529	3	647	89-554	8	Do.
<b>1927</b>							
Jan. 12	44:934	541	1	647	89-554	8	Partial repeal.
18	44:976	552	-----	647	89-554	8	Do.
21	44:1010	560	5(d)	647	89-554	8	Repeal.
Feb. 12	44:1086	603	-----	647	89-554	8	Do.
23	44:1106	630	-----	647	89-554	8	Partial repeal.
24	44:1178	638	-----	647	89-554	8	Do.
Mar. 2	44:1297	688	1	647	89-554	8	Do.
2	44:1346	Pub. Res. 59	-----	647	89-554	8	Do.
3	44:1380	749	-----	647	89-554	8	Repeal.
3	44:1381	751	5	647	89-554	8	Do.
3	44:1394	768	6	647	89-554	8	Do.
3	44:1403	Pub. Res. 62	-----	647	89-554	8	Do.
4	44:1424	803	-----	555	89-554	1	Applicability.
4	44:1424	803	3(a)	556	89-554	1	Nonapplicability.
4	44:1424	803	42	647	89-554	8	Repeal.
<b>1928</b>							
Feb. 15	45:64	32	-----	647	89-554	8	Partial repeal.
Mar. 5	45:193	93	2	647	89-554	8	Repeal.
6	45:197	97	-----	647	89-554	8	Do.
7	45:200	100	1	647	89-554	8	Partial repeal.
10	45:254	122	23	647	89-554	8	Repeal.
23	45:326	181	1	647	89-554	8	Partial repeal.
Apr. 4	45:405	237	-----	647	89-554	8	Repeal.
19	45:433	283	-----	647	89-554	8	Do.
May 15	45:534	391	-----	1420	89-789	203	Project modification.
16	45:539	392	-----	647	89-554	8	Partial repeal.
16	45:573	400	1	647	89-554	8	Do.
17	45:596	413	-----	647	89-554	8	Repeal.
21	45:645	457	1	647	89-554	8	Partial repeal.
29	45:986	611	1 (116), 2	647	89-554	8	Repeal.
29	45:1006	619	-----	647	89-554	8	Do.

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Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1929</b>							
Jan. 19	45:1083	667		866	89-615	-----	Land exchange.
21	45:1091	679	3-7	811	89-588	-----	Repeal.
25	45:1094	686	-----	647	89-554	8	Partial repeal.
Feb. 16	45:1189	769	-----	647	89-554	8	Do.
18	45:1222	770	-----	926	89-669	2(a)	Applicability.
18	45:1222	770	4	929	89-669	7(a)	Amendment.
18	45:1222	770	10	929	89-669	7(b)	Revision.
18	45:1222	770	11	930	89-669	7(c)	Amendment.
18	45:1222	770	12	929	89-669	7(a)	Do.
18	45:1222	770	13, 14	930	89-669	7(d)	Repeal.
20	45:1230	778	1	647	89-554	8	Partial repeal.
20	45:1248	779	-----	647	89-554	8	Repeal.
25	45:1261	803	5	647	89-554	8	Do.
25	45:1262	804	1	265	89-493	13(c)(1)	Partial repeal.
25	45:1262	804	1	647	89-554	8	Do.
26	45:1307	809	-----	647	89-554	8	Repeal.
28	45:1349	843	-----	647	89-554	8	Partial repeal.
28	45:1387	844	1	647	89-554	8	Do.
Mar. 1	45:1442	895	-----	647	89-554	8	Repeal.
2	45:1519	966	"Sec. 9"	647	89-554	8	Do.
4	45:1559	1029	5	647	89-554	8	Do.
4	45:1562	1033	1	647	89-554	8	Partial repeal.
4	45:1699	Pub. Res. 107	1	647	89-554	8	Repeal.
June 15	46:11	10	8(a)	334	89-525	4(b)	Deletion.
18	46:21	13	3	647	89-554	8	Partial repeal.
Dec. 18	46:50	25	3	647	89-554	8	Repeal.
<b>1930</b>							
Apr. 17	46:170	133	-----	647	89-554	8	Do.
23	46:253	165	-----	647	89-554	8	Do.
May 14	46:279	217	1	647	89-554	8	Partial repeal.
26	46:381	255	2	647	89-554	8	Repeal.
26	46:384	261	-----	647	89-554	8	Do.
27	46:391	271	7	172	89-435	-----	Exception.
27	46:392	272	-----	648	89-554	8	Partial repeal.
28	46:432	278	-----	648	89-554	8	Do.
29	46:468	279	-----	648	89-554	8	Repeal.
June 6	46:504	311	1	648	89-554	8	Partial repeal.
10	46:540	330	17	941	89-670	6(g)(4)	Transfer of functions.
11	46:554	337	-----	648	89-554	8	Repeal.
<b>Tariff Schedules</b>							
17	46:590	361	Gen. Hdnt. 3(a)(i)	1521	89-805	1(a)	Amendment.
17	46:590	361	Gen. Hdnt. 3(a)(i)	1523	89-806	2(b), (c)	Do.
17	46:590	361	Sched. 1, Pt. 14, Hdnt. 3	110	89-388	1(f)(i)	Do.
17	46:590	361	Items 175. 09- 175. 12	109	89-388	1(a)	Revision.
17	46:590	361	Items 175. 27, 175. 28, 175. 30	109	89-388	1(b)	Items 175. 27 and 175. 30 deleted; 175. 28 added.
17	46:590	361	Sched. 1, Pt. 14, B, Hdnt. 2(b)	110	89-388	3(a)	Limitation increase.

TABLE 1.—General Legislation—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1930</b>							
			<b>Tariff Schedules</b>				
June 17	46:590	361	Items 176. 04-176. 13	109	89-388	1(c)	Revision.
17	46:590	361	Items 176. 32-176. 36	110	89-388	1(d)	Items 176. 32-176. 36 deleted; new 176. 32-176. 34 and prec. heading added.
17	46:590	361	Item 202. 54	1748, 1751	Proc. No. 3694	App. A, B	Amendment.
17	46:590	361	Item 220. 30	168	89-431	1(a)	Do.
17	46:590	361	Item 222. 50	1810	Proc. No. 3744	App. A	Do.
17	46:590	361	Item 222. 60	1772	Proc. No. 3712	App. A	Do.
17	46:590	361	Item 245. 30	1748, 1751	Proc. No. 3694	App. A, B	Do.
17	46:590	361	Item 245. 90	1748, 1751	Proc. No. 3694	App. A, B	Do.
17	46:590	361	Item 253. 20	1748, 1751	Proc. No. 3694	App. A, B	Do.
17	46:590	361	Sched. 2, Pt. 5	901	89-651	8(a)	Title amended.
17	46:590	361	Items 270. 15-270. 40	897	89-651	3(a)(1)	Items 270.15-270.40 deleted; new 270. 25 added.
17	46:590	361	Heading prec. Item 270. 45	897	89-651	3(a)(1)	Amendment.
17	46:590	361	Items 270. 60-270. 65	898	89-651	3(b)	Items 270.60, 270.65 and prec. heading deleted; new 270. 63 added.
17	46:590	361	Item 270. 70	898	89-651	3(c)	Revision.
17	46:590	361	Items 273.05-273.20	898	89-651	3(d)	Items 273.05-273.20 and prec. headings deleted; new 273.10 added.
17	46:590	361	Item 273.25 and prec. heading	898	89-651	3(e)	Deletion.
17	46:590	361	Item 273.30	898	89-651	3(e)	Amendment.
17	46:590	361	Items 273.35, 273.40	898	89-651	3(e)	Items 273.35, 273.40 and prec. heading deleted; new 273.35 added.
17	46:590	361	Items 274.73-274.90	897	89-651	3(a)(1)(C), (D)	Items 274.75-274.90 and prec. headings deleted; new 274.73-274.90 added.

TABLE 1.—General Legislation—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1930</b>			<b>Tariff Schedules</b>				
June 17	46:590	361	Item 335.60	130	89-405	-----	Amendment.
17	46:590	361	Items 339.00, 339.05, 339.10	130	89-405	1(b)	Item 339.00 repealed; 339.05, 339.10 and prec. heading added.
17	46:590	361	Item 418.94	1748, 1751	Proc. No. 3694	App. A, B	Amendment.
17	46:590	361	Item 419.76	1748, 1751	Proc. No. 3694	App. A, B	Do.
17	46:590	361	Item 420.54	1748, 1751	Proc. No. 3694	App. A, B	Do.
17	46:590	361	Sched. 4, Pt. 8, A, Hdnt. 2	110	89-388	1(f)(2)	Repeal.
17	46:590	361	Items 465.05, 465.15	110	89-388	1(e)	Amendment.
17	46:590	361	Items 465.25, 465.35	110	89-388	1(e)(2)	Do.
17	46:590	361	Item 465.45	110	89-388	1(e)(2)	Do.
17	46:590	361	Item 465.55	110	89-388	1(e)(3)	Do.
17	46:590	361	Item 465.65	110	89-388	1(e)(2)	Do.
17	46:590	361	Sched. 4, Pt. 13, A, Hdnt. 1	110	89-388	1(f)(3)	Deletion.
17	46:590	361	Item 490.24	110	89-388	1(e)(2)	Amendment.
17	46:590	361	Item 490.48	110	89-388	1(e)(2)	Do.
17	46:590	361	Item 490.73	110	89-388	1(e)(2)	Do.
17	46:590	361	Item 490.92	110	89-388	1(e)(3)	Do.
17	46:590	361	Item 513.34	1748, 1751	Proc. No. 3694	App. A, B	Do.
17	46:590	361	Items 517.30-517.33	169	89-433	1(a)	Item 517.31 repealed; new 517.30, 517.33 added.
17	46:590	361	Item 531.37	1772	Proc. No. 3712	App. A	Amendment.
17	46:590	361	Item 535.31	1810	Proc. No. 3744	App. A	Do.
17	46:590	361	Item 544.51	1810	Proc. No. 3744	App. A	Do.
17	46:590	361	Item 607.50	1749, 1751	Proc. No. 3694	App. A, B	Do.
17	46:590	361	Item 607.51	1749, 1751	Proc. No. 3694	App. A, B	Do.

TABLE 1.—General Legislation—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1930</b>				<b>Tariff Schedules</b>			
June 17	46:590	361	Item 646.92	1749, 1751	Proc. No. 3694	App. A, B	Amendment.
17	46:590	361	Item 648.97	1810	Proc. No. 3744	App. A	Do.
17	46:590	361	Item 651.37	1810	Proc. No. 3744	App. A	Do.
17	46:590	361	Item 652.80	1810	Proc. No. 3744	App. A	Do.
17	46:590	361	Item 652.98	1749, 1751	Proc. No. 3694	App. A, B	Do.
17	46:590	361	Item 660.10	1749, 1751	Proc. No. 3694	App. A, B	Do.
17	46:590	361	Item 660.22	1749, 1751	Proc. No. 3694	App. A, B	Do.
17	46:590	361	Item 661.20	1750, 1751	Proc. No. 3694	App. A, B	Do.
17	46:590	361	Item 668.04	1750, 1751	Proc. No. 3694	App. A, B	Do.
17	46:590	361	Item 680.22	1750, 1751	Proc. No. 3694	App. A, B	Do.
17	46:590	361	Item 680.50	1750, 1751	Proc. No. 3694	App. A, B	Do.
17	46:590	361	Item 680.54	1750, 1751	Proc. No. 3694	App. A, B	Do.
17	46:590	361	Item 685.42	1751	Proc. No. 3694	App. B(1.)	Addition.
17	46:590	361	Item 685.50	1751	Proc. No. 3694	App. B(1.)	Amendment.
17	46:590	361	Items 688.05, 688.07, 688.16	1806	Proc. No. 3743	-----	Addition.
17	46:590	361	Item 692.60	1750, 1751	Proc. No. 3694	App. A, B	Amendment.
17	46:590	361	Item 694.60	1750, 1751	Proc. No. 3694	App. A, B	Do.
17	46:590	361	Item 696.35	1810	Proc. No. 3744	App. A	Do.
17	46:590	361	Item 703.70	1810	Proc. No. 3744	App. A	Do.
17	46:590	361	Item 708.72	1810	Proc. No. 3744	App. A	Do.
17	46:590	361	Item 709.40	1810	Proc. No. 3744	App. A	Do.

TABLE 1.—General Legislation—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1930</b>				<b>Tariff Schedules</b>			
June 17	46:590	361	Item 711.35	1753	Proc. No. 3696	-----	Supplemental provision.
17	46:590	361	Sched. 7, Pt. 2, E, Hdnt. 6	1521	89-805	1 (b)	Addition.
17	46:590	361	Item 722.40	1810	Proc. No. 3744	App. A	Amendment.
17	46:590	361	Item 734.20	1750, 1751	Proc. No. 3694	App. A, B	Do.
17	46:590	361	Item 737.50	1810	Proc. No. 3744	App. A	Do.
17	46:590	361	Item 737.52	898	89-651	3(a)(2)	Revision.
17	46:590	361	Item 737.65	1810	Proc. No. 3744	App. A	Amendment.
17	46:590	361	Item 737.80	1810	Proc. No. 3744	App. A	Do.
17	46:590	361	Item 741.10	1810	Proc. No. 3744	App. A	Do.
17	46:590	361	Sched. 7, Pt. 7, A, Hdnt. 4	1523	89-806	2(a), (c)	Addition.
17	46:590	361	Item 745.56	1761	Proc. No. 3703	-----	Supplemental provision.
17	46:590	361	Item 745.70	1810	Proc. No. 3744	App. A	Amendment.
17	46:590	361	Item 745.72	1810	Proc. No. 3744	App. A	Do.
17	46:590	361	Item 756.04	1810	Proc. No. 3744	App. A	Do.
17	46:590	361	Item 760.10	1810	Proc. No. 3744	App. A	Do.
17	46:590	361	Items 765.03- 765.07	898	89-651	4(a)	Items 765.05, 765.07 and prec. heading deleted; new 765.03 added.
17	46:590	361	Heading prec. Item 766.20	898	89-651	4(b)	Amendment.
17	46:590	361	Item 770.80	1810	Proc. No. 3744	App. A	Do.
17	46:590	361	Item 773.05	1810	Proc. No. 3744	App. A	Do.
17	46:590	361	Item 792.60	1772	Proc. No. 3712	App. A	Do.
17	46:590	361	Sched. 8, Pt. 1, B, Hdnt. 2	901	89-651	8(b)	Do.

TABLE 1.—General Legislation—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1930</b>				<b>Tariff Schedules</b>			
June 17	46:590	361	Item 806.10	901	89-651	8(b)	Deletion.
17	46:590	361	Item 807.00	1523	89-806	1	Amendment.
17	46:590	361	Item 817.00	189	89-436	1(a)	Addition.
17	46:590	361	Item 830.00	901	89-651	8(b)	Amendment.
17	46:590	361	Item 831.00	901	89-651	8(b)	Do.
17	46:590	361	Item 840.00	898	89-651	5	Do.
17	46:590	361	Sched. 8, Pt. 4, Hdnt. 1	899	89-651	6(c)(2)	Deletion; new head-note 1 added.
17	46:590	361	Sched. 8, Pt. 4, Hdnt. 3	898	89-651	6(a)	Amendment.
17	46:590	361	Sched. 8, Pt. 4, Hdnt. 6	899	89-651	6(c)(3)	Addition.
17	46:590	361	Item 850.10	901	89-651	8(b)	Amendment.
17	46:590	361	Item 851.10 and prec. heading	899	89-651	6(a)(2), (3)	Do.
17	46:590	361	Item 851.15	1524	89-806	3	Addition.
17	46:590	361	Item 851.50	899	89-651	6(b)	Revision.
17	46:590	361	Items 851.60, 851.65	899	89-651	6(c)	Addition.
17	46:590	361	Item 852.10 and prec. heading	901	89-651	7	Deletion.
17	46:590	361	Item 854.10	901	89-651	6(c)(4)	Amendment.
17	46:590	361	Sched. 8, Pt. 6, Hdnt. 1	879	89-634	3	Addition.
17	46:590	361	Item 870.27	901	89-651	7	Do.
17	46:590	361	Item 870.30	880	89-634	3	Do.
17	46:590	361	Pt. 1, B, Hdnt. 2 (App.)	71	89-368	303	Amendment.
17	46:590	361	Pt. 1, B, Hdnt. 2 (App.)	189	89-436	1(b)	Deletion.
17	46:590	361	Item 903.20 (App.)	191	89-439	-----	Duty suspension, extension.
17	46:590	361	Item 903.21 (App.)	191	89-439	-----	Duty reduction, extension.
17	46:590	361	Items 903.30-903.65 (App.)	110	89-388	1(g)	Repeal.
17	46:590	361	Item 903.90 (App.)	771	89-575	-----	Duty suspension, extension.
17	46:590	361	Item 904.40 (App.)	168	89-431	1(b)	Repeal.
17	46:590	361	Item 907.15 (App.)	192	89-440	-----	Duty suspension, extension.
17	46:590	361	Item 907.30 (App.)	169	89-432	-----	Do.

TABLE 1.—General Legislation—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1930</b>			<b>Tariff Schedules</b>				
June 17	46:590	361	Items 907.70–907.77 and prec. heading (App.)	110	89–388	1(g)	Repeal.
17	46:590	361	Item 907.80 (App.)	765	89–573	-----	Duty suspension, extension.
17	46:590	361	Items 907.85–907.88 and prec. heading (App.)	110	89–388	1(g)	Repeal.
17	46:590	361	Item 909.20 (App.)	169	89–433	1(b)	Do.
17	46:590	361	Item 909.25 (App.)	169	89–434	-----	Duty suspension, extension.
17	46:590	361	Item 909.30 (App.)	192	89–440	-----	Do.
17	46:590	361	Item 911.05 (App.)	192	89–440	-----	Do.
17	46:590	361	Heading prec. Items 911.10–911.12 (App.)	218	89–468	1(b)	Effective period deleted.
17	46:590	361	Items 911.10–911.12 (App.)	218	89–468	1(a)	Revision.
17	46:590	361	Items 911.13–911.16 (App.)	219	89–468	1(c)	Addition.
17	46:590	361	Item 911.70 (App.)	190	89–437	-----	Duty suspension, extension.
17	46:590	361	Item 915.20 (App.)	189	89–436	1(b)	Deletion.
17	46:590	361	Item 915.25 (App.)	71	89–368	303	Addition.
17	46:590	361	Items 916.20–916.23 (App.)	118	89–392	-----	Do.
17	46:590	361	Heading prec. Item 927.50 (App.)	1755	Proc. No. 3697	-----	Amendment.
17	46:590	361	Items 927.53–927.62 (App.)	1755	Proc. No. 3697	-----	Items 927.53, 927.54 deleted; new 927.60–927.62 added.

TABLE 1.—General Legislation—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1930</b>				<b>Tariff Schedules</b>			
June 17	46:590	361	Item 930.00 (App.)	1753	Proc. No. 3696	-----	Deletion.
17	46:590	361	Item 943.10 (App.)	1761	Proc. No. 3703	-----	Do.
17	46:590	361	Item 950.08 (App.)	1768	Proc. No. 3709	-----	Amendment.
17	46:590	361	339	648	89-554	8	Repeal.
17	46:590	361	514	110	89-388	3(b)	Exception.
17	46:590	361	514	1523, 1524	89-806	1(b), 4(b), 5(b)	Do.
17	46:590	361	525	1312	89-762	2	Repeal.
26	46:817	441	-----	648	89-554	8	Do.
26	46:818	445	-----	648	89-554	8	Do.
27	46:821	454	-----	941	89-670	6(g)(4)	Transfer of functions.
27	46:822	458	-----	648	89-554	8	Repeal.
July 3	46:918	520	1	1406	89-789	103	Project modification.
3	46:918	520	6	648	89-554	8	Partial repeal.
3	46:949	521	1	648	89-554	8	Do.
3	46:1009	528	-----	648	89-554	8	Repeal.
Dec. 12	46:1026	545	-----	648	89-554	8	Do.
<b>1931</b>							
Feb. 10	46:1084	616	3	648	89-554	8	Do.
14	46:1115	666	1	648	89-554	8	Partial repeal.
20	46:1174	691	1	648	89-554	8	Do.
23	46:1242	717	-----	648	89-554	8	Do.
23	46:1277	718	-----	648	89-554	8	Do.
23	46:1309	719	1	648	89-554	8	Do.
23	46:1376	721	1	648	89-554	8	Do.
24	46:1415	723	-----	648	89-554	8	Repeal.
26	46:1421	735	-----	648	89-554	8	Do.
Mar 2	46:1471	781	-----	648	89-554	8	Do.
3	46:1487	787	-----	330	89-522	1	Revision.
4	46:1530	863	-----	648	89-554	8	Repeal.
<b>1932</b>							
Jan. 22	47:5	2	3, 4	648	89-554	8	Do.
Feb. 18	47:50	35	1	263	89-493	7(b)	Amendment.
Apr. 22	47:91	95	1	648	89-554	8	Partial repeal.
June 29	47:343	208	1	648	89-554	8	Do.
30	47:382	212	1	648	89-554	8	Do.
30	47:382	212	204, 205, 209, 213, 215	648	89-554	8	Repeal.
30	47:382	212	322	973	89-685	6	Exception.
30	47:382	212	322	1505	89-797	-----	Do.
30	47:382	212	401-408	648	89-554	8	Repeal.
30	47:382	212	501-504, 509	648	89-554	8	Do.
July 1	47:475	232	1	648	89-554	8	Partial repeal.
7	47:609	269	1	648	89-554	8	Do.
14	47:664	286	1	648	89-554	8	Do.
15	47:696	287	-----	1449	89-793	501	Nonapplicability.
22	47:725	304	5B	824, 825	89-597	4, 7	Addition; expiration date.
22	47:725	304	12	1293	89-754	1016(a)	Amendment.
22	47:725	304	18(b)	1293	89-754	1016(b)(1)	Do.
22	47:725	304	18(c)	1293	89-754	1016(b)(2)	Addition.

TABLE 1.—General Legislation—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1933</b>							
Jan. 17	47:761	311	1	648	89-554	8	Repeal.
Feb. 17	47:820	361	1	648	89-554	8	Partial repeal.
28	47:1350	381	1	648	89-554	8	Do.
Mar. 1	47:1371	387	1	648	89-554	8	Do.
3	47:1425	415	-----	1358	89-778	-----	Exemption provision.
3	47:1432	419	-----	648	89-554	8	Partial repeal.
3	47:1489	428	8, 10, 11, 16, 17	648	89-554	8	Repeal.
3	47:1489	(title II) 428	2	973	89-685	6	Exception.
4	47:1571	(title III) 441	1	648	89-554	8	Partial repeal.
20	48:8	2	5	648	89-554	8	Repeal.
20	48:8	(title II) 2	1	648	89-554	8	Do.
31	48:22	(title III) 5	1, 2, 4-6	648	89-554	8	Do.
May 12	48:31	10	40	648	89-554	8	Partial repeal.
12	48:55	15	3	648	89-554	8	Repeal.
18	48:58	17	15d(a)	346	89-537	-----	Amendment.
18	48:58	17	17	648	89-554	8	Repeal.
27	48:74	22	1-26	1278	89-754	504(b)	Exemption.
27	48:74	22	301-328	1278	89-754	504(b)	Do.
27	48:74	22	304(a)(10)	1278	89-754	504(b)	Addition.
June 13	48:127	41	1, 2	161	89-427	4(a), (b)	Amendment.
13	48:128	43	4	648	89-554	8	Repeal.
13	48:128	43	5(d)	1028, 1036, 1056	89-695	101(a), (b), 401	Revision; expiration date.
16	48:162	66	2(b)(4)	242	89-485	13(a)	Addition.
16	48:162	66	2(c)	242	89-485	13(b)	Repeal.
16	48:162	66	30	1055, 1056	89-695	207, 401	Repeal; expiration date.
16	48:195	67	2, 201	648	89-554	8	Repeal.
16	48:211	68	2, 14	648	89-554	8	Do.
16	48:222	70	1	648	89-554	8	Partial repeal.
16	48:257	75	2	648	89-554	8	Repeal.
16	48:257	75	34	334	89-525	4(a)(ii)	Amendment.
16	48:257	75	34(a)	334	89-525	4(a)(i)	Do.
16	48:257	75	41	334	89-525	4(a)(ii)	Do.
16	48:257	75	41(a)	334	89-525	4(a)(i)	Do.
16	48:257	75	70	648	89-554	8	Repeal.
16	48:283	78	8, 16	648	89-554	8	Do.
<b>1934</b>							
Jan. 24	48:319	85	23(a)(4), (5)	855	89-610	101(a), 102(a)	Amendment.
24	48:319	85	40(a)	855	89-610	101(b), 102(a)	Do.
Feb. 15	48:351	93	1	648	89-554	8	Partial repeal.
15	48:351	93	1(a), (b)	253	89-488	4(b)(1), (2)	Amendment.
Mar. 2	48:362	109	1	648	89-554	8	Partial repeal.
15	48:425	123	1	648	89-554	8	Do.
16	48:451	124	4(b)	929	89-669	6	Amendment.
24	48:456	127	7	648	89-554	8	Repeal.
26	48:466	129	-----	649	89-554	8	Do.
26	48:467	131	-----	649	89-554	8	Partial repeal.
28	48:509	141	1	649	89-554	8	Do.
28	48:509	141	23	298	89-504	405(f)	Amendment.
28	48:509	141	23	649	89-554	8	Repeal.
Apr. 7	48:529	143	1	649	89-554	8	Partial repeal.
May 10	48:680	216	512(b), 513	649	89-554	8	Repeal.
30	48:817	268	1	649	89-554	8	Partial repeal.

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Provisions affected				Amendatory provisions			
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<b>1934</b>							
June 4	48:846	285	1	649	89-554	8	Partial repeal.
19	48:1021	412	1	649	89-554	8	Do.
19	48:1125	436	11 (ch. II)	705	89-559	-----	Amendment.
19	48:1125	436	10(2)(d) (ch. V)	821	89-594	1	Revision; exception.
19	48:1183	Pub. Res. 44	-----	649	89-554	8	Repeal.
22	48:1201	448	-----	649	89-554	8	Do.
27	48:1246	479	-----	738	89-566	3	Exception.
27	48:1246	479	-----	1271	89-754	312	Do.
27	48:1246	479	1	1296	89-754	1020(g)	Amendment.
27	48:1246	479	203(b)(2)	1266	89-754	301	Do.
27	48:1246	479	203(l)	1266	89-754	302	Addition.
27	48:1246	479	207	1275	89-754	502(a)	Applicability.
27	48:1246	479	212	1277	89-754	503	Do.
27	48:1246	479	212(a)	1270, 1277	89-754	311, 503	Amendment.
27	48:1246	479	213(j) (2)(A)	1267	89-754	304	Do.
27	48:1246	479	213(k), (l)	1267	89-754	303(c) (1), (2)	Do.
27	48:1246	479	213(m), (n)	1266	89-754	303(a), (b)	Do.
27	48:1246	479	220(d) (3)(A)(i)	1267	89-754	305(a), (b)	Do.
27	48:1246	479	220(d) (3)(B) (iii)	1267, 1268	89-754	306(a), (b)	Do.
27	48:1246	479	221(a)	1317	89-769	4(a)	Do.
27	48:1246	479	221(d)(2)	1317	89-769	4(a)	Do.
27	48:1246	479	221(d) (2)(A)	1268	89-754	307	Do.
27	48:1246	479	221(d) (3)(iii)	1317	89-769	4(a)	Do.
27	48:1246	479	221(d)(6)	1317	89-769	4(a)	Do.
27	48:1246	479	221(f)	1268, 1270	89-754	308, 309, 310(c)	Do.
27	48:1246	479	221(f)	1317	89-769	4(a), (b)	Do.
27	48:1246	479	221(g)(1), (2)	1270	89-754	310(b)(1), (2)	Do.
27	48:1246	479	221(h)	1268	89-754	310(a)	Addition.
27	48:1246	479	223(a)(8)	1292	89-754	1013(h)	Revision.
27	48:1246	479	227	1277	89-754	502(b)	Amendment.
27	48:1246	479	227(a)(vi)	1295	89-754	1020(b)	Do.
27	48:1246	479	302(b)	1273	89-754	405	Do.
27	48:1246	479	302(c)(1)– (5)	164	89-429	2(a), (b)	Existing text designated as (1) and amended; pars. (2)–(5) added.
27	48:1246	479	302(c) (2)(B)	1236	89-751	7	Revision.
27	48:1246	479	302(c)(4)	168	89-429	9	Exception.
27	48:1246	479	303(d), (e)	738	89-566	2	Amendment.
27	48:1246	479	304(a)(1)	1285	89-754	1007	Do.
27	48:1246	479	304(b)	738	89-566	1	Do.
27	48:1246	479	305(c)	166	89-429	3(a)	Do.
27	48:1246	479	305(e)	1296	89-754	1020(c)	Do.
27	48:1246	479	305(g)	738	89-566	3	Revision.
27	48:1246	479	305(h)	1270	89-754	310(d)	Amendment.
27	48:1246	479	305(i)	1285	89-754	1005	Addition.
27	48:1246	479	308(a)	1296	89-754	1020(d)	Designation “(a)” deleted.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1934</b>							
June 27	48:1246	479	401(b)	1055	89-695	302(a), (c)	Amendment.
27	48:1246	479	405(a)	1055, 1056	89-695	302(b), (c), 303(b)	Do.
27	48:1246	479	407	1036, 1046, 1056	89-695	102(a), (b), 401	Revision; expiration date.
27	48:1246	479	408(c)	1046, 1056	89-695	103, 401	Do.
27	48:1246	479	512	1296	89-754	1020(e)	Amendment.
27	48:1246	479	523	1271	89-754	312	Addition.
27	48:1246	479	1001(c)	1296	89-754	1020(f)	Amendment.
27	48:1246	479	1001(d)	1295	89-754	1019	Do.
27	48:1246	479	1002(c)	1272	89-754	402(a)	Do.
27	48:1246	479	1002(d)(1)	1272	89-754	402(b)	Revision.
27	48:1246	479	1004-1013	1271	89-754	401	Secs. 1004-1012 redesignated as 1005-1013; new 1004 added.
27	48:1246	479	1005	1272	89-754	403	Amendment.
27	48:1246	479	1006	1272	89-754	404	Revision.
27	48:1246	479	1101-1106	1274	89-754	502(a)	Addition.
27	48:1267	Pub. Res. 52	2	649	89-554	8	Repeal.
27	48:1267	Pub. Res. 52	2	953	89-673	8(2)	Do.
27	48:1283	485	9	649	89-554	8	Do.
<b>1935</b>							
Feb. 22	49:30	14	2(1)	890	89-644	-----	Amendment.
Mar. 22	49:67	22	1	649	89-554	8	Partial repeal.
Apr. 8	49:113	28	2	875	89-628	-----	Revision.
8	49:115	Pub. Res. 11	14	649	89-554	8	Repeal.
27	49:163	46	8(b)	293	89-504	107	Compensation rates, increase.
27	49:163	46	8(g)	1167	89-742	-----	Revision.
May 9	49:176	53	1	649	89-554	8	Partial repeal.
17	49:247	62	1	649	89-554	8	Do.
28	49:305	81	36	257	89-489	1	Partial exception.
June 14	49:341	138	1	649	89-554	8	Partial repeal.
15	49:378	148	302, 303	930	89-669	8(a)	Repeal.
15	49:378	148	401	927	89-669	3(b)	Applicability.
15	49:378	148	401(a)	930	89-669	8(b)	Amendment.
17	49:386	151	-----	956	89-678	-----	Amendment. (See also 1895, Ch. 23.)
July 25	49:498	219	-----	649	89-554	8	Repeal.
Aug. 2	49:512	Pub. Res. 42	-----	893	89-646	-----	(Revised. See 1954, P.L. 736.)
14	49:620	271	-----	1466	89-794	501	Exceptions.
14	49:620	271	1-6	1436	89-792	4(c)	Exception.
14	49:620	271	201-227	105	89-384	4(a)	Do.
14	49:620	271	205(p)(1)	765	89-572	5	Amendment unaffected.
14	49:620	271	209	765	89-572	5	Do.
14	49:620	271	210(a)	765	89-572	5	Do.
14	49:620	271	216(b), (f)	70	89-368	302(a)	Exception.

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<b>1935</b>							
Aug. 14	49:620	271	228	67, 70	89-368	302(a), (b)	Addition; supplemental provision.
14	49:620	271	401-409	1195	89-750	109	Exception.
14	49:620	271	401-409	1436	89-792	4(c)	Do.
14	49:620	271	409(a)(1)-(6)	1466	89-794	501	Applicability.
14	49:620	271	1001-1006	1436	89-792	4(c)	Exception.
14	49:620	271	1401-1405	1436	89-792	4(c)	Do.
14	49:620	271	1501-1510	658	89-554	8	Repeal.
14	49:620	271	1511	660	89-554	8	Do.
14	49:620	271	1601-1605	1436	89-792	4(c)	Exception.
14	49:620	271	1801-1875	865	89-614	2(7)	Restriction.
14	49:620	271	1837(c), (d)	105	89-384	3(a), (b)	Amendment.
14	49:620	271	1838(a)(2)(D)	105	89-384	3(d)	Exception.
14	49:620	271	1840(a)-(e)	106	89-384	4(c)	Nonapplicability.
14	49:620	271	1840(i)	106	89-384	4(c)	Addition.
14	49:620	271	1843(b)	105	89-384	4(a), (b)	Amendment; nonapplicability.
14	49:620	271	1843(e)	105	89-384	4(b)	Exception.
14	49:620	271	1843(g)	105	89-384	4(b)	Addition.
14	49:620	271	1861(v)(1)	1111	89-713	7	Amendment.
14	49:620	271	1901-1905	1472	89-794	701(a)	Exception.
21	49:666	292	-----	211	89-458	3	Applicability.
21	49:666	292	-----	232	89-479	3	Do.
21	49:666	292	-----	737	89-565	2	Do.
21	49:670	296	-----	941	89-670	6(g)(4)	Transfer of functions.
24	49:793	321	1(d)	1139, 1147	89-719	105(b), 114(c)	Addition.
28	49:941	383	-----	649	89-554	8	Repeal.
28	49:946	386	-----	265	89-493	14	(Revised. See 1943, P.L. 65.)
29	49:967	399	-----	1077	89-699	201(g), 202	Annuity increase.
<b>1936</b>							
Jan. 21	49:1097	Pub. Res. 68	-----	649	89-554	8	Repeal.
Mar. 14	49:1161	471	3	649	89-554	8	Do.
May 13	49:1270	579	-----	649	89-554	8	Do.
15	49:1309	599	1	649	89-554	8	Partial repeal.
26	49:1374	618	-----	649	89-554	8	Repeal.
27	49:1380	622	1-3	649	89-554	8	Do.
27	49:1380	622	5(b)	1358	89-777	8	Amendment.
June 4	49:1421	637	-----	649	89-554	4	Partial repeal.
5	49:1478	660	-----	649	89-554	8	Repeal.
5	49:1483	667	-----	649	89-554	8	Do.
5	49:1484	670	-----	649	89-554	8	Do.
22	49:1570	738	3	1418	89-789	201	Applicability.
22	49:1757	741	1	649	89-554	8	Partial repeal.
22	49:1807	749	9, 10, 20, 21, 26, 38	649	89-554	8	Repeal.
23	49:1854	762	1	649	89-554	8	Partial repeal.
23	49:1888	764	-----	649	89-554	8	Repeal.
24	49:1903	784	3	649	89-554	8	Do.
26	49:1939	815	501, 502	649	89-554	8	Do.
26	49:1969	817	-----	649	89-554	8	Do.
26	49:1976	827	6	649	89-554	8	Do.
29	49:1985	835	502(b)	811	89-589	-----	Amendment.
29	49:1985	835	1007	650	89-554	8	Repeal.
30	49:2036	846	-----	1346	89-774	1	Applicability.

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<b>1937</b>							
Feb. 3	50:7	Pub. Res. 4	-----	649	89-554	8	Repeal.
Apr. 26	50:72	48	-----	649	89-554	8	Do.
June 16	50:261	153	1	649	89-554	8	Partial repeal.
24	50:307	162	1, "Secs. 1-21"	105	89-384	4(a)	Exception.
24	50:307	162	1, "Secs. 1-21"	1137	89-719	104(c) (2)	Exemption of annuities.
24	50:307	162	1, "Sec. 1(e)"	1079, 1085	89-700	101(a), 112(a)	Amendment.
24	50:307	162	1, "Sec. 1(h) (1)"	1079, 1085	89-700	101(b), 112(a)	Do.
24	50:307	162	1, "Sec. 1(q)"	1079, 1085	89-700	101(c), 112(a)	Do.
24	50:307	162	1, "Sec. 2(a)"	1079, 1085	89-700	102(a), 112(b)	Do.
24	50:307	162	1, "Sec. 2(e)"	1075, 1077	89-699	201(a) (1), 202	Do.
24	50:307	162	1, "Sec. 2(e)"	1080, 1085	89-700	102(b), 112(c)	Do.
24	50:307	162	1, "Sec. 2(g)"	1080, 1085	89-700	102(c), 112(c)	Do.
24	50:307	162	1, "Sec. 2(i)"	1075, 1077	89-699	201(a) (2), 202	Addition.
24	50:307	162	1, "Sec. 2(j)"	1080, 1086	89-700	102(d), 112(d)	Do.
24	50:307	162	1, "Sec. 3(a)"	1075, 1077	89-699	201(b), 202	Revision.
24	50:307	162	1, "Sec. 3(b) (1)"	1080, 1085	89-700	103(a), 112(a)	Amendment.
24	50:307	162	1, "Sec. 3(c)"	1080, 1086, 1088	89-700	103(b), 112(e), 301(i), (iv)	Do.
24	50:307	162	1, "Sec. 3(e)"	1076, 1077	89-699	201(c), 202	Do.
24	50:307	162	1, "Sec. 3(e)"	1080, 1081, 1086	89-700	103(c) (1), (2), 112(f), (g)	Do.
24	50:307	162	1, "Sec. 3(f) (5)"	1081, 1085	89-700	103(d), 112(a)	Do.
24	50:307	162	1, "Sec. 3(g)"	1081, 1086	89-700	103(e), 112(h)	Do.
24	50:307	162	1, "Sec. 3(i)"	1081, 1086	89-700	103(f), 112(g)	Revision.
24	50:307	162	1, "Sec. 3(j)"	1073, 1074	89-699	1, 3	Addition.
24	50:307	162	1, "Sec. 4(h)-(r)"	1081, 1085	89-700	104, 112(a)	Subsecs. (i)-(l), redesignated as (h)-(k); (n)-(r) as (l)-(p).
24	50:307	162	1, "Sec. 4(k), (l)"	1082, 1085	89-700	104, 112(a)	Technical amend- ments.
24	50:307	162	1, "Sec. 5(a)"	1082, 1085	89-700	105(b) (2), 112(a)	Amendment.
24	50:307	162	1, "Sec. 5(b)"	1082, 1085, 1086	89-700	105(a), (b) (1), (2), 112(a), (i)	Do.
24	50:307	162	1, "Sec. 5(f) (1)"	1082, 1086	89-700	105(c) (1), (2), 112(j), (k)	Do.

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Provisions affected				Amendatory provisions			
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<b>1937</b>							
June 24	50:307	162	1, "Sec. 5(f)(2)"	1082, 1085, 1086, 1088	89-700	105(d)(1), (2), 112(a), (l), 301(i), (iv)	Amendment.
24	50:307	162	1, "Sec. 5(g)(3)"	1083, 1085	89-700	105(e), 112(a)	Deletion.
24	50:307	162	1, "Sec. 5(h)"	1076, 1077	89-699	201(d), 202	Revision.
24	50:307	162	1, "Sec. 5(i)(1)(ii)"	1083, 1086	89-700	105(g), 112(m)	Amendment.
24	50:307	162	1, "Sec. 5(i)(3)(i), (ii)"	1083, 1086	89-700	105(f), 112(g)	Do.
24	50:307	162	1, "Sec. 5(i)(3)(iii)"	1083, 1086	89-700	105(f), 112(g)	Addition.
24	50:307	162	1, "Sec. 5(i)(4), (5)"	1083, 1086	89-700	105(f), 112(g)	Par. (4) redesignated as (5); new (4) added.
24	50:307	162	1, "Sec. 5(j)"	1083, 1085	89-700	105(h), 112(b)	Amendment.
24	50:307	162	1, "Sec. 5(k)(1)"	1083, 1085	89-700	105(i), 112(a)	Do.
24	50:307	162	1, "Sec. 5(l)(1)"	1084, 1086	89-700	105(j)	Do.
24	50:307	162	1, "Sec. 5(l)(1)(ii)"	1083, 1086	89-700	(3), 112(o), 105(j)	Do.
24	50:307	162	1, "Sec. 5(l)(9)"	1084, 1086, 1088	89-700	(1), (2), 112(i), (n), 105(k), 112(e), 301(i), (iv)	Do.
24	50:307	162	1, "Sec. 5(l)(10)(i), (ii)"	1076, 1077	89-699	201(e), (1), (2), 202	Do.
24	50:307	162	1, "Sec. 5(m)"	1077	89-699	201(f), 202	Addition.
24	50:307	162	1, "Sec. 6"	1077	89-699	201(g), 202	Annuity increase.
24	50:307	162	1, "Sec. 8"	1085	89-700	106, 112(a)	Amendment.
24	50:307	162	1, "Sec. 9(a)"	1085	89-700	107(a), (b), 112(a)	Do.
24	50:307	162	1, "Sec. 10(b)4"	1085	89-700	108, 112(a)	Do.
24	50:307	162	1, "Sec. 10(b)6"	1085	89-700	108, 112(a)	Addition.
24	50:307	162	1, "Sec. 15(b)-(e)"	1074	89-699	2(a), (b)	Subsecs. (b)-(d) redesignated as (c)-(e) and amended; new (b) added.
24	50:307	162	1, "Sec. 19(a), (b)"	1085	89-700	109(a), (b), 112(a)	Amendment.
24	50:307	162	1, "Sec. 20(a)"	1085	89-700	110, 112(a)	Designation "(a)" deleted.
24	50:307	162	202	1085	89-700	111, 112(a)	Amendment.
28	50:319	163	1, 2, 5, 8-10	649	89-554	8	Repeal.
29	50:359	172	1	649	89-554	8	Partial repeal.
29	50:395	173	-----	649	89-554	8	Do.
July 13	50:512	206	-----	649	89-554	8	Repeal.
22	50:522	210	31	1478	89-796	1(a)	Amendment.

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<b>1937</b>							
July 22	50:522	210	32(e)	167	89-429	5	Supplemental provision.
22	50:522	210	32(e)	1478	89-796	1(b)	Amendment.
26	50:533	212	-----	649	89-554	8	Repeal.
Aug. 9	50:564	249	1	649	89-554	8	Partial repeal.
12	50:626	265	2	959	89-682	3	Waiver.
14	50:640	284	-----	649	89-554	8	Repeal.
14	50:641	287	-----	649	89-554	8	Do.
17	50:673	314	6	266	89-493	18	Amendment.
19	50:697	(title I) 319	3, 6	883	89-639	1, 2	Revision.
19	50:703	323	5(e), (f)	334	89-525	5	Amendment.
19	50:703	323	6(c)	649	89-554	8	Repeal.
20	50:731	329	9(c)	200	89-448	2	Do.
26	50:840	383	-----	649	89-554	8	Do.
28	50:871	401	-----	649	89-554	8	Do.
Sept. 1	50:888	412	16(2)	1284	89-754	1003	Amendment.
1	50:888	412	23(d)	1284	89-754	1002	Do.
1	50:903	414	501	649	89-554	8	Repeal.
<b>1938</b>							
Feb. 16	52:31	430	316(c)	220	89-471	-----	Amendment.
16	52:31	430	379c(a)	202	89-451	3	Do.
Mar. 18	52:110	446	1(b)(1), (2)	1415	89-789	108(a)	Part of existing text designated as (2); clause (1) added.
18	52:110	446	1(c)	1415	89-789	108(b)	Amendment.
Apr. 4	52:156	458	1	650	89-554	8	Partial repeal.
6	52:200	468	-----	650	89-554	8	Repeal.
25	52:221	490	-----	650	89-554	8	Do.
27	52:248	495	1	650	89-554	8	Partial repeal.
May 12	52:349	508	-----	650	89-554	8	Repeal.
13	52:351	510	-----	650	89-554	8	Do.
23	52:410	534	1	650	89-554	8	Partial repeal.
28	52:447	554	811	650	89-554	8	Repeal.
31	52:586	558	-----	650	89-554	8	Do.
June 16	52:710	644	-----	650	89-554	8	Partial repeal.
20	52:797	684	-----	1294	89-754	1016(b)	Exception.
20	52:797	684	16	1294	89-754	1016(b)	Proviso applicable.
20	52:802	685	5	650	89-554	8	Repeal.
23	52:943	701	-----	650	89-554	8	Do.
23	52:953	705	45, "Sec. 1007"	650	89-554	8	Do.
25	52:1040	717	-----	1302	89-755	11	Exception.
25	52:1040	717	303	1300	89-755	7(a)	Nonapplicability.
25	52:1040	717	402(d)	231	89-477	-----	Revision.
25	52:1040	717	701(e)-(g)	1305	89-756	3(a)	Applicability.
25	52:1060	718	-----	841	89-601	306	Exception.
25	52:1060	718	3(d)	831	89-601	102(b)	Amendment.
25	52:1060	718	3(e)	832	89-601	103(a)	Revision.
25	52:1060	718	3(m), (n)	830, 837	89-601	101(a), 215(a)	Amendment.
25	52:1060	718	3(r)	831	89-601	102(a)	Do.
25	52:1060	718	3(s)	831	89-601	102(c)	Revision.
25	52:1060	718	3(t)	830	89-601	101(b)	Addition.
25	52:1060	718	3(u)	833	89-601	103(b)	Do.
25	52:1060	718	3(v), (w)	832	89-601	102(d)	Do.
25	52:1060	718	5	840	89-601	304	Applicability.
25	52:1060	718	6(a)	838	89-601	301(a)	Partial revision.
25	52:1060	718	6(a)(4), (5)	838	89-601	301(b), 302	Addition.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1938</b>							
June 25	52:1060	718	6(b)	838, 841	89-601	303, 306	Revision; applicability.
25	52:1060	718	6(c)	839	89-601	304	Revision.
25	52:1060	718	6(e)	841	89-601	305	Addition.
25	52:1060	718	7(a)	841	89-601	401	Revision.
25	52:1060	718	7(b)(3)	837	89-601	212(b)	Do.
25	52:1060	718	7(c), (d)	835	89-601	204(c)	Subsec. (c) revised and replaced by new (c), (d).
25	52:1060	718	7(d)-(i)	836	89-601	204(d)(1)	Subsecs. (d)-(h) redesignated as (e)-(i).
25	52:1060	718	7(g)-(i)	836, 842	89-601	204(d)(2), 402	Amendment.
25	52:1060	718	7(j)	842	89-601	403	Addition.
25	52:1060	718	8	840	89-601	304	Applicability.
25	52:1060	718	12	834	89-601	203(d)	Do.
25	52:1060	718	13	841	89-601	305	Exceptions.
25	52:1060	718	13(a)(1)	837	89-601	214	Amendment.
25	52:1060	718	13(a)(2)	833	89-601	201(a)	Partial revision.
25	52:1060	718	13(a)(3)	833	89-601	201(b)(2), 202	Repeal; new par. (3) added.
25	52:1060	718	13(a)(6)	833	89-601	203(a)	Revision.
25	52:1060	718	13(a)(7), (8)	836, 838	89-601	205, 215(c)	Amendment.
25	52:1060	718	13(a)(9)	836	89-601	206(a), 207	Repeal; new par. (9) added.
25	52:1060	718	13(a)(10)	834	89-601	204(a)	Repeal.
25	52:1060	718	13(a)(10), (11)	838	89-601	215(b)(1)	Par. (11) redesignated as (10).
25	52:1060	718	13(a)(11)-(15)	838	89-601	215(b)(1)	Pars. (13)-(15) redesignated as (11)-(13).
25	52:1060	718	13(a)(12)	836	89-601	206(b)(1)	Repeal.
25	52:1060	718	13(a)(14)	838	89-601	215(b)(1)	Par. (21) redesignated as (14).
25	52:1060	718	13(a)(15)	836	89-601	208	Amendment.
25	52:1060	718	13(a)(16)-(20)	834-837	89-601	203(b), 204(a), 209(a), 210(a)	Repeal.
25	52:1060	718	13(a)(21)	838	89-601	215(b)(1)	Par. (21) redesignated as (14).
25	52:1060	718	13(a)(22)	835	89-601	204(a)	Repeal.
25	52:1060	718	13(b)(1)	943	89-670	8(e)	Amendment.
25	52:1060	718	13(b)(7)	836	89-601	206(c)	Revision.
25	52:1060	718	13(b)(8)	833, 837	89-601	201(b)(1), 211	Repeal; new par. (8) added.
25	52:1060	718	13(b)(10)	836, 837	89-601	209(b), 212(a)	Repeal; new par.(10) added.
25	52:1060	718	13(b)(12)-(19)	834-837	89-601	203(c), 204(b), 206(b)(2), 210(b)	Addition.
25	52:1060	718	13(c)	834	89-601	203(d)	Revision.
25	52:1060	718	13(f)	837	89-601	213	Amendment.
25	52:1060	718	14	842	89-601	501	Revision.
25	52:1060	718	16(c)	844	89-601	601(a)	Amendment.
25	52:1060	718	18(a), (b)	841	89-601	306	Existing text designated as (a); subsec. (b) added.
25	52:1094	722	-----	1137	89-719	104(c)(2)	Exemption of annuities.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1938</b>							
June 25	52:1094	722	1(i), (k), (s), (t)	1087	89-700	201(a)-(c)	Amendment.
25	52:1094	722	2(a), (g)	1087	89-700	202(a), (b)	Do.
25	52:1094	722	6	1087	89-700	203	Do.
25	52:1094	722	8(a)	1088	89-700	301(i), (ii)	Do.
25	52:1094	722	8(b)	1087, 1088	89-700	204(a), 301(i), (ii)	Do.
25	52:1094	722	8(h)	1087	89-700	204(b)	Do.
25	52:1094	722	10(a)	1087	89-700	205	Do.
25	52:1094	722	11(a)	1087	89-700	205	Do.
25	52:1094	722	12(d), (g)	1087	89-700	206	Do.
25	52:1197	740	-----	650	89-554	8	Repeal.
25	52:1198	743	-----	650	89-554	8	Do.
29	52:1246	Pub. Res. 127	-----	650	89-554	8	Do.
<b>1939</b>							
Apr. 3	53:561	19	1-27, 301	650	89-554	8	Do.
12	53:574	32	4	650	89-554	8	Do.
12	53:577	33	-----	650	89-554	8	Do.
May 6	53:654	65	1	650	89-554	8	Partial repeal.
June 5	53:808	113	3	650	89-554	8	Repeal.
6	53:810	115	-----	650	89-554	8	Do.
27	53:855	153	5, 6	650	89-554	8	Do.
29	53:885	156	-----	650	89-554	8	Partial repeal.
30	53:939	159	-----	650	89-554	8	Do.
30	53:990	161	2, 5	265, 266	89-493	16	Amendment.
July 14	53:1000	169	-----	650	89-554	8	Repeal.
15	53:1004	176	1	650	89-554	8	Partial repeal.
15	53:1043	181	-----	650	89-554	8	Repeal.
26	53:1085	225	-----	857	89-610	502	Do.
Aug. 2	53:1147	252	(title I)	650	89-554	8	Do.
4	53:1187	260	9	822	89-596	4(a)	Exception.
4	53:1200	263	9(c)	650	89-554	8	Repeal.
5	53:1203	266	-----	650	89-554	8	Do.
5	53:1210	284	2	650	89-554	8	Do.
7	53:1253	326	-----	650	89-554	8	Do.
9	53:1275	354	101(a)(1), (4)	975, 979	89-686	1, 19	Amendment.
9	53:1275	354	101(a)(7)(A)	975	89-686	2	Revision.
9	53:1275	354	101(a)(8)-(10)	975	89-686	1	Amendment.
9	53:1275	354	101(a)(11)	975	89-686	3	Do.
9	53:1275	354	201(a)	975	89-686	4	Partial revision.
9	53:1275	354	201(a)(1)	975	89-686	5	Revision.
9	53:1275	354	201(a)(10)	975	89-686	6	Addition.
9	53:1275	354	201(b)	975	89-686	7	Revision.
9	53:1275	354	201(c)(b)	977	89-686	8	Do.
9	53:1275	354	201(i)(4)	977	89-686	9	Do.
9	53:1275	354	201(j)	977	89-686	10	Addition.
9	53:1275	354	202	978	89-686	11	Amendment.
9	53:1275	354	203(d)	978	89-686	12(a)	Revision.
9	53:1275	354	203(e)	978	89-686	12(b)	Addition.
9	53:1275	354	301-306	979	89-686	17	Exception.
9	53:1275	354	301(a)(4)	978	89-686	13	Revision.
9	53:1275	354	301(a)(5)	978	89-686	14	Addition.
9	53:1275	354	302(a)	979	89-686	15	Amendment.

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Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1939</b>							
Aug. 9	53:1275	354	302(d) (3)	979	89-686	16	Addition.
9	53:1275	354	302(e)	979	89-686	17	Do.
9	53:1275	354	304	979	89-686	18	Revision.
10	53:1343	369	-----	650	89-554	8	Repeal.
10	53:1352	377	4	650	89-554	8	Do.
11	53:1417	Pub. Res. 51	-----	650	89-554	8	Do.
<b>1940</b>							
Mar. 2	54:38	419	-----	650	89-554	8	Do.
6	54:47	429	1	650	89-554	8	Do.
25	54:55	442	-----	650	89-554	8	Partial repeal.
Apr. 4	54:81	446	2	650	89-554	8	Do.
11	54:105	448	-----	650	89-554	8	Repeal.
18	54:111	459	1	650	89-554	8	Partial repeal.
20	54:143	464	2, 3	650	89-554	8	Repeal.
30	54:169	487	-----	650	89-554	8	Do.
30	54:174	499	-----	650	89-554	8	Do.
May 14	54:181	508	-----	650	89-554	8	Partial repeal.
24	54:219	521	3	650	89-554	8	Repeal.
June 4	54:230	Pub. Res. 75	1, 3, 4	650	89-554	8	Do.
12	54:307	602	1	650	89-554	8	Partial repeal.
13	54:383	616	-----	650	89-554	8	Repeal.
21	54:497	647	-----	941	89-670	6(g)(3)	Transfer of functions.
25	54:532	658	1	650	89-554	8	Partial repeal.
26	54:599	667	1	650	89-554	8	Do.
29	54:689	676	-----	650	89-554	8	Repeal.
July 2	54:724	711	3	650	89-554	8	Do.
8	54:743	729	-----	650	89-554	8	Do.
11	54:751	738	-----	650	89-554	8	Do.
19	54:767	753	2, 4	650	89-554	8	Do.
Aug. 22	54:789	768	3(c)(4)	243	89-485	13(j)	Do.
22	54:789	768	202(a)(11)	243	89-485	13(j)	Amendment.
Sept. 16	54:885	783	10	651	89-554	8	Repeal.
Oct. 9	54:1061	820	-----	120	89-395	-----	Time limitation waived.
9	54:1063	824	13 (ch. II)	121	89-399	1(a)	Amendment.
9	54:1063	824	43 (ch. II)	126	89-403	1	Applicability.
9	54:1063	824	51-62 (ch. III)	126	89-403	-----	Addition; nonapplicability.
14	54:1116	846	-----	651	89-554	8	Repeal.
17	54:1178	861	300(1)	28	89-358	10	Amendment.
21	54:1205	873	-----	651	89-554	8	Repeal.
21	54:1206	875	-----	651	89-554	8	Do.
26	54:1211	880	2(b), 8	651	89-554	8	Do.
<b>1941</b>							
Apr. 5	55:92	28	1	651	89-554	8	Partial repeal.
11	55:134	34	-----	651	89-554	8	Repeal.
11	55:136	35	-----	651	89-554	8	Do.
May 7	55:177	49	201(b)	84	89-376	2(a)	Do.
7	55:177	49	202(a)	87	89-376	3(b)(1)	Amendment.
7	55:177	49	202(b)	87	89-376	3(b)(2)	Do.
7	55:177	49	(2)(C)	-----	-----	-----	-----
7	55:177	49	202(c)	87	89-376	3(b)(3)	Do.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1941</b>							
May 7	55:177	49	203(d)-(h)	88	89-376	3(a)	Subsecs. (d)-(f) redesignated as (f)-(h) and revised; new (d), (e) added.
7	55:177	49	205(a)-(d), (f)	87, 88	89-376	3(c), (d)	Revision.
7	55:177	49	206(a), (b)	88, 89	89-376	3(e)(1), (2)	Amendment.
7	55:177	49	206(c)-(g)	89	89-376	3(e)(3)	Subsecs. (c)-(f) redesignated as (d)-(g) and revised; new (c) added.
7	55:177	49	207(a)	90	89-376	3(f)(1)	Amendment.
7	55:177	49	207(h)-(k)	90	89-376	3(f)(2)	Subsecs. (h)-(j) redesignated as (i)-(k) and revised; new (h) added.
7	55:177	49	209(h)(5)	84	89-376	2(c)	Nonapplicability.
7	55:177	49	210(d)	91	89-376	4	Amendment.
7	55:177	49	212(d), (e)	91	89-376	5	Addition.
31	55:212	88	1	651	89-554	8	Partial repeal.
June 3	55:241	100	-----	651	89-554	8	Repeal.
9	55:247	107	-----	651	89-554	8	Do.
28	55:265	135	-----	651	89-554	8	Partial repeal.
28	55:303	136	1	651	89-554	8	Do.
28	55:303	136	5	651	89-554	8	Repeal.
July 1	55:408	144	1	651	89-554	8	Partial repeal.
1	55:498	147	1	651	89-554	8	Repeal.
1	55:499	148	1	651	89-554	8	Partial repeal.
Aug. 1	55:616	202	-----	651	89-554	8	Repeal.
21	55:654	231	-----	651	89-554	8	Do.
Nov. 21	55:779	315	-----	651	89-554	8	Do.
Dec. 18	55:838	354	-----	651	89-554	8	Partial repeal.
26	55:862	379	-----	651	89-554	8	Repeal.
26	55:863	381	2, "Sec. 3"	943	89-670	8(f)	Amendment.
26	55:872	385	-----	651	89-554	8	Repeal.
<b>1942</b>							
Jan. 19	56:6	402	10	907	89-657	2	Revision.
24	56:13	411	-----	651	89-554	8	Repeal.
30	56:23	421	1A(h)	653	89-554	8	Do.
30	56:23	421	2, 4(c)	651	89-554	8	Do.
30	56:23	421	201, 202	651	89-554	8	Do.
Feb. 7	56:53	441	101	651	89-554	8	Partial repeal.
Mar. 7	56:143	490	-----	651	89-554	8	Repeal.
10	56:150	495	1	651	89-554	8	Partial repeal.
27	56:176	507	701, 801	651	89-554	8	Repeal.
Apr. 7	56:200	517	-----	651	89-554	8	Do.
28	56:219	527	6	651	89-554	8	Do.
29	56:248	532	1, "Sec. 1(b), (c)"	244	89-486	1(1), (2)	Revision.
29	56:248	532	1, "Sec. 1(d), (g)"	244	89-486	1(3), (4)	Amendment.
29	56:248	532	1, "Sec. 1(o)-(q)"	244	89-486	1(5)	Addition.
29	56:248	532	1, "Sec. 2(a)"	245	89-486	2(1)	Amendment.
29	56:248	532	1, "Sec. 2(a)(3), (4), (6)"	245	89-486	2(2)-(4)	Do.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1942</b>							
Apr. 29	56:248	532	1, "Sec. 2(a)(7), (8)"	245, 246	89-486	2(5), (6)	Revision.
29	56:248	532	1, "Sec. 2(f)"	246	89-486	2(7)	Addition.
29	56:248	532	1, "Sec. 3(d)"	246	89-486	3(a)	Revision.
29	56:248	532	1, "Sec. 3(g)"	246	89-486	3(b)	Addition.
29	56:248	532	1, "Sec. 4(a)-(c)"	246, 247	89-486	4(1)-(3)	Amendment.
29	56:248	532	1, "Sec. 4(e), (f)"	247	89-486	4(4)	Addition.
29	56:248	532	1, "Sec. 5"	247	89-486	5	Amendment.
29	56:248	532	1, "Sec. 6(a)-(c)"	247	89-486	6	Existing text designated as (a); subsecs. (b), (c) added.
29	56:248	532	1, "Sec. 8(a)(2)"	248	89-486	7(1)	Amendment.
29	56:248	532	1, "Sec. 8(f)-(h)"	248	89-486	7(2)	Addition.
May 2	56:266	537	-----	651	89-554	8	Repeal.
June 11	56:351	603	1, 4	651	89-554	8	Do.
23	56:387	626	1	651	89-554	8	Partial repeal.
27	56:392	630	1	651	89-554	8	Do.
27	56:424	632	1	651	89-554	8	Do.
27	56:461	634	-----	651	89-554	8	Repeal.
July 2	56:468	644	-----	651	89-554	8	Partial repeal.
2	56:506	645	1	651	89-554	8	Do.
2	56:506	645	5	651	89-554	8	Repeal.
3	56:645	652	-----	651	89-554	8	Do.
22	56:664	674	1	651	89-554	8	Partial repeal.
28	56:722	680	5	1117	89-718	12(b)	Repeal.
29	56:725	685	-----	651	89-554	8	Do.
Oct. 2	56:765	728	-----	651	89-554	8	Do.
9	56:778	735	1-3	651	89-554	8	Do.
24	56:986	754	-----	651	89-554	8	Do.
Dec. 3	56:1038	786	1	907	89-657	3	Revision.
18	56:1058	814	2	651	89-554	8	Repeal.
22	56:1068	821	-----	651	89-554	8	Do.
24	56:1092	848	-----	651	89-554	8	Do.
<b>1943</b>							
Mar. 2	57:4	2	-----	651	89-554	8	Do.
31	57:52	20	101	651	89-554	8	Partial repeal.
Apr. 1	57:57	22	-----	651	89-554	8	Repeal.
29	57:70	45	3	651	89-554	8	Do.
May 7	57:75	49	-----	651	89-554	8	Do.
June 4	57:100	65	1, "Sec. 4(e)"	265	89-493	14	Amendment.
4	57:100	65	1, "Sec. 9(f)"	1520	89-803	11	Addition.
15	57:153	74	9	651	89-554	8	Repeal.
19	57:159	80	-----	651	89-554	8	Do.
25	57:163	89	7(c)	651	89-554	8	Do.
26	57:169	90	101	652	89-554	8	Partial repeal.
26	57:169	90	206	652	89-554	8	Repeal.
26	57:197	92	101	652	89-554	8	Partial repeal.
30	57:250	102	-----	652	89-554	8	Do.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1943</b>							
July 1	57:271	105	-----	652	89-554	8	Partial repeal.
12	57:392	129	1	652	89-554	8	Do.
12	57:451	133	6	652	89-554	8	Repeal.
16	57:566	151	1	652	89-554	8	Do.
Sept. 29	57:569	155	-----	652	89-554	8	Do.
Nov. 22	57:591	189	-----	652	89-554	8	Do.
Dec. 5	57:596	197	2-4	652	89-554	8	Do.
<b>1944</b>							
Feb. 26	58:100	237	-----	1098	89-702	408(a)	Do.
28	58:105	240	1	652	89-554	8	Do.
Apr. 4	58:189	287	-----	652	89-554	8	Do.
22	58:195	293	1	652	89-554	8	Partial repeal.
24	58:215	294	1, 2	652	89-554	8	Repeal.
June 22	58:301	347	101	652	89-554	8	Partial repeal.
22	58:301	347	113	652	89-554	8	Repeal.
26	58:326	351	-----	652	89-554	8	Do.
26	58:334	353	-----	652	89-554	8	Do.
27	58:361	358	101	652	89-554	8	Partial repeal.
27	58:361	358	202(b)	652	89-554	8	Repeal.
27	58:387	359	-----	652	89-554	8	Do.
27	58:387	359	2(7)	28	89-358	11	Addition.
28	58:395	365	101, 201	652	89-554	8	Partial repeal.
28	58:425	366	-----	652	89-554	8	Repeal.
28	58:425	367	1	652	89-554	8	Partial repeal.
28	58:463	369	6	652	89-554	8	Repeal.
28	58:509	371	1	652	89-554	8	Partial repeal.
28	58:509	371	6	1173	89-743	12	Exception.
July 1	58:649	395	4(a)	652	89-554	8	Repeal.
1	58:679	408	-----	652	89-554	8	Do.
1	58:682	410	221(a)(11)	348	89-538	3(b)	Addition.
1	58:682	410	309(c)	1190	89-749	4	Do.
1	58:682	410	311(a), (b)	1190	89-749	5(a)	Existing text designated as (a); subsec. (b) added.
1	58:682	410	311(b)	1190	89-749	5(b)	Amendment.
1	58:682	410	314	1181, 1190	89-749	3, 6	Revision.
1	58:682	410	316	1190	89-749	6	Repeal.
1	58:682	410	318	1190	89-749	6	Do.
1	58:682	410	341	1449	89-793	601	Revision.
1	58:682	410	605	652	89-554	8	Sec. previously re-numbered as 1005. (See p. A41.)
1	58:682	410	720	1103	89-709	2(a)	Amendment.
1	58:682	410	721(b)-(d)	1103	89-709	2(b)(1), (2)	Do.
1	58:682	410	724(4)	1103	89-709	2(c)	Do.
1	58:682	410	725(a)	1103	89-709	2(d)(1)-(3)	Do.
1	58:682	410	725(d)	1230	89-751	3(a)	Do.
1	58:682	410	740(a)	1103	89-709	3(a)	Do.
1	58:682	410	740(b)(2)	1232	89-751	5(c)(1)	Revision.
1	58:682	410	(A), (B)	-----	-----	-----	-----
1	58:682	410	740(b)(2)	1230	89-751	5(a)	Exception.
1	58:682	410	740(b)(4)	1103	89-709	3(b)	Amendment.
1	58:682	410	741	1230	89-751	5(a)	Applicability.
1	58:682	410	741(b), (c)	1103	89-709	3(c), (d)	Amendment.
1	58:682	410	741(f)	1230	89-751	4	Do.
1	58:682	410	742(a)	1103	89-709	3(e)	Do.
1	58:682	410	742(a)	1232	89-751	5(b)(1)	Do.
1	58:682	410	742(b)(1)	1232	89-751	5(b)(2)	Revision.
1	58:682	410	742(b)(2)	1232	89-751	5(b)(3)	Amendment.

TABLE 1.—General Legislation—Continued

Provisions affected				Amendatory provisions			
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<b>1944</b>							
July 1	58:682	410	742(b) (3), (4)	1232	89-751	5(b) (4)	Par. (3) redesignated as (4); new (3) added.
1	58:682	410	743(a)	1233	89-751	5(c) (2) (A)	Amendment.
1	58:682	410	743(a) (1)	1233	89-751	5(c) (2) (B)	Do.
1	58:682	410	743(b)	1233	89-751	5(c) (3)	Do.
1	58:682	410	744	1230, 1233	89-751	5(a), (d)	Revision; supplemental provision.
1	58:682	410	791-796	1222	89-751	2	Addition.
1	58:682	410	801-869	1236	89-751	8(a)	Exception.
1	58:682	410	801	1236	89-751	8(a)	Amendment.
1	58:682	410	822(b) (2) (B)	1233	89-751	6(a)	Exception.
1	58:682	410	823	1233	89-751	6(a)	Applicability.
1	58:682	410	824	1235	89-751	6(b)	Amendment.
1	58:682	410	825(a)	1235	89-751	6(c) (1)	Do.
1	58:682	410	825(b) (1)	1235	89-751	6(c) (2)	Revision.
1	58:682	410	826(a)	1235	89-751	6(d) (1)	Amendment.
1	58:682	410	826(a) (1)	1235	89-751	6(d) (2)	Do.
1	58:682	410	826(b)	1235	89-751	6(d) (3)	Do.
1	58:682	410	827	1233, 1236	89-751	6(a), (e)	Revision; supplemental provision.
1	58:682	410	841(c)	1230	89-751	3(b)	Amendment.
1	58:682	410	861-869	1236	89-751	8(b)	Addition.
1	58:682	410	1005(a), (b), (d)	652	89-554	8	Repeal. (See also 1916, P.L. 267.)
Sept. 21	58:734	425	401(d)	652	89-554	8	Repeal.
21	58:734	425	705(a), 706 (b), 709, 710	652	89-554	8	Do.
Oct. 30	58:758	448	-----	652	89-554	8	Do.
2	58:765	456	-----	652	89-554	8	Do.
3	58:785	458	101, 102	652	89-554	8	Do.
3	58:785	458	301, 303	652	89-554	8	Do.
Dec. 7	58:796	466	-----	652	89-554	8	Do.
19	58:815	501	-----	652	89-554	8	Do.
21	58:845	525	1	652	89-554	8	Do.
21	58:846	526	-----	272	89-498	1	Revived and re-enacted.
21	58:846	526	5	272	89-498	2	Revision.
21	58:846	526	8(a)	273	89-498	3	Amendment.
22	58:887	533	-----	652	89-554	8	Repeal.
22	58:887	534	1	1418	89-789	202	Applicability.
23	58:915	546	-----	652	89-554	8	Repeal.
23	58:916	548	-----	652	89-554	8	Do.
23	58:926	564	-----	652	89-554	8	Do.
23	58:927	567	-----	652	89-554	8	Do.
<b>1945</b>							
Mar. 2	59:10	14	1	1405	89-789	101	Applicability.
2	59:10	14	2	1418	89-789	112	Authorization suspension.
Apr. 3	59:49	29	5	652	89-554	8	Repeal.
12	59:50	30	5	652	89-554	8	Do.
24	59:56	38	-----	652	89-554	8	Partial repeal.
25	59:77	40	-----	1482	89-797	-----	Applicability.
May 3	59:106	49	101	652	89-554	8	Partial repeal.
3	59:106	49	202(b)	652	89-554	8	Repeal.
21	59:169	61	101, 201	652	89-554	8	Partial repeal.
29	59:201	62	101	652	89-554	8	Do.
29	59:201	62	113	652	89-554	8	Repeal.
June 9	59:235	80	-----	652	89-554	8	Do.
13	59:238	85	-----	356, 357	89-545	-----	Supplemental provision.

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Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1945</b>							
June 30	59:271	103	-----	1170	89-743	-----	Exception.
30	59:271	103	1	653	89-554	8	Partial repeal.
30	59:295	106	101(a), (d), (e)	653	89-554	8	Repeal.
30	59:295	106	102	653	89-554	8	Partial repeal.
30	59:295	106	201-203	653	89-554	8	Repeal.
30	59:295	106	201, 202	297	89-504	404(a), (b)	Amendment.
30	59:295	106	301, 302	653	89-554	8	Repeal.
30	59:295	106	302, 303	297	89-504	405(a)-(c)	Sec. 302 redesignated as 303; new 302 added.
30	59:295	106	401	297	89-504	404(c)	Amendment.
30	59:295	106	401(1), (2)	298	89-504	405(d), (e)	Do.
30	59:295	106	501, 502	294, 296	89-504	302(a), (i)	Compensation rates, increase; non-applicability.
30	59:295	106	503	653	89-554	8	Partial repeal.
30	59:295	106	521, 522	653	89-554	8	Repeal.
30	59:295	106	601-606, 608-610	653	89-554	8	Do.
30	59:295	106	604(a)(3)	231	89-478	-----	Addition.
July 3	59:318	123	6	653	89-554	8	Repeal.
5	59:411	131	-----	653	89-554	8	Do.
28	59:503	161	1-5(a)	653	89-554	8	Do.
Sept. 18	59:533	181	-----	653	89-554	8	Do.
Nov. 9	59:577	216	-----	653	89-554	8	Do.
21	59:584	226	-----	653	89-554	8	Do.
Dec. 3	59:590	238	2	653	89-554	8	Do.
6	59:597	248	102-104	1231, 1234	89-751	5(a), 6(a)	Applicability.
6	59:597	248	104	685	89-555	-----	Exception.
6	59:597	248	104	701	89-556	-----	Do.
6	59:597	248	104	1005, 1013	89-689	-----	Do.
6	59:597	248	104	1024	89-691	-----	Do.
6	59:597	248	104	1502, 1505	89-797	-----	Do.
20	59:613	263	-----	653	89-554	8	Repeal.
21	59:621	265	-----	653	89-554	8	Do.
28	59:660	273	2	653	89-554	8	Do.
28	59:660	274	2	653	89-554	8	Do.
29	59:669	291	1-11	5	89-353	-----	Supplemental provision.
29	59:669	291	11	5	89-353	-----	Addition.
<b>1946</b>							
Feb. 12	60:3	295	-----	653	89-554	8	Repeal.
12	60:5	298	1	653	89-554	8	Do.
20	60:23	304	3	3	89-350	-----	Exception.
Mar. 23	60:59	333	-----	278	89-501	302(1)	Pay and allowances, increase.
28	60:60	334	202(b)	653	89-554	8	Repeal.
Apr. 30	60:128	370	101	653	89-554	8	Do.
May 13	60:170	377	5(d)(7)-(9)	894	89-647	1	Addition.
13	60:170	377	6(a), (b)(1)	894	89-647	2(a), (b)	Amendment.
13	60:170	377	16	895	89-649	-----	Exception.
16	60:182	383	-----	653	89-554	8	Repeal.
18	60:183	384	101	653	89-554	8	Partial repeal.
22	60:207	388	2(a)	653	89-554	8	Repeal.
24	60:216	390	3, 4	653	89-554	8	Do.

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Provisions affected				Amendatory provisions				
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment	
<b>1946</b>								
May 24	60:216	390	5	294	89-504	302(a)	Compensation rates, increase. (See also 1945, P. L. 106, secs. 501, 502.)	
June	24	60:216	6-11, 14, 16	653	89-554	8	Repeal.	
	11	60:237		108	89-387	5	Applicability.	
	11	60:237		181	89-435	-----	Exception.	
	11	60:237		404	653	89-554	8	Repeal.
	11	60:237		404	719	89-563	103(b)	Applicability.
	11	60:237		404	774, 784	89-577	6(d)(1), 18	Applicability; exception.
11	60:237	404	-----	1314	89-765	-----	Applicability.	
11	60:237	404	3	250, 251	89-487	-----	Revision; non-applicability.	
11	60:237	404	5	255	89-488	11(b)	Exception.	
29	60:339	470	-----	653	89-554	8	Repeal.	
July	1	60:348	6	653	89-554	8	Do.	
	1	60:386	-----	356	89-545	-----	Amendment.	
	1	60:386	101	653	89-554	8	Partial repeal.	
	3	60:426	1-4	653	89-554	8	Repeal.	
	5	60:446	101, 201	653	89-554	8	Partial repeal.	
	5	60:480	491	2	653	89-554	8	Repeal.
	9	60:501	493	1	653	89-554	8	Partial repeal.
	12	60:529	504	1	653	89-554	8	Do.
	20	60:568	518	101	653	89-554	8	Do.
	20	60:586	519	201	653	89-554	8	Do.
	23	60:596	520	"Sec. 3"	116	89-390	-----	Exception.
	23	60:596	520	"Sec. 3"	119	89-394	-----	Do.
	23	60:596	520	"Sec. 3"	135	89-413	-----	Do.
	23	60:596	520	"Sec. 3"	136	89-415	-----	Do.
	23	60:596	520	"Sec. 3"	136	89-416	-----	Do.
	23	60:596	520	"Sec. 3"	137	89-417	-----	Do.
	23	60:596	520	"Sec. 3"	137	89-418	-----	Do.
	23	60:596	520	"Sec. 3"	137	89-419	-----	Do.
	23	60:596	520	"Sec. 3"	138	89-420	-----	Do.
	23	60:596	520	"Sec. 3"	138	89-421	-----	Do.
	23	60:596	520	"Sec. 3"	139	89-422	-----	Do.
	23	60:596	520	"Sec. 3"	139	89-423	-----	Do.
	23	60:596	520	"Sec. 3"	139	89-424	-----	Do.
23	60:596	520	"Sec. 3"	212	89-461	-----	Do.	
23	60:596	520	"Sec. 3"	213	89-462	-----	Do.	
23	60:596	520	"Sec. 3"	213	89-463	-----	Do.	
23	60:596	520	"Sec. 3"	213	89-464	-----	Do.	
23	60:596	520	"Sec. 3"	348	89-539	-----	Do.	
23	60:596	520	"Sec. 3"	1153	89-723	-----	Do.	
23	60:596	520	"Sec. 3"	1153	89-724	-----	Do.	
23	60:596	520	"Sec. 3"	1155	89-726	-----	Do.	
23	60:596	520	"Sec. 3"	1166	89-740	-----	Do.	
24	60:658	536	-----	653	89-554	8	Repeal.	
24	60:659	540	-----	653	89-554	8	Do.	
25	60:664	548	3, "Sec. 1A(h)"	653	89-554	8	Do.	
26	60:679	549	101	653	89-554	8	Partial repeal.	
26	60:704	552	2	653	89-554	8	Do.	
27	60:705	555	-----	653	89-554	8	Repeal.	
27	60:706	557	-----	653	89-554	8	Do.	
31	60:718	570	-----	1072	89-698	401	Exception.	
31	60:747	575	-----	653	89-554	8	Repeal.	
31	60:749	577	-----	653	89-554	8	Do.	
Aug.	1	60:789	-----	653	89-554	8	Do.	
	2	60:790	6(e)	758	89-569	-----	Addition.	
	2	60:806	1	653	89-554	8	Repeal.	
	2	60:806	1(a), (b)	323-325	89-516	1(a), (b), 2	Amendment; exceptions.	

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<b>1946</b>							
Aug. 2	60:806	600	4-7, 10, 12, 13	653	89-554	8	Repeal.
2	60:806	600	15	653	89-554	8	Do.
2	60:806	600	15	973	89-685	6	Exception.
2	60:806	600	16(a)	973	89-685	6	Exception. (Sec also 1914, P.L. 127, sec. 5.)
2	60:806	600	19, 20, 22	653	89-554	8	Repeal.
2	60:806	600	23-25	323-325	89-516	2	Addition; exception.
2	60:806	600	26	324	89-516	2	Addition.
2	60:806	600	27	325	89-516	2	Addition; exception.
2	60:812	601	501-511	941	89-670	6(g)(6)	Transfer of functions.
2	60:812	601	501-511	1406	89-789	105	Exception.
2	60:812	601	502(c), 503	937, 941	89-670	6(a)(1)(K), (g)(4)	Transfer of functions.
2	60:812	601	602	653	89-554	8	Repeal.
2	60:853	604	35(d)	653	89-554	8	Do.
7	60:875	624	2	267	89-494	2, 3	Amendment.
7	60:875	624	9(b)(3)	267	89-494	1, 3	Supplemental provision.
7	60:875	624	21, 22	266	89-494	1, 3	Secs. 21, 22 replaced by new sec. 21.
8	60:903	658	-----	653	89-554	8	Repeal.
8	60:910	663	302	653	89-554	8	Do.
8	60:923	665	-----	653	89-554	8	Do.
8	60:937	684	-----	653	89-554	8	Do.
8	60:938	686	-----	653	89-554	8	Do.
8	60:939	688	-----	653	89-554	8	Do.
10	60:978	719	601	653	89-554	8	Do.
12	60:997	722	1(a)	310	89-509	2	Revision.
12	60:997	722	1(b)	310	89-509	3	Partial revision.
12	60:997	722	2	310	89-509	4	Revision.
12	60:997	722	3	310	89-509	5	Repeal.
12	60:997	722	4(a)	310	89-509	6	Partial revision.
12	60:997	722	4(b)	311	89-509	7	Revision.
12	60:997	722	5(a), (b)	311	89-509	8, 9	Do.
12	60:997	722	6	311	89-509	10	Do.
13	60:999	724	412	292	89-504	106(a)	Partial revision.
13	60:999	724	415(a)	292	89-504	106(b)	Do.
13	60:999	724	520(c)	661	89-554	8	Repeal.
13	60:999	724	1002	953	89-673	8(3)	Amendment.
13	60:999	724	1131 (64)	653	89-554	8	Repeal.
14	60:1080	732	-----	926	89-669	2(a)	Applicability.
<b>1947</b>							
Feb. 28	61:7	8	1	330	89-521	1	Amendment.
28	61:7	8	5	330	89-521	2	Addition.
Mar. 31	61:35	30	4, 6(a)	654	89-554	8	Repeal.
May 14	61:84	49	6(a)	844	89-601	601(b)	Amendment.
16	61:96	64	-----	654	89-554	8	Repeal.
June 21	61:135	98	-----	654	89-554	8	Do.
30	61:193	129	210	654	89-554	8	Do.
30	61:201	130	-----	654	89-554	8	Do.
30	61:202	132	1, "Secs. 2-4, 11"	654	89-554	8	Do.
July 1	61:214	146	4	654	89-554	8	Partial repeal.
1	61:216	147	101	654	89-554	8	Do.
7	61:246	162	-----	654	89-554	8	Repeal.
9	61:279	166	101, 201, 301	654	89-554	8	Partial repeal.

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<b>1947</b>							
July 11	61:307	168	-----	654	89-554	8	Repeal.
16	61:328	195	4(h)(2)	809	89-585	1, 2	Revision.
		(art. I, title I)					
16	61:328	195	4(m)	858	89-610	703	Exception.
		(art. I, title I)					
16	61:328	195	4(aa)	858	89-610	703	Addition.
		(art. I, title I)					
16	61:328	195	2(b)(17)	812, 814	89-591	1, 3	Do.
		(art. I, title III)					
16	61:328	195	3	858	89-610	701, 702	Revision.
		(art. I, title VI)					
16	61:328	195	8(k)	658	89-554	8	Repeal.
		(art. I, title XII)					
16	61:328	195	11(c)(3)	1173	89-743	14	Exception.
		(art. I, title XII)					
16	61:328	195	-----	809	89-585	1	Applicability.
		(art. I, title XIV)					
16	61:328	195	-----	857	89-610	501	Revision.
		(art. VI)					
17	61:361	197	101	654	89-554	8	Partial repeal.
23	61:403	216	6	772	89-576	-----	Revision.
25	61:425	237	1	654	89-554	8	Partial repeal.
25	61:449	239	2c	654	89-554	8	Repeal.
26	61:495	253	208(c)	654	89-554	8	Do.
26	61:495	253	301, 304-306	654	89-554	8	Do.
30	61:521	263	-----	654	89-554	8	Do.
30	61:574	268	201	654	89-554	8	Partial repeal.
30	61:574	268	306	1294	89-754	1016(b)	Exception.
Aug. 1	61:710	306	-----	345	89-534	2	(Revised. See 1951, P.L. 121.)
1	61:715	313	-----	654	89-554	8	Repeal. (For actions prior to repeal see 1961, P.L. 87-367, sec. 202.)
4	61:723	325	-----	654	89-554	8	Repeal.
4	61:727	330	-----	654	89-554	8	Do.
5	61:779	368	-----	654	89-554	8	Do.
5	61:780	369	12	654	89-554	8	Do.
7	61:913	382	-----	921	89-667	3(c)	Exception.
8	61:917	384	6	654	89-554	8	Repeal.
Dec. 17	61:934	389	12	654	89-554	8	Do.
19	61:940	391	-----	654	89-554	8	Do.
<b>1948</b>							
Jan. 19	62:3	396	-----	654	89-554	8	Do.
26	62:5	400	-----	654	89-554	8	Do.
Feb. 28	62:48	426	-----	654	89-554	8	Do.

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<b>1948</b>							
Mar. 30	62:93	464	301	654	89-554	8	Repeal.
31	62:101	469	16	654	89-554	8	Do.
Apr. 20	62:176	489	-----	654	89-554	8	Do.
20	62:176	491	101	654	89-554	8	Partial repeal.
20	62:176	491	207	654	89-554	8	Repeal.
May 12	62:231	523	-----	654	89-554	8	Do.
25	62:261	548	2-4	654	89-554	8	Do.
June 3	62:305	597	104	654	89-554	8	Do.
3	62:305	597	201, 301	654	89-554	8	Partial repeal.
3	62:334	599	-----	654	89-554	8	Repeal.
10	62:351	617	-----	654	89-554	8	Do.
10	62:354	623	-----	654	89-554	8	Do.
14	62:408	640	101	654	89-554	8	Partial repeal.
19	62:504	707	-----	654	89-554	8	Repeal.
19	62:536	722	-----	654	89-554	8	Do.
19	62:537	724	1	654	89-554	8	Partial repeal.
19	62:560	727	101	654	89-554	8	Do.
22	62:575	741	-----	654	89-554	8	Repeal.
24	62:604	758	-----	654	89-554	8	Do.
24	62:604	759	4(k)(3), (4), (6)	656	89-554	8	Do.
24	62:647	766	-----	654	89-554	8	Partial repeal.
25	62:670	768	-----	654	89-554	8	Repeal.
25	62:869	773	3, 28, 30	654	89-554	8	Do.
25	62:1009	774	8	654	89-554	8	Do.
26	62:1052	791	-----	278	89-501	302(2)	Pay and allowances, increase.
28	62:1068	802	-----	654	89-554	8	Repeal.
29	62:1070	806	4(h)	1307	89-758	-----	Amendment.
30	62:1163	849	2-5	654	89-554	8	Repeal.
30	62:1171	858	203	1423	89-789	207	Project modification.
30	62:1183	860	201	654	89-554	8	Partial repeal.
30	62:1196	862	101	654	89-554	8	Do.
30	62:1196	862	104	654	89-554	8	Repeal.
July 2	62:1221	879	-----	654	89-554	8	Do.
2	62:1222	880	-----	654	89-554	8	Do.
2	62:1233	888	-----	654	89-554	8	Do.
3	62:1260	900	302-305	655	89-554	8	Do.
Aug. 10	62:1268	901	301-303	1287	89-754	1010(e)	Exception.
10	62:1268	901	304	655	89-554	8	Repeal.
10	62:1268	901	501(a)	655	89-554	8	Do.
Dec. 31	62:1292	906	-----	655	89-554	8	Do.
<b>1949</b>							
Jan. 19	63:4	2	2, 3	655	89-554	8	Do.
Apr. 2	63:30	36	-----	655	89-554	8	Do.
May 21	63:73	67	-----	655	89-554	8	Do.
24	63:89	72	71, 72	655	89-554	8	Do.
27	63:112	76	125	856	89-610	301(a)	Amendment.
27	63:112	76	127(c)	856	89-610	301(b)	Do.
27	63:112	76	128(q)	856	89-610	302	Repeal.
27	63:112	76	603(a)	856	89-610	401, 402(a)	Amendment.
June 9	63:166	92	-----	11	89-357	-----	Exception.
9	63:166	92	-----	87	89-376	3(a), (c)	Do.
9	63:166	92	-----	655	89-554	8	Repeal.
9	63:166	92	-----	778	89-577	10(c)	Exception.
9	63:166	92	-----	1507	89-799	2	Do.
10	63:170	98	-----	655	89-554	8	Repeal.
20	63:203	109	-----	655	89-554	8	Do.
24	63:266	123	-----	655	89-554	8	Do.
29	63:303	145	1	655	89-554	8	Partial repeal.
29	63:324	146	101	655	89-554	8	Do.

TABLE 1.—General Legislation—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1949</b>							
June 30	63:356	150	101	655	89-554	8	Partial repeal.
30	63:376	151	3	655	89-554	8	Repeal.
30	63:377	152	-----	972	89-685	6	Applicability.
30	63:377	152	105, 108	655	89-554	8	Repeal.
30	63:377	152	302-305	973	89-685	6	Exception.
30	63:377	152	302(c)	1373	89-785	202(a)	Do.
30	63:377	152	304	1373	89-785	202(a)	Applicability.
30	63:377	152	304(c)	850	89-607	2	Amendment.
30	63:377	152	507(f)(1)	370	89-547	-----	Exception.
July 6	63:407	160	2	655	89-554	8	Repeal.
13	63:410	167	-----	655	89-554	8	Do.
15	63:413	171	103(a)(2) (B)	1281	89-754	704	Amendment.
15	63:413	171	103(b)	1260, 1280	89-754	113, 605(h)	Amendment; sup- plemental pro- vision.
15	63:413	171	105(f), (g)	1281	89-754	703, 706	Addition.
15	63:413	171	106(d)	1295	89-754	1020(a)	Repeal.
15	63:413	171	110(b)	1278	89-754	601(a)	Amendment.
15	63:413	171	110(c)(1) (iv)	1281	89-754	702(a)	Do.
15	63:413	171	110(c)(6), (7)	1278, 1281	89-754	601(b), 702(b)	Do.
15	63:413	171	110(c)(9), (10)	1278	89-754	601(c)	Clause (9) deleted; new (9), (10) added.
15	63:413	171	110(d)	1280	89-754	701	Amendment.
15	63:413	171	110(d)(2)	1278	89-754	602	Do.
15	63:413	171	112(a)	1281	89-754	705	Do.
15	63:413	171	401, "Sec. 304"	655	89-554	8	Repeal.
15	63:413	171	501(a)	1282	89-754	801	Amendment.
15	63:413	171	501(a)(4)	1282	89-754	807(a)	Addition.
15	63:413	171	501(c)(1)	1282	89-754	807(b)	Amendment.
15	63:413	171	502	164	89-429	2(b)	Exception.
15	63:413	171	502(a)	1282	89-754	802	Amendment.
15	63:413	171	504	1282	89-754	803	Do.
15	63:413	171	515(a)	164	89-429	2(b)	Exception.
15	63:413	171	515(a)	1282	89-754	804(a), 805(a)	Amendment.
15	63:413	171	515(b)	1282	89-754	805(a), (b)	Do.
15	63:413	171	515(d)(1), (4)	1282	89-754	804(b), 805(c)	Do.
15	63:413	171	517(a)(1)	1282	89-754	806	Do.
20	63:447	179	104, 107	655	89-554	8	Repeal.
20	63:447	179	201, 301	655	89-554	8	Partial repeal.
21	63:475	180	-----	655	89-554	8	Repeal.
Aug. 2	63:490	199	-----	655	89-554	8	Do.
8	63:577	212	-----	655	89-554	8	Do.
10	63:578	216	4, "Sec. 201(c)"	655	89-554	8	Do.
10	63:578	216	10(a)	655	89-554	8	Do.
10	63:592	218	2(a), (b)	1295	89-754	1018	Existing text desig- nated as (a) and amended; subsec. (b) added.
16	63:608	233	-----	655	89-554	8	Repeal.
16	63:609	235	-----	655	89-554	8	Do.
19	63:621	254	-----	655	89-554	8	Do.
24	63:631	266	201	655	89-554	8	Partial repeal.

TABLE 1.—General Legislation—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1949</b>							
Aug. 25	63:663	267	-----	655	89-554	8	Repeal.
26	63:666	269	-----	655	89-554	8	Do.
Sept. 7	63:690	288	2	655	89-554	8	Do.
30	63:699	310	-----	655	89-554	8	Do.
Oct. 1	63:700	311	4	895	89-649	-----	Applicability.
5	63:703	316	-----	655	89-554	8	Repeal.
5	63:704	320	-----	655	89-554	8	Do.
12	63:764	349	-----	655	89-554	8	Do.
12	63:802	351	302(f), 303(a)	1124	89-718	75(3), (5)	Repeal of amendatory provisions.
14	63:854	357	101-109	655	89-554	8	Repeal.
14	63:854	357	201-209	655	89-554	8	Do.
14	63:854	357	301-305	655	89-554	8	Do.
14	63:854	357	401	655	89-554	8	Do.
15	63:880	359	1, 3, 4, 5(a), 6(a)	655	89-554	8	Do.
19	63:884	362	-----	655	89-554	8	Do.
26	63:910	393	4	655	89-554	8	Do.
28	63:950	425	-----	655	89-554	8	Do.
28	63:951	426	-----	655	89-554	8	Do.
28	63:954	429	-----	6	89-355	3(b)(1)	Exception.
28	63:954	429	-----	198	89-444	4	Do.
28	63:954	429	-----	205	89-454	3(e)	Do.
28	63:954	429	-----	820,	89-593	5(e), 6	Applicability.
			-----	821			
28	63:954	429	-----	869	89-617	6(a), (b)	Exception.
28	63:954	429	-----	919	89-665	205(b), (c)	Do.
28	63:954	429	-----	1370	89-785	107(a)(3)	Do.
28	63:954	429	-----	1404	89-788	4	Do.
28	63:954	429	-----	1498,	89-797	-----	Do.
			-----	1499			
28	63:954	429	-----	1517	89-801	5(a), (c)	Do.
28	63:954	429	101	655	89-554	8	Repeal.
28	63:954	429	201-203	655	89-554	8	Do.
28	63:954	429	202 (36)	198	89-444	4	Addition.
28	63:954	429	204	655	89-554	8	Repeal, except subsec. (a).
28	63:954	429	205	655	89-554	8	Repeal.
28	63:954	429	301-303	655	89-554	8	Do.
28	63:954	429	401	655	89-554	8	Do.
28	63:954	429	501-506	655	89-554	8	Do.
28	63:954	429	601-605	655	89-554	8	Do.
28	63:954	429	603(b)	288	89-504	102(a)	Revision.
28	63:954	429	701-705	655	89-554	8	Repeal.
28	63:954	429	801-803	655	89-554	8	Do.
28	63:954	429	801	289	89-504	103	Amendment.
28	63:954	429	804	318	89-512	-----	Addition.
28	63:954	429	1001	655	89-554	8	Repeal.
28	63:954	429	1101, 1103- 1107	655	89-554	8	Do.
28	63:954	429	1202-1204	655	89-554	8	Do.
29	63:987	434	619, 623	655	89-554	8	Do.
31	63:1051	439	103(d)(3)	202	89-451	1	Amendment.
31	63:1051	439	105(e)	202	89-451	2	Do.
31	63:1051	439	407	1538	89-808	3(e)	Do.
31	63:1051	439	416	1538	89-808	3(c)	Do.
31	63:1051	439	416(4)	1538	89-808	3(c)	Deletion.
<b>1950</b>							
Mar. 10	64:12	455	3(a), (b)	656	89-554	8	Repeal.
10	64:12	455	501	1365	89-780	1	Amendment.
10	64:12	455	502(3)	1365	89-780	2(1)	Do.

TABLE 1.—General Legislation—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1950</b>							
Mar. 10	64:12	455	502(5)	1365	89-780	2(2)	Addition.
10	64:12	455	503(a)	1365	89-780	3	Amendment.
10	64:12	455	503(b)	1365	89-780	3(1), (2)	Do.
10	64:12	455	505(a)	1365	89-780	4	Do.
10	64:12	455	510	1365	89-780	5	Do.
18	64:27	463	2	1313	89-763	-----	Do.
Apr. 20	64:48	475	401(d)	166	89-429	3(b)	Do.
20	64:48	475	401(d)	1292	89-754	1014(b)	Do.
20	64:48	475	404(b)(4)	1292	89-754	1014(a)	Do.
20	64:48	475	507	676	89-555	-----	Conditional exception.
26	64:89	482	-----	656	89-554	8	Repeal.
29	64:93	492	-----	656	89-554	8	Do.
29	64:96	494	-----	656	89-554	8	Do.
May 3	64:98	499	4(a), (b)	656	89-554	8	Do.
17	64:163	516	110	1406	89-789	102	Applicability.
17	64:163	516	111	656	89-554	8	Repeal.
17	64:163	516	214	656	89-554	8	Do.
23	64:188	523	-----	656	89-554	8	Do.
26	64:193	530	-----	656	89-554	8	Do.
June 14	64:213	545	-----	656	89-554	8	Do.
14	64:214	546	-----	656	89-554	8	Do.
14	64:214	547	-----	656	89-554	8	Do.
28	64:262	580	-----	656	89-554	8	Do.
July 6	64:320	601	-----	656	89-554	8	Do.
28	64:380	626	1-5, 7, 8	656	89-554	8	Do.
Aug. 1	64:384	630	10	375	89-552	1, 2	Revision; applicability.
3	64:393	633	-----	656	89-554	8	Repeal.
3	64:395	636	-----	656	89-554	8	Do.
23	64:470	727	-----	346	89-535	-----	Restriction removed.
25	64:475	732	1	656	89-554	8	Partial repeal.
26	64:476	733	-----	656	89-554	8	Repeal.
26	64:476	733	1	95	89-380	5(2)	Partial repeal.
Sept. 5	64:593	758	-----	656	89-554	8	Repeal.
6	64:595	759	106	656	89-554	8	Do.
6	64:595	759	201	656	89-554	8	Partial repeal.
6	64:595	759	301	656	89-554	8	Do.
6	64:595	759	101	656	89-554	8	Do.
6	64:595	759	110	656	89-554	8	Repeal.
6	64:595	759	201	656	89-554	8	Partial repeal.
6	64:595	759	616	656	89-554	8	Repeal.
6	64:595	759	1213	656	89-554	8	Do.
8	64:794	771	1, 4	1124	89-718	73(a)(2), (b)	Deletion from repeal provisions of sec. 14b, P.L. 87-649, 1962.

TABLE 1.—General Legislation—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1950</b>							
Sept. 8	64:798	774	403	656	89-554	8	Repeal.
8	64:798	774	712(e)	235	89-482	2	Revision.
8	64:798	774	717(a)	235	89-482	1	Amendment.
12	64:832	784	301 (87), (92)	656	89-554	8	Repeal.
18	64:A224	<sup>1</sup> 957		278	89-501	302(3)	Pay and allowances, increase.
21	64:873	797	2, "Sec. 3(m)"	1055, 1056	89-695	301(a), (e), 303(a)	Amendment.
21	64:873	797	2, "Sec. 3(q)"	1046, 1056	89-695	201, 401	Addition; expiration date.
21	64:873	797	2, "Sec. 7(i)"	1055	89-695	301(b), (e)	Amendment.
21	64:873	797	2, "Sec. 7(j)(6)"	1046, 1056	89-695	201, 401	Repeal; expiration date.
21	64:873	797	2, "Sec. 8(a)"	1054, 1056	89-695	201, 401	Partial revision; ex- piration date.
21	64:873	797	2, "Sec. 8(b)-(q)"	1046, 1056	89-695	201, 401	Subsecs. (b)-(d) re- designated as (o)- (q); new (b)-(n) added; expiration date.
21	64:873	797	2, "Sec. 9"	1055, 1056	89-695	205, 401	Amendment; ex- piration date.
21	64:873	797	2, "Sec. 10(b), (c)"	1053, 1056	89-695	203, 401	Revision; expiration date.
21	64:873	797	2, "Sec. 11(a), (i)"	1055	89-695	301(c)-(e)	Amendment.
21	64:873	797	2, "Sec. 18(c)"	7	89-356	1(a)	Revision.
21	64:873	797	2, "Sec. 18(c)(5)"	10	89-356	2(c)	Applicability.
21	64:873	797	2, "Sec. 18(g)"	824, 825	89-597	3, 7	Amendment; expiration date.
21	64:873	797	2, "Sec. 18(i)"	9	89-356	1(b)	Addition.
21	64:873	797	2, "Sec. 18(j)"	242	89-485	12(c)	Do.
21	64:873	797	2, "Sec. 19"	1055	89-695	206	Exception.
23	64:967	815		1213	89-750	221-232	(Revised. See 1958, P.L. 85-620, sec. 101.)
23	64:985	830	1-4, 6-8, 10	656	89-554	8	Repeal.
27	64:1044	843	1	819	89-593	4(a)	Partial repeal.
27	64:1044	843	101, 104	656	89-554	8	Repeal.
30	64:1098	873		656	89-554	8	Do.
30	64:1100	874		1213	89-750	206(c)	Exception.
30	64:1100	874	3(b)	1211	89-750	201(c)(2), (d)	Partial repeal; amendment.
30	64:1100	874	3(b)(1)-(3)	1211	89-750	201(c)(1)	Parts of existing text designated as (1), (2); clause (3) added.
30	64:1100	874	3(c)(2)(B)	1210	89-750	201(a)(1)	Amendment.
30	64:1100	874	3(c)(5)	1210	89-750	201(a)(2)	Do.
30	64:1100	874	3(d)	1210	89-750	201(b)(1)- (4)	Do.
30	64:1100	874	3(e)	1211	89-750	201(e)	Revision.
30	64:1100	874	5(b)	1211	89-750	202	Amendment.
30	64:1100	874	5(d)	1212	89-750	203	Addition.

<sup>1</sup> Private law.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1950</b>							
Sept. 30	64:1100	874	6(f), (g)	1212	89-750	204	Subsec. (f) redesignated as (g); new (f) added.
30	64:1100	874	201-214	1198	89-750	116	Citation of title.
30	64:1100	874	202-205	1195	89-750	108(b)(1)	Amendment.
30	64:1100	874	202	1191	89-750	101	Revision.
30	64:1100	874	203(a)(1)	1191	89-750	102	Do.
30	64:1100	874	203(a)(2)	1193, 1194	89-750	104(a), (b), 105(b)(1), (c)	Amendment.
30	64:1100	874	203(a)(3)	1197	89-750	113(b)	Do.
30	64:1100	874	203(a)(3)(A), (B)	1198	89-750	117(a)(3)	Existing text designated as (A); subpar. (B) added.
30	64:1100	874	203(a)(5)	1194, 1198	89-750	105(b)(2), 117(a)(2)	Amendment.
30	64:1100	874	203(a)(6), (7)	1192, 1194	89-750	103(a), 104(e)	Addition.
30	64:1100	874	203(b)	1193	89-750	104(c)(1)	Amendment.
30	64:1100	874	203(b)(1), (2)	1193, 1194	89-750	104(c)(2), (3), 105(a)(1), (2)	Do.
30	64:1100	874	203(b)(3)	1193	89-750	104(c)(4)	Do.
30	64:1100	874	203(c)	1194	89-750	106	Revision.
30	64:1100	874	203(d)	1193, 1195	89-750	104(d), 107	Amendment.
30	64:1100	874	204	1195	89-750	108(a)	Deletion.
30	64:1100	874	205(a)	1195	89-750	108(b)(2)	Amendment.
30	64:1100	874	205(a)(1)	1196	89-750	111(a), (b)	Do.
30	64:1100	874	205(a)(1)(B)	1196	89-750	110	Do.
30	64:1100	874	205(a)(5)-(9)	1196	89-750	111(c)	Pars. (5)-(8) renumbered as (6)-(9); new (5) added.
30	64:1100	874	205(a)(8)	1196	89-750	111(d)	Revision.
30	64:1100	874	205(a)(10)	1196	89-750	111(e)	Addition.
30	64:1100	874	205(c)	1192	89-750	103(b)	Do.
30	64:1100	874	206(a)	1193	89-750	103(c)(1)	Amendment.
30	64:1100	874	207(a)(1), (2)	1193, 1195	89-750	103(c)(2), 108(b)(3)	Do.
30	64:1100	874	207(b)(1)	1197	89-750	112	Revision.
30	64:1100	874	207(c)(2)	1197	89-750	113(a)	Amendment.
30	64:1100	874	208	1197	89-750	114(a), (b)	Do.
30	64:1100	874	210	1193	89-750	103(c)(3)	Do.
30	64:1100	874	211(a)	1193	89-750	103(c)(4)	Do.
30	64:1100	874	212(c)	1197	89-750	115	Revision.
30	64:1100	874	213	1195	89-750	109	Addition.
30	64:1100	874	214	1198	89-750	116	Do.
30	64:1100	874	301(a)	1212	89-750	205	Amendment.
30	64:1100	874	303(1)(A)-(D)	1213	89-750	206(b)	Clause (A) deleted; (B)-(D) redesignated as (A)-(C) (last sentence).
30	64:1100	874	303(1)(B)	1213	89-750	206(a)	Amendment (penultimate sentence).
30	64:1100	874	303(5), (6), (10)	1198, 1199, 1213	89-750	117(a)(1), 117(b), 206(c)	Revision.
30	64:1109	875	2(c)	1317	89-769	6(a)	Amendment.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1950</b>							
Dec. 27	64:1117	887	-----	656	89-554	8	Repeal.
28	64:1120	892	-----	656	89-554	8	Do.
29	64:1129	901	-----	656	89-554	8	Do.
<b>1951</b>							
Jan. 12	64:1245	920	307	235	89-483	-----	Amendment.
Mar. 23	65:7	9	102(c)(1)	232	89-480	-----	Do.
June 19	65:75	51	1(j), "Sec. 4(k)(3), (4), (6)",	656	89-554	8	Repeal.
July 31	65:131	96	110(a)	656	89-554	8	Do.
Aug. 11	65:182	111	101	656	89-554	8	Partial repeal.
21	65:195	121	"Secs. 1-5"	345	89-534	2	Repeal.
29	65:207	131	-----	656	89-554	8	Do.
31	65:225	135	101	656	89-554	8	Partial repeal.
31	65:268	137	401	656	89-554	8	Do.
31	65:268	137	501	374	89-551	1(6)	Nonapplicability.
Oct. 18	65:423	179	614, 630	656	89-554	8	Repeal.
22	65:575	188	103, 106	656	89-554	8	Do.
22	65:575	188	606	656	89-554	8	Partial repeal.
24	65:612	201	1(a), (b), (e)	656	89-554	8	Repeal.
24	65:612	201	5(b), 6	656	89-554	8	Do.
25	65:636	207	4(b)	656	89-554	8	Do.
30	65:672	233	201-209	656	89-554	8	Do.
<b>1952</b>							
Apr. 5	66:43	298	1	656	89-554	8	Partial repeal.
5	66:43	298	2-4	656	89-554	8	Repeal.
9	66:50	306	-----	656	89-554	8	Do.
June 5	66:101	375	701	656	89-554	8	Partial repeal.
5	66:101	375	1101	656	89-554	8	Do.
9	66:129	379	4	656	89-554	8	Repeal.
19	66:138	397	-----	656	89-554	8	Do.
24	66:155	407	-----	656	89-554	8	Do.
27	66:163	414	101(a), (b)	1161	89-732	4	Applicability.
27	66:163	414	101(a)(38)	1104	89-710	-----	Amendment.
27	66:163	414	245	1161	89-732	3	Certain adjustment applications held valid.
27	66:163	414	245(c)	1161	89-732	1	Exception.
27	66:163	414	301(a)(7)	1322	89-770	-----	Partial revision.
30	66:296	429	112	656	89-554	8	Repeal.
July 5	66:393	455	101, 301	656	89-554	8	Partial repeal.
9	66:445	470	110	657	89-554	8	Repeal.
9	66:481	476	265	1124	89-718	75(4)	Repeal of amendatory provision.
10	66:517	488	614, 640	657	89-554	8	Repeal.
10	66:549	495	103, 106, 109	657	89-554	8	Do.
12	66:592	521	-----	657	89-554	8	Do.
14	66:626	536	-----	657	89-554	8	Do.
15	66:637	547	1409	1124	89-718	75(1)	Do.
15	66:637	547	1415	1531	89-808	2(B)	Applicability.
15	66:662	548	-----	657	89-554	8	Repeal.
16	66:710	553	1	657	89-554	8	Do.
16	66:722	555	-----	657	89-554	8	Do.
17	66:758	584	1	657	89-554	8	Do.
17	66:765	587	-----	657	89-554	8	Do.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1953</b>							
Feb. 7	67:4	2	-----	657	89-554	8	Repeal.
11	67:4	3	-----	657	89-554	8	Do.
Apr. 4	67:20	16	-----	657	89-554	8	Do.
4	67:22	18	-----	657	89-554	8	Do.
July 2	67:136	102	1-5, 7, 8	657	89-554	8	Do.
10	67:142	108	-----	657	89-554	8	Do.
10	67:145	109	-----	657	89-554	8	Do.
17	67:176	129	1(e)	1117	89-718	12(b)	(See 1942, P.L. 680, sec. 5.)
23	67:186	147	-----	657	89-554	8	Repeal.
31	67:240	164	9	657	89-554	8	Do.
31	67:245	170	101	657	89-554	8	Partial repeal.
31	67:298	176	101	657	89-554	8	Do.
Aug. 1	67:336	179	636, 638	657	89-554	8	Repeal.
5	67:363	189	2	657	89-554	8	Do.
5	67:367	195	105, 108	657	89-554	8	Do.
5	67:367	195	202, 401	657	89-554	8	Partial repeal.
6	67:390	202	4(f)	335	89-525	6	Amendment.
7	67:408	205	3(a), 6(a)	657	89-554	8	Repeal.
7	67:418	207	-----	657	89-554	8	Partial repeal.
7	67:418	207	1309	1124	89-718	75(2)	Repeal.
7	67:472	215	302, 305, 306, 308	657	89-554	8	Do.
7	67:482	219	-----	657	89-554	8	Do.
7	67:485	220	-----	657	89-554	8	Do.
8	67:506	242	3	657	89-554	8	Do.
14	67:581	271	1(a)	657	89-554	8	Partial repeal.
14	67:581	271	1(b)	657	89-554	8	Repeal.
14	67:581	271	2-4	657	89-554	8	Do.
<b>1954</b>							
Jan. 30	68:7	291	-----	657	89-554	8	Do.
Feb. 10	68:8	294	3	657	89-554	8	Do.
20	68:18	300	2	657	89-554	8	Do.
Mar. 1	68:20	302	-----	657	89-554	8	Do.
6	68:21	303	-----	657	89-554	8	Do.
Apr. 30	68:64	347	-----	657	89-554	8	Do.
May 6	68:70	350	-----	937	89-670	6(a)(1)(E)	Transfer of functions.
13	68:92	358	1	943	89-670	8(g)(1)	Revision.
18	68:101	364	106(a)	857	89-610	503	Amendment.
18	68:101	364	402(a)	858	89-610	1001	Do.
June 1	68:168	380	-----	657	89-554	8	Repeal.
4	68:173	387	"Sec. 2(b)"	210	89-457	1	Amendment.
4	68:175	388	4	657	89-554	8	Repeal.
8	68:177	389	99(c)-(f)	813, 814	89-591	2, 3	Addition.
11	68:249	395	-----	657	89-554	8	Repeal.
24	68:272	428	101	657	89-554	8	Partial repeal.
July 2	68:413	471	105, 107	657	89-554	8	Repeal.
2	68:413	471	202	657	89-554	8	Do.
10	68:454	480	-----	805	89-583	301(h)(1)	Restriction.
10	68:454	480	-----	1534	89-808	2(B)	Exception.
10	68:454	480	2	1526	89-808	2(A)	Revision.
10	68:454	480	101-110	1526	89-808	2(B)	Do.
10	68:454	480	102	1533	89-808	2(B)	Applicability.
10	68:454	480	103(a), (d)-(f), (j), (k)	1533	89-808	2(B)	Do.
10	68:454	480	104(j)(1)-(4)	1531, 1532	89-808	2(B)	Exception.
10	68:454	480	110	1533	89-808	2(B)	Applicability.
10	68:454	480	201-205	1534	89-808	2(C)	Revision.
10	68:454	480	304-308	1535	89-808	2(D)	Deletion.
10	68:454	480	401-410	1535	89-808	2(E)	Revision.

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<b>1954</b>							
July 10	68:454	480	401-405, 407-409	1533	89-808	2(B)	Applicability.
15	68:478	495	7(b)	657	89-554	8	Repeal.
15	68:482	497	1, 2, 4	657	89-554	8	Do.
22	68:497	517	5(b)	371	89-548	1, 2	Revision; applicability.
22	68:497	517	8(b)(i)	890	89-643	-----	Amendment.
22	68:497	517	20(a)	657	89-554	8	Repeal.
26	68:533	531	2(b)	1202	89-750	141	Revision.
26	68:533	531	4(b)	1203	89-750	142	Amendment.
26	68:533	531	5(4)	1203	89-750	143	Revision.
Aug. 2	68:590	560	701(a)(4)	1273	89-754	406	Amendment.
2	68:590	560	701(b)	1286	89-754	1008	Do.
2	68:590	560	701(h)	1279, 1280	89-754	604, 605(h)	Addition.
4	68:666	566	8	167	89-429	5	Supplemental provision.
17	68:736	598	-----	94	89-379	-----	Applicability.
17	68:736	598	-----	1186	89-749	3	Continuation of benefits.
17	68:736	598	-----	1187, 1188	89-749	3	Restriction; non-applicability.
17	68:736	598	1, 2	657	89-554	8	Repeal.
17	68:736	598	3	657	89-554	8	Partial repeal.
17	68:736	598	4	78	89-373	1	Amendment.
17	68:736	598	4	657	89-554	8	Repeal.
17	68:736	598	5	657	89-554	8	Partial repeal.
17	68:736	598	6-9	657	89-554	8	Repeal.
17	68:736	598	6(d)	298	89-504	406(a)	Addition.
17	68:736	598	11-14	657, 658	89-554	8	Partial repeal.
17	68:736	598	15	658	89-554	8	Repeal.
30	68:919	703	1, "Sec. 11j-1"	891	89-645	1(a)(1), (2)	Subsecs. (j), (k) redesignated as (k), (l); new (j) added.
30	68:919	703	1, "Sec. 11l-cc"	891	89-645	1(a)(1), (3)	Subsecs. (l)-(aa) redesignated as (n)-(cc); new (m) added.
30	68:919	703	1, "Sec. 11q"	891	89-645	1(a)(4)	Redesignated subsec. 11q amended.
30	68:919	703	1, "Sec. 109"	891	89-645	1(b)	Amendment.
30	68:919	703	1, "Sec. 169"	895	89-648	-----	Exception.
30	68:919	703	1, "Sec. 170e"	891	89-645	2	Amendment.
30	68:919	703	1, "Sec. 170m-o"	891	89-645	3	Addition.
30	68:919	703	2	658	89-554	8	Repeal.
31	68:998	725	1	658	89-554	8	Do.
31	68:1004	730	-----	658	89-554	8	Do.
31	68:1007	735	-----	658	89-554	8	Do.
31	68:1008	736	-----	893	89-646	-----	Revision.
31	68:1008	737	-----	658	89-554	8	Repeal.
31	68:1043	747	-----	658	89-554	8	Do.
Sept. 1	68:1052	761	115	93	89-378	1	Exception.
1	68:1105	763	-----	658	89-554	8	Partial repeal.
1	68:1105	763	401-405	299	89-504	407(b)	Exception.
1	68:1105	763	402	299	89-504	407(a)	Amendment.
1	68:1105	763	405	299	89-504	407(b)	Addition.
1	68:1130	767	4(a)	658	89-554	8	Partial repeal.
1	68:1142	769	1-9	658	89-554	8	Repeal.
3	68:1226	779	7, 11, 13, 14	658	89-554	8	Do.

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Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1955</b>							
Jan. 20	69:3	2	-----	658	89-554	8	Repeal.
	69:4	3	401	658	89-554	8	Do.
Feb. 7	69:7	5	-----	658	89-554	8	Do.
Mar. 2	69:9	9	2(a)	658	89-554	8	Do.
	69:14	16	-----	658	89-554	8	Do.
	69:14	17	-----	658	89-554	8	Do.
May 13	69:49	37	-----	658	89-554	8	Do.
	69:64	41	-----	658	89-554	8	Do.
June 16	69:136	75	-----	658	89-554	8	Do.
	69:172	94	1, 2	658	89-554	8	Do.
	69:172	94	4(f)	357	89-545	-----	Partial revision.
	69:172	94	4(i)	658	89-554	8	Repeal.
	69:172	94	9-11	658	89-554	8	Do.
	69:172	94	12	658	89-554	8	Partial repeal.
	69:172	94	13	658	89-554	8	Repeal.
	69:199	112	101	658	89-554	8	Partial repeal.
	69:238	122	-----	658	89-554	8	Repeal.
July 7	69:264	133	101	658	89-554	8	Partial repeal.
	69:264	133	105, 107	658	89-554	8	Repeal.
	69:264	133	201	658	89-554	8	Partial repeal.
	69:301	157	633	658	89-554	8	Repeal.
	69:324	161	515	753	89-568	501(a), (b)	Amendment.
	69:393	189	1, 2, 4	658	89-554	8	Repeal.
Aug. 4	69:492	228	-----	658	89-554	8	Do.
	69:499	242	-----	295	89-504	302(g), (h)	Amendment; exception.
	69:499	242	1	357	89-545	-----	Amendment.
	69:499	242	101	658	89-554	8	Partial repeal.
	69:521	243	1	1594	89-810	202(1)	Revision.
	69:521	243	2(c)(1)	1597	89-810	202(2)(A)	Do.
	69:521	243	2(c)(2)	1597	89-810	202(2)(B)	Amendment.
	69:521	243	4	1598	89-810	202(3)	Revision.
	69:521	243	5(c)-(e)	1598	89-810	202(4)	Addition.
	69:521	243	7(a)	1599,	89-810	202(5),	Revision.
				1603		205(b)	
	69:521	243	9(a)-(d)	1600	89-810	202(6)	Existing text design- ated as (a); subsecs. (b)-(d) added.
	69:521	243	10	1601	89-810	202(7)	Revision.
	69:521	243	13(a)	1601	89-810	202(8)(A)	Do.
	69:521	243	13(d)	1602	89-810	202(8)(B)	Addition.
	69:530	244	5	658	89-554	8	Repeal.
	69:536	250	3	658	89-554	8	Do.
	69:539	255	1	132	89-408	-----	Amendment.
	69:624	330	-----	658	89-554	8	Repeal.
	69:635	345	102(h)	1296	89-754	1020(h)	Amendment.
	69:635	345	113	658	89-554	8	Repeal.
	69:635	345	202(b)(4)	1273	89-754	407	Amendment.
	69:635	345	202(f)	1286	89-754	1009	Addition.
	69:676	356	1	658	89-554	8	Partial repeal.
	69:676	356	2, 3	658	89-554	8	Repeal.
	69:692	369	-----	658	89-554	8	Do.
	69:709	380	-----	658	89-554	8	Do.
<b>1956</b>							
Mar. 31	70:68	460	11, "Sec. 8(k)"	658	89-554	8	Do.
May 9	70:133	511	2(a)-(d)	236	89-485	1-4	Revision.
	70:133	511	2(g), (h)	236, 237	89-485	5, 6	Subsec. (g) repealed; new (g), (h) added.

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<b>1956</b>							
May 9	70:133	511	3(a)	237	89-485	7(a), (b)	Amendment.
9	70:133	511	3(c)	237	89-485	7(c)	Revision.
9	70:133	511	3(d)	238	89-485	7(d)	Amendment.
9	70:133	511	4	237	89-485	6	Nonapplicability.
9	70:133	511	4(a)	238	89-485	8(a)	Revision.
9	70:133	511	4(c)	238, 239	89-485	8(b)	Revision; non-applicability.
9	70:133	511	4(d)	240	89-485	8(c)	Addition.
9	70:133	511	6	240	89-485	9	Repeal.
9	70:133	511	9	240	89-485	10	Amendment.
9	70:133	511	11(a)-(f)	240	89-485	11	Existing text designated as (a) and amended; subsecs. (b)-(f) added.
28	70:188	540	209	658	89-554	8	Repeal.
28	70:213	541	-----	658	89-554	8	Do.
June 4	70:242	556	-----	658	89-554	8	Do.
4	70:246	562	-----	658	89-554	8	Do.
15	70:283	582	-----	658	89-554	8	Do.
18	70:291	594	-----	658	89-554	8	Do.
19	70:293	597	2(a)	313	89-511	2	Amendment.
19	70:293	597	101	313	89-511	3	Do.
19	70:293	597	102	313, 318	89-511	4, 12(a)	Do.
19	70:293	597	104(a)	313	89-511	5(a)	Do.
19	70:293	597	104(a)	313	89-511	8	Partial repeal.
19	70:293	597	104(a)	318	89-511	12(b)	Amendment.
19	70:293	597	104(a)(1)(A)	318	89-511	12(a)	Do.
19	70:293	597	104(b)	313	89-511	5(b)	Revision.
19	70:293	597	104(c)	318	89-511	12(a), (b)	Amendment.
19	70:293	597	104(d)	318	89-511	12(a)	Do.
19	70:293	597	104(d)(1), (2)	313	89-511	5(c)	Designation "(1)" deleted; text amended;
19	70:293	597	201	313	89-511	6	par. (2) deleted.
19	70:293	597	202	313, 318	89-511	7, 12(a)	Amendment.
19	70:293	597	204(a), (b)	313	89-511	5(b), 8	Revision.
19	70:293	597	301-304	314	89-511	9, 10(a), (b)	Addition. (Former title III (secs. 301-304) redesignated as title V (secs. 501-504).)
19	70:293	597	302	318	89-511	12(a)	Amendment.
19	70:293	597	401-404	315	89-511	9	Addition.
19	70:293	597	402	318	89-511	12(a)	Amendment.
19	70:293	597	411-414	316	89-511	9	Addition.
19	70:293	597	412	318	89-511	12(a)	Amendment.
19	70:293	597	501-504	317	89-511	10(a), (b)	Former title III (secs. 301-304) redesignated as title V (secs. 501-504).
19	70:293	597	502(d)(2)	317, 318	89-511	10(c), (e)	Amendment.
19	70:293	597	503	317	89-511	10(d)	Do.
19	70:293	597	504(a)	318	89-511	12(a)	Do.
20	70:299	603	105, 107	658	89-554	8	Repeal.
25	70:338	621	-----	658	89-554	8	Do.
27	70:339	623	302	658	89-554	8	Do.
29	70:374	627	108(b)	766	89-574	2	Revision.
29	70:374	627	201-211	937	89-670	6(a)(1)(G)	Transfer of functions.
29	70:374	627	209	768	89-574	8(c)	Limitation.
29	70:439	637	3	658	89-554	8	Repeal.

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<b>1956</b>							
July 9	70:498	660	1, "Sec. 3(c)"	1246	89-753	101	Addition.
9	70:498	660	1, "Sec. 5(d)(1), (2)"	1248	89-753	201(c)	Designation "(1)" deleted; par. (2) deleted.
9	70:498	660	1, "Sec. 5(g), (h)"	1247	89-753	201(b)	Addition.
9	70:498	660	1, "Sec. 6"	1246	89-753	201(a)	Revision.
9	70:498	660	1, "Sec. 7(a)"	1248	89-753	202(a), (b)	Amendment.
9	70:498	660	1, "Sec. 8(b)"	1248	89-753	203(a)	Revision.
9	70:498	660	1, "Sec. 8(c), (d)"	1249, 1250	89-753	204, 205	Amendment.
9	70:498	660	1, "Sec. 10(d)(2)-(4)"	1250	89-753	206	Pars. (2), (3) redesignated as (3), (4); new (2) added.
9	70:498	660	1, "Sec. 10(d)(2)"	1250	89-753	206	Applicability.
9	70:498	660	1, "Sec. 10(d)(3)"	1250	89-753	207	Amendment.
9	70:498	660	1, "Sec. 10(f)(1)-(4)"	1251	89-753	208(b)	Existing text designated as (1) and amended; pars. (2)-(4) added.
9	70:498	660	1, "Sec. 10(k)"	1250	89-753	208(a)	Addition.
9	70:498	660	1, "Sec. 13(f)"	1251	89-753	209	Amendment.
9	70:498	660	1, "Secs. 16-19"	1252	89-753	210	Sec. 16 renumbered as 19; new 16-18 added.
11	70:519	681	-----	658	89-554	8	Repeal.
20	70:595	749	-----	658	89-554	8	Do.
25	70:652	801	-----	658	89-554	8	Do.
26	70:669	811	15	274	89-499	-----	Addition.
27	70:678	814	1302	307	89-506	6	Amendment.
28	70:704	828	16	658	89-554	8	Repeal.
31	70:732	852	1(a)	659	89-554	8	Do.
31	70:736	854	201, 202	659	89-554	8	Do.
31	70:736	854	301	659	89-554	8	Partial repeal.
31	70:736	854	401	94	89-379	-----	Applicability.
31	70:736	854	401	329	89-520	1	Do.
31	70:736	854	401	659	89-554	8	Repeal.
31	70:736	854	401	1187, 1188	89-749	3	Restriction; non-applicability.
31	70:736	854	401	1498	89-797	-----	Exception.
31	70:736	854	401, "Sec. 1(c)"	846	89-604	1(a)	Amendment.
31	70:736	854	401, "Sec. 1(j)"	131	89-407	1	Do.
31	70:736	854	401, "Sec. 1(j)"	300	89-504	502	Do.
31	70:736	854	401, "Sec. 2(c), (f)"	846	89-604	1(b), (c)	Do.
31	70:736	854	401, "Sec. 3(c)"	300	89-504	503	Exception.
31	70:736	854	401, "Sec. 3(j)"	765	89-572	5	Amendment unaffected.
31	70:736	854	401, "Sec. 3(k)"	300	89-504	503	Addition.

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<b>1956</b>							
July 31	70:736	854	401, "Sec. 4(g)"	1096	89-702	208(c)	Amendment.
31	70:736	854	401, "Sec. 6(a), (b)"	301	89-504	504	Revision.
31	70:736	854	401, "Sec. 9(d)"	301	89-504	505	Do.
31	70:736	854	401, "Sec. 10(a)(2)"	301	89-504	506(a)	Do.
31	70:736	854	401, "Sec. 10(c)"	301	89-504	506(b)	Partial revision.
31	70:736	854	401, "Sec. 10(d)"	301	89-504	506(c)	Revision.
31	70:736	854	401, "Sec. 10(f)"	302	89-504	506(d)	Addition.
31	70:736	854	401, "Sec. 11(c)"	78	89-373	2	Amendment.
31	70:736	854	401, "Sec. 13(b)"	93	89-378	1	Do.
31	70:736	854	401, "Sec. 18(g)"	302	89-504	507	Addition.
31	70:736	854	403-407	659	89-554	8	Repeal.
31	70:736	854	501-503	659	89-554	8	Do.
Aug. 1	70:804	879	4	659	89-554	8	Do.
1	70:857	881	409	659	89-554	8	Do.
1	70:857	881	501(c)(1), (e)	659	89-554	8	Do.
2	70:955	935	-----	659	89-554	8	Do.
3	70:980	955	1	659	89-554	8	Do.
6	70:1044	984	2(d)	376	89-553	1(1)	Amendment.
6	70:1044	984	4(a), (b)	376	89-553	1(2), (3)	Do.
6	70:1044	984	5(a)-(c)	376, 377	89-553	1(4)	Revision.
6	70:1044	984	8, 10	377	89-553	1(5), (6)	Amendment.
7	70:1091	1020	602	1287	89-754	1010(e)	Exception.
8	70:1119	1024	-----	926	89-669	2(a)	Applicability.
10	70A:1	1028	3(a)(12)	348	89-538	3(a)	Addition.
10	70A:1	1028	21	659	89-554	8	Partial repeal.
10	70A:1	1028	28, 29	659	89-554	8	Repeal.
<b>1957</b>							
Jan. 11	71:3	85-1	-----	659	89-554	8	Do.
Feb. 19	71:4	85-5	-----	659	89-554	8	Do.
June 17	71:83	85-56	2201(2), (17), (19)- (21)	659	89-554	8	Do.
29	71:209	85-65	-----	659	89-554	8	Do.
July 1	71:244	85-75	101	659	89-554	8	Partial repeal.
11	71:293	85-101	-----	659	89-554	8	Repeal.
Aug. 7	71:341	85-121	-----	659	89-554	8	Do.
14	71:352	85-136	-----	659	89-554	8	Do.
21	71:403	85-162	111(a)(3)	163	89-428	105	Amendment.
22	71:412	85-164	1	930	89-669	10(a)	Partial revision.
22	71:412	85-164	3	930	89-669	10(b)	Amendment.
26	71:416	85-167	205	659	89-554	8	Partial repeal.
28	71:426	85-170	314	659	89-554	8	Repeal.
28	71:466	85-184	-----	659	89-554	8	Do.
29	71:491	85-217	-----	659	89-554	8	Do.
30	71:531	85-241	101	741	89-568	104(a)	Amendment.
30	71:531	85-241	407(a)	753	89-568	502	Do.
30	71:531	85-241	502(1)	741	89-568	104(b)	Do.
Sept. 4	71:611	85-286	-----	659	89-554	8	Repeal.
7	71:629	85-307	-----	937	89-670	6(a)	Transfer of functions.
9	71:634	85-315	111	659	89-554	(3)(A) 8	Repeal.

TABLE 1.—General Legislation—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1958</b>							
Feb. 12	72:14	85-326	-----	659	89-554	8	Repeal.
Mar. 17	72:48	85-349	-----	659	89-554	8	Do.
Apr. 11	72:87	85-377	1	659	89-554	8	Repeal, with exception.
May 27	72:134	85-426	214(b)	659	89-554	8	Partial repeal.
29	72:150	85-432	4, 5	659	89-554	8	Repeal.
June 6	72:183	85-451	1(b)	857	89-610	601	Revision.
6	72:183	85-451	1(b)	1434	89-791	301(b)(1)	Amendment.
6	72:183	85-451	1(b)(3)	1434	89-791	301(b)(2)	Addition.
20	72:203	85-462	1, 2	659	89-554	8	Repeal.
20	72:203	85-462	4(g), (i), (q)	659	89-554	8	Do.
20	72:203	85-462	7, 8, 10, 11	659	89-554	8	Do.
20	72:203	85-462	12(a)-(d)	659	89-554	8	Do.
20	72:203	85-462	13-15, 17	659	89-554	8	Do.
July 3	72:296	85-499	-----	659	89-554	8	Do.
7	72:327	85-507	-----	659	89-554	8	Partial repeal.
7	72:339	85-508	6(e)	1098	89-702	408(b)	Amendment.
7	72:339	85-508	12(q)	659	89-554	8	Repeal.
18	72:363	85-525	-----	660	89-554	8	Do.
18	72:377	85-533	1, 2	660	89-554	8	Do.
18	72:384	85-536	2	1359	89-779	3(2)	Functions extended.
18	72:384	85-536	2, "Sec. 4(b)"	1364	89-779	8(a), (b)	Amendment.
18	72:384	85-536	2, "Sec. 4(c)"	132	89-409	1, 2	Amendment; revision.
18	72:384	85-536	2, "Sec. 7(e)"	133	89-409	3(a)	Addition (relating to trade adjustment loans).
18	72:384	85-536	2, "Sec. 13, 16"	1319	89-769	7(b)	Addition (relating to disaster loans).
18	72:384	85-536	2, "Sec. 8 (b)(1)(A), (B)"	1295	89-754	1017	Existing text designated as (A); subpar. (B) added.
18	72:384	85-536	2, "Secs. 13, 16"	1359	89-779	3(2)	Functions extended.
18	72:397	85-538	-----	660	89-554	8	Repeal.
25	72:405	85-550	16(a), (b) (1)	660	89-554	8	Do.
29	72:426	85-568	301(c)	660	89-554	8	Do.
31	72:439	85-570	-----	358	89-545	-----	Amendment.
Aug. 1	72:480	85-584	101	1591	89-810	101	Revision.
1	72:480	85-584	303(e)	1593	89-810	103	Addition.
8	72:536	85-608	301-303	660	89-554	8	Repeal.
12	72:547	85-619	-----	660	89-554	8	Do.
12	72:548	85-620	101, "Sec. 3"	1213	89-750	221	Amendment.
12	72:548	85-620	101, "Sec. 4"	1214	89-750	224	Do.
12	72:548	85-620	101, "Sec. 5(a) (1)(A), (B)"	1214	89-750	226(a)	Part of existing text designated as (A); clause (B) added.
12	72:548	85-620	101, "Sec. 5(a) (2)"	1215	89-750	226(b)(2)	Partial repeal.
12	72:548	85-620	101, "Sec. 5(a) (2)(A)-(C)"	1214	89-750	226(b)(1)	Parts of existing text designated as (A), (B); clause (C) added.
12	72:548	85-620	101, "Sec. 5(a) (4)"	1215	89-750	227	Addition.
12	72:548	85-620	101, "Sec. 5(c)"	1213	89-750	222(a)	Amendment.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1958</b>							
Aug. 12	72:548	85-620	101, "Sec. 5(d)"	1214, 1215	89-750	223, 227	Amendment; exception.
12	72:548	85-620	101, "Sec. 5(f)"	1214	89-750	222(e)	Revision.
12	72:548	85-620	101, "Sec. 10(a)-(c)"	1215	89-750	228, 229	Existing text designated as (a); subsecs. (b), (c) added.
12	72:548	85-620	101, "Sec. 14(b)"	1214	89-750	225(a), (b)	Amendment.
12	72:548	85-620	101, "Sec. 15(1)(A)-(D)"	1215	89-750	230	Clause (A) deleted; (B)-(D) redesignated as (A)-(C).
12	72:548	85-620	101, "Sec. 15(6)"	1213	89-750	222(b)	Amendment.
12	72:548	85-620	101, "Sec. 15(10)(A)-(C)"	1216	89-750	231	Addition.
12	72:548	85-620	101, "Sec. 15(13)"	1216	89-750	232	Amendment.
12	72:548	85-620	101, "Sec. 15(15), (16)"	1213, 1214	89-750	222(c), (d)	Do.
14	72:614	85-661	-----	660	89-554	8	Repeal.
21	72:689	85-699	201	1359	89-779	2	Revision.
21	72:689	85-699	308(c)	1359	89-779	3(1)	Amendment.
21	72:689	85-699	308(f), (g)	1359	89-779	3(2)	Addition.
21	72:689	85-699	309(a)	1359, 1364	89-779	4(a), (b)(1), 9(a)(1)	Amendment.
21	72:689	85-699	309(a)(1), (2)	1359	89-779	4(b)(2), (3)	Do.
21	72:689	85-699	309(b)	1359	89-779	4(c)	Revision.
21	72:689	85-699	309(c)	1360	89-779	4(d)(1)-(4)	Amendment.
21	72:689	85-699	309(e), (f)	1360	89-779	4(e), (f)(1), (2)	Do.
21	72:689	85-699	310(a), (b)	1360, 1364	89-779	5(1), (2), 9(a)(1)	Existing text designated as (a); subsec. (b) added.
21	72:689	85-699	311(c)	1360	89-779	6	Addition.
21	72:689	85-699	313-316	1360, 1365	89-779	7, 9(a)(2)	Do.
23	72:731	85-726	302(e)	938	89-670	6(c)(2)	Retention of Presidential authority.
23	72:731	85-726	306-309, 312-314	938	89-670	6(c)(1)	Transfer and re-delegation of certain functions.
23	72:731	85-726	406(b)	942	89-670	8(a)	Amendment.
23	72:731	85-726	410	937	89-670	6(a)(3)(B)	Transfer of functions.
23	72:731	85-726	601-610	938, 939	89-670	6(c)(1), (d)	Transfer and re-delegation of certain functions.
23	72:731	85-726	701-703	938, 939	89-670	6(c)(1), (d)	Do.
23	72:731	85-726	701(g)	936	89-670	5(m)(1)	Applicability.
23	72:731	85-726	901-904	938	89-670	6(c)(1)	Transfer and re-delegation of certain functions.
23	72:731	85-726	1101, 1105, 1111	938	89-670	6(c)(1)	Do.
23	72:731	85-726	1201-1203	938	89-670	6(c)(1)	Do.
23	72:731	85-726	1301-1312	937	89-670	6(a)(3)(C)	Transfer of functions.
23	72:731	85-726	1312	199	89-447	-----	Amendment.

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Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1958</b>							
Aug. 23	72:830	85-737	-----	660	89-554	8	Repeal.
25	72:838	85-745	1(b)	660	89-554	8	Partial repeal.
25	72:843	85-749	-----	660	89-554	8	Repeal.
27	72:930	85-772	-----	660	89-554	8	Do.
28	72:941	85-791	31	660	89-554	8	Do.
28	72:959	85-795	-----	660	89-554	8	Do.
28	72:972	85-804	3(b)	851	89-607	3	Amendment.
28	72:1063	85-844	101	131	89-407	2	Limitation not applicable.
28	72:1063	85-844	101	303	89-504	509	Do.
28	72:1063	85-844	101	660	89-554	8	Partial repeal.
28	72:1063	85-844	101	847	89-604	2	Limitation not applicable.
28	72:1063	85-844	101	1187	89-749	3	Exception.
28	72:1087	85-848	-----	660	89-554	8	Repeal.
28	72:1090	85-850	-----	660	89-554	8	Do.
Sept. 2	72:1104	85-856	-----	660	89-554	8	Do.
2	72:1105	85-857	13(c), (i) (3), (k), (m), (o), (p)	660	89-554	8	Do.
2	72:1274	85-858	-----	660	89-554	8	Do.
2	72:1437	85-861	7, 13	660	89-554	8	Do.
2	72:1580	85-864	103(a) (1), (2)	1245	89-752	16(b)	Part of existing text designated as (2); clause (1) added.
2	72:1580	85-864	201	1245	89-752	15	Amendment.
2	72:1580	85-864	205(b) (2) (A) (iii)	765	89-572	5	Amendment unaffected.
2	72:1580	85-864	205(b) (2) (A) (iv)	1476	89-794	1101(a), (b) (2)	Amendment; nonapplicability.
2	72:1580	85-864	205(b) (3) (B), (C)	1245	89-752	16(a)	Clause (B) deleted; new (B), (C) added.
2	72:1580	85-864	301	1245	89-752	17(b)	Amendment.
2	72:1580	85-864	303(a) (1), (5)	1245	89-752	17(a)	Do.
2	72:1580	85-864	601	1070	89-698	201(d)	Do.
2	72:1580	85-864	601(a), (b)	1069, 1070	89-698	201(a) (2), (b), (c)	Do.
2	72:1580	85-864	601(a) (1), (2)	1069	89-698	201(a) (1)	Designation "(1)" deleted; clause (2) deleted.
2	72:1580	85-864 (title XI)	1101, 1102	1070	89-698	202	Designation as Part I; technical amendment.
2	72:1580	85-864 (title XI)	1111, 1112	1070	89-698	202	Addition (Part II).
2	72:1606	85-866	97	1025	89-692	-----	Amendment. (See also I.R.C. 1954, sec. 162, table 4.)
2	72:1696	85-872	-----	660	89-554	8	Repeal.
2	72:1761	85-914	1	660	89-554	8	Do.
6	72:1778	85-927	3	660	89-554	8	Do.
6	72:1790	85-931	8	1538	89-808	3(d)	Amendment.
6	72:1790	85-931	9(1), (2)	1538	89-808	3(a)	Designation "(1)" deleted; clause (2) and remaining text deleted.
6	72:1794	85-935	1, 4	311, 312	89-509	12, 13	Revision.

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<b>1959</b>							
Mar. 18	73:4	86-3	11	660	89-554	8	Repeal.
May 26	73:62	86-33	-----	660	89-554	8	Do.
29	73:63	86-36	1	660	89-554	8	Do.
29	73:63	86-36	2	878	89-632	1(e)(1)	Amendment.
29	73:63	86-36	4	878	89-632	1(e)(2)	Do.
29	73:63	86-36	7	660	89-554	8	Repeal.
June 25	73:141	86-70	-----	937	89-670	6(a)(1)(I)	Transfer of certain functions.
July 17	73:213	86-91	3	660	89-554	8	Repeal.
17	73:213	86-91	4(a)(2)	117	89-391	1(a)	Revision.
17	73:213	86-91	5(c)	117	89-391	1(b)	Revision (relating to compensation rates).
17	73:213	86-91	5(c)	117	89-391	1(c)	Addition (relating to annual reports).
17	73:213	86-91	9	660	89-554	8	Repeal.
17	73:213	86-91	10(a), (c)	660	89-554	8	Do.
17	73:213	86-91	11, 12	660	89-554	8	Do.
31	73:268	86-122	1, 2(a), 3(a)	660	89-554	8	Do.
Aug. 4	73:279	86-134	-----	660	89-554	8	Do.
14	73:339	86-158	201	660	89-554	8	Partial repeal.
18	73:384	86-168	202(c)-(e)	660	89-554	8	Repeal.
29	73:432	86-211	8(b)	660	89-554	8	Do.
Sept. 9	73:474	86-243	2	660	89-554	8	Do.
9	73:479	86-249	-----	674	89-555	-----	Applicability.
16	73:567	86-286	-----	660	89-554	8	Repeal.
21	73:583	86-306	-----	660	89-554	8	Do.
22	73:628	86-354	1, "Sec. 8(7)"	167	89-429	7	Revision.
22	73:643	86-362	-----	660	89-554	8	Repeal.
23	73:650	86-370	2, 4, 6(a), 7	660	89-554	8	Do.
23	73:653	86-371	-----	660	89-554	8	Do.
23	73:654	86-372	202(a)(3)	1284	89-754	1001	Effective date of amendment.
23	73:694	86-375	2	299	89-504	409	Amendment.
23	73:700	86-377	1(a), (c), 4	660	89-554	8	Repeal.
23	73:702	86-379	-----	660	89-554	8	Do.
24	73:703	86-380	3(a)(6), (7)	1162	89-733	1	Revision.
24	73:703	86-380	3(c)	1162	89-733	2	Do.
24	73:703	86-380	6(c)	1162	89-733	3	Amendment.
24	73:703	86-380	6(f)	1162	89-733	4	Revision.
24	73:703	86-380	7(b)	1162	89-733	5	Do.
24	73:703	86-380	9	1162	89-733	6	Addition.
28	73:708	86-382	-----	94	89-379	-----	Applicability.
28	73:708	86-382	-----	660	89-554	8	Repeal.
28	73:708	86-382	-----	1187	89-749	3	Continuation of benefits.
28	73:708	86-382	-----	1187, 1188	89-749	3	Restriction; nonapplicability.
28	73:708	86-382	2(d)	303	89-504	601	Amendment.
28	73:708	86-382	7(a)(1), (2)	303	89-504	602	Revision.
28	73:708	86-382	7(b)(1), (2)	298	89-504	406(b)	Existing text designated as (1); par. (2) added.
<b>1960</b>							
Apr. 8	74:17	86-412	-----	1170, 1174	89-743	1, 15	Supplemental provisions.
8	74:32	86-415	6(c)	660	89-554	8	Repeal.
22	74:81	86-442	1, 2	660	89-554	8	Do.

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<b>1960</b>							
June 8	74:166	86-500	403	660	89-554	8	Repeal.
11	74:200	86-507	1(1)	660	89-554	8	Do.
29	74:245	86-533	(1)	660	89-554	8	Do.
30	74:259	86-555	-----	938	89-670	6(a)(4)	Transfer of functions.
30	74:264	86-559	7	660	89-554	8	Repeal.
July 1	74:296	86-568	111, 112	660	89-554	8	Do.
1	74:296	86-568	115(b)-(d)	660	89-554	8	Do.
1	74:296	86-568	117(i)	660	89-554	8	Do.
1	74:296	86-568	122	660	89-554	8	Do.
1	74:296	86-568	203	660	89-554	8	Do.
5	74:327	86-587	-----	660	89-554	8	Do.
6	74:333	86-595	3	339	89-530	-----	Amendment.
7	74:358	86-604	1, 2, 4	660	89-554	8	Repeal.
12	74:372	86-613	-----	1302	89-755	11	Exception.
12	74:372	86-613	1	1305	89-756	5	Amendment.
12	74:372	86-613	2(f)(2)	1303	89-756	2(a)	Do.
12	74:372	86-613	2(n)	1303	89-756	2(b)	Do.
12	74:372	86-613	2(p)	1303	89-756	2(c)(1)	Do.
12	74:372	86-613	2(p)(1)(J)	1303	89-756	2(c)(2)	Clause (J) deleted; new (J) added.
12	74:372	86-613	2(q)	1304	89-756	3(a)	Addition.
12	74:372	86-613	3(b), (d)	1304	89-756	2(d), (e)	Amendment.
12	74:372	86-613	4(a)-(c)	1304, 1305	89-756	2(f)(1), (2), 3(b)	Do.
12	74:372	86-613	4(f)	1304	89-756	2(f)(2)	Do.
12	74:372	86-613	4(g)	1304, 1305	89-756	2(f)(1), 3(b)	Do.
12	74:372	86-613	5(b)(2)	1304, 1305	89-756	2(g), 3(c)	Do.
12	74:372	86-613	6(a)	1304, 1305	89-756	2(h), 3(d)	Do.
12	74:372	86-613	14(a)	1304, 1305	89-756	2(i), 3(e)	Do.
12	74:372	86-613	17(a), (b)	1305	89-756	4(a), (b)	Existing text designated as (a); sub-sec. (b) added.
12	74:409	86-622	-----	661	89-554	8	Repeal.
12	74:411	86-624	30(g)	661	89-554	8	Do.
12	74:425	86-626	101	661	89-554	8	Partial repeal.
14	74:480	86-645	206	1422	89-789	206	Revision.
14	74:526	86-660	-----	730	89-563	401	Do.
14	74:526	86-660	-----	937	89-670	6(a)(1)(D)	(Revised. See 1966, P.L. 89-563, sec. 401.)
14	74:537	86-669	202	1353	89-774	5(b)	Repeal.
14	74:537	86-669	301(b)	1352	89-774	3(a)	Supplemental provision.
Sept. 6	74:792	86-707	1	661	89-554	8	Repeal.
6	74:792	86-707	111	661	89-554	8	Do.
6	74:792	86-707	201-203, 211, 221, 231	661	89-554	8	Do.
6	74:792	86-707	301(c)	661	89-554	8	Do.
6	74:792	86-707	301(d)	661	89-554	8	Partial repeal.
6	74:792	86-707	311(a)	661	89-554	8	Repeal.
6	74:792	86-707	321	661	89-554	8	Do.
6	74:792	86-707	401-403	661	89-554	8	Do.
6	74:792	86-707	501(b)	661	89-554	8	Do.
6	74:792	86-707	511(a)(2), (c)(6)	661	89-554	8	Do.
6	74:802	86-708	2(e)	326	89-518	1	Addition.

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<b>1960</b>							
Sept. 6	74:802	86-708	10(a), (b)	326	89-518	2	Existing text designated as (a); subsec. (b) added.
6	74:813	86-713	-----	661	89-554	8	Repeal.
8	74:821	86-722	-----	1005	89-689	-----	Exception.
8	74:831	86-723	10(d)	661	89-554	8	Repeal.
13	74:906	86-767	-----	661	89-554	8	Do.
13	74:910	86-768	-----	661	89-554	8	Do.
13	74:911	86-769	-----	661	89-554	8	Do.
13	74:924	86-778	531(e), (f)	661	89-554	8	Do.
13	74:924	86-778	535	661	89-554	8	Partial repeal.
13	74:924	86-778	542(b)-(d)	661	89-554	8	Repeal.
15	74:1031	86-794	1	1324	89-774	1	Addition of title III to Compact.
<b>1961</b>							
Apr. 7	75:41	87-18	-----	661	89-554	8	Repeal.
June 30	75:149	87-70	701-710	1280	89-754	605(f)	Exception.
30	75:149	87-70	701(c), (d)	1279	89-754	605(a), (b)	Subsec. (c) redesignated as (d); new (c) added.
30	75:149	87-70	701(d)	1279	89-754	605(c)(1)	Amendment.
30	75:149	87-70	701(d)(2), (3)	1279	89-754	605(c)(2)	Clause (2) redesignated as (3); new (2) added.
30	75:149	87-70	702(e)	1279	89-754	605(d)	Revision.
30	75:149	87-70	706	1280	89-754	605(e)	Amendment.
30	75:149	87-70	708(a)-(c)	1280	89-754	605(f)	Parts of existing text designated as (a), (b); subsec. (c) added.
30	75:149	87-70	709, 710	1280	89-754	605(g), (h)	Sec. 709 redesignated as 710; new 709 added.
Aug. 3	75:263	87-123	2	1160	89-731	2	Partial repeal.
8	75:294	87-128	306(a)(2)	1318	89-769	6(b)	Exception.
8	75:294	87-128	306(c)	1318	89-769	6(b)	Addition.
8	75:294	87-128	309(f)(2)	879	89-633	-----	Amendment.
8	75:294	87-128	338(c)	167	89-429	5	Do.
8	75:294	87-128	338(c)(8)-(10)	167	89-429	5	Clause (8) redesignated as (10); new (8), (9) added.
8	75:294	87-128	343(3)	809	89-586	-----	Addition.
14	75:339	87-139	1-5, 8	661	89-554	8	Repeal.
30	75:402	87-167	-----	941	89-670	6(g)(5)	Transfer of functions.
30	75:402	87-167	1	372	89-551	1(1)	Amendment.
30	75:402	87-167	2(a), (c)	372	89-551	1(2)	Do.
30	75:402	87-167	2(e), (i)	372	89-551	1(2)	Revision.
30	75:402	87-167	2(j)	373	89-551	1(2)(E)	Addition.
30	75:402	87-167	3	373, 374	89-551	1(3)-(5)	Revision;
30	75:402	87-167	4, 5	373, 374	89-551	1(3)-(5)	nonapplicability.
30	75:402	87-167	9	374	89-551	1(6)	Revision;
30	75:402	87-167	10	375	89-551	1(7)	applicability.
30	75:402	87-167	12	375	89-551	1(8)	Revision.
30	75:402	87-167	13	375	89-551	1(9)	Repeal.
30	75:402	87-167	17	375	89-551	1(10)	Revision.
30	75:409	87-172	2	661	89-554	8	Repeal.
Sept. 4	75:424	87-195	-----	797, 799, 805, 806	89-583	102(c), 105(a)(2), 301(h)(1), (2), (4), (5)	Exception; restrictions.

TABLE 1.—General Legislation—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1961</b>							
Sept. 4	75:424	87-195	-----	1018	89-691	-----	Restriction on funds.
4	75:424	87-195	-----	1019	89-691	-----	Exception; availability of funds.
4	75:424	87-195	-----	1020-1022	89-691	107(a), (b), 109(a), (b), 116	Restrictions.
4	75:424	87-195	102	796	89-583	101(a), (b)	Amendment.
4	75:424	87-195	201	797, 799	89-583	102(c), 105(a)(2)	Exception.
4	75:424	87-195	201	1019	89-691	-----	Do.
4	75:424	87-195	201(b)	796	89-583	102(a)(2)	Amendment.
4	75:424	87-195	201(b)(7)-(9)	796	89-583	102(a)(1)	Addition.
4	75:424	87-195	201(d)	800	89-583	107(a)	Applicability.
4	75:424	87-195	202(a)	796, 797	89-583	102(b)(1), (2)	Amendment.
4	75:424	87-195	205	797	89-583	102(c)	Revision.
4	75:424	87-195	205	1018	89-691	-----	Exception.
4	75:424	87-195	211(a)	797	89-583	103(a)(2)	Amendment.
4	75:424	87-195	211(a)(7), (8)	797	89-583	103(a)(1)	Addition.
4	75:424	87-195	211(d), (e)	797	89-583	103(a)(3)	Do.
4	75:424	87-195	212	797	89-583	103(b)	Amendment.
4	75:424	87-195	214(b), (c)	798	89-583	103(c)(1), (2)	Do.
4	75:424	87-195	214(d)	798	89-583	103(c)(3)	Addition.
4	75:424	87-195	221(b)(1), (2)	798	89-583	104(a)(1)-(3)	Amendment.
4	75:424	87-195	222(h)	798	89-583	104(b)	Addition.
4	75:424	87-195	224(b)(1)	798	89-583	104(c)(1)	Amendment.
4	75:424	87-195	224(c)	798	89-583	104(c)(2), (3)	Do.
4	75:424	87-195	241	1021	89-691	113	Limitation on funds.
4	75:424	87-195	251(b)(5)-(8)	799	89-583	105(a)(1)	Addition.
4	75:424	87-195	251(h)	799	89-583	105(a)(2)	Do.
4	75:424	87-195	252	799	89-583	105(b)(1)-(3)	Amendment.
4	75:424	87-195	271-273	799	89-583	106	Addition.
4	75:424	87-195	281	800	89-583	106	Do.
4	75:424	87-195	301(a)-(c)	800	89-583	107(a)-(c)	Amendment.
4	75:424	87-195	302	801	89-583	107(d)	Revision.
4	75:424	87-195	401	801	89-583	108(a)	Amendment.
4	75:424	87-195	402	74	89-371	1	Do.
4	75:424	87-195	402	74	89-371	3	Transfer of funds; limitations.
4	75:424	87-195	402	801	89-583	108(b)	Revision.
4	75:424	87-195	451(a)	74	89-371	2	Amendment.
4	75:424	87-195	451(a), (b)	801	89-583	109(a), (b)	Do.
4	75:424	87-195	471	802	89-583	110	Addition.
4	75:424	87-195	503-514	803	89-583	201(b)	Restriction.
4	75:424	87-195	504(a)	802	89-583	201(a)	Revision.
4	75:424	87-195	506(c)	803	89-583	201(b)	Addition.
4	75:424	87-195	508	803	89-583	201(c)	Amendment.
4	75:424	87-195	510(a)	803	89-583	201(d)	Do.
4	75:424	87-195	511(a)	803	89-583	201(f)	Exception.
4	75:424	87-195	512	803	89-583	201(e)	Amendment.
4	75:424	87-195	514	803	89-583	201(f)	Addition.
4	75:424	87-195	601(b)(2)-(8)	803, 804	89-583	301(a)(1)-(3)	Pars. (2)-(6) redesignated as (3)-(7); new (2), (8) added.

TABLE 1.—General Legislation—Continued

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<b>1961</b>							
Sept. 4	75:424	87-195	601(c)	804	89-583	301(a)(4)	Revision.
4	75:424	87-195	604(c)	804	89-583	301(b)(1)	Amendment.
4	75:424	87-195	604(e)	804	89-583	301(b)(2)	Addition.
4	75:424	87-195	608(a)	804	89-583	301(c)	Amendment.
4	75:424	87-195	610(a)	74	89-371	3	Applicability.
4	75:424	87-195	610(b)	74	89-371	3	Amendment.
4	75:424	87-195	610(b)	804	89-583	301(d)	Do.
4	75:424	87-195	612(c)	805	89-583	301(e)	Addition.
4	75:424	87-195	614(a)	805	89-583	301(f)	Amendment; limitation not applicable.
4	75:424	87-195	614(c)	805	89-583	301(g)	Amendment.
4	75:424	87-195	620(e)	1538	89-808	2(E)	Applicability.
4	75:424	87-195	620(i)	805	89-583	301(h)(1)	Partial revision.
4	75:424	87-195	620(k), (l), (n)	806	89-583	301(h)(2)-(4)	Revision.
4	75:424	87-195	620(p)-(r)	806	89-583	301(h)(5)	Addition.
4	75:424	87-195	622(b), (c)	807	89-583	302(a)(1), (2)	Amendment.
4	75:424	87-195	624(d)(8)	807	89-583	302(b)	Addition.
4	75:424	87-195	632(g)	221	89-473	3	Exception.
4	75:424	87-195	634(f)	807	89-583	302(c)	Addition.
4	75:424	87-195	635(h)	807	89-583	302(d)	Amendment.
4	75:424	87-195	637(a)	74	89-371	3	Supplemental provision.
4	75:424	87-195	637(a)	808	89-583	302(e)	Amendment.
4	75:424	87-195	649	74	89-371	1	Exception.
13	75:496	87-224	1	661	89-554	8	Repeal.
13	75:497	87-225	1	661	89-554	8	Do.
14	75:506	87-233	2	661	89-554	8	Do.
21	75:527	87-256		1072	89-698	203(c)	Exception.
21	75:527	87-256	102(b)(10)	1071	89-698	203(a)	Addition.
21	75:527	87-256	104(g)	1071	89-698	203(b)	Do.
21	75:527	87-256	105(f)	1490	89-797		Applicability.
21	75:527	87-256	105(g)	1072	89-698	203(c)	Addition.
21	75:527	87-256	108(c)	1490	89-797		Applicability.
21	75:567	87-270	101-103	661	89-554	8	Repeal.
22	75:612	87-293	3(b)	764, 765	89-572	1(a)-(c)	Amendment.
22	75:612	87-293	5(d)	661	89-554	8	Repeal.
22	75:612	87-293	5(f)	661	89-554	8	Partial repeal.
22	75:612	87-293	5(l)	765	89-572	2(a)	Addition.
22	75:612	87-293	10(a)(3)	765	89-572	6	Amendment.
22	75:612	87-293	15(c), (d), (4)	765	89-572	3(a), (b)	Do.
22	75:612	87-293	16	765	89-572	5	Repeal.
22	75:612	87-293	20	765	89-572	5	Repeal. (See also 1958, P.L. 85-864, sec. 205(b)(2)(A)(iii).)
22	75:612	87-293	21	661	89-554	8	Repeal. (See also 1956, P.L. 854, sec. 401.)
22	75:612	87-293	21	765	89-572	5	Repeal. (See also 1956, P.L. 854, sec. 401, "Sec. 3(j)".)
22	75:612	87-293	25(b)	765	89-572	4	Amendment.
22	75:612	87-293	201(a)	765	89-572	5	Repeal. (See also I.R.C. 1954, sec. 912(3), table 4.)
22	75:612	87-293	201(b)	765	89-572	5	Repeal. (See also I.R.C. 1954, sec. 1303(b)(4), table 4.)

TABLE 1.—General Legislation—Continued

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<b>1961</b>							
Sept. 22	75:612	87-293	201(c), (d)	765	89-572	5	Repeal. (See also I.R.C. 1954, sec. 3401(a)(13), table 4.)
22	75:612	87-293	202(a)(1)	765	89-572	5	Repeal. (See also I.R.C. 1954, sec. 3121(i)(3), table 4.)
22	75:612	87-293	202(a)(2)	765	89-572	5	Repeal. (See also I.R.C. 1954, sec. 3121(p), table 4.)
22	75:612	87-293	202(a)(3)	765	89-572	5	Repeal. (See also I.R.C. 1954, sec. 3122, table 4.)
22	75:612	87-293	202(a)(4)	765	89-572	5	Repeal. (See also I.R.C. 1954, sec. 6051(a), table 4.)
22	75:612	87-293	202(b)(1)	765	89-572	5	Repeal. (See also 1935, P.L. 271, sec. 210(o).)
22	75:612	87-293	202(b)(2)	765	89-572	5	Repeal. (See also 1935, P.L. 271, sec. 209.)
22	75:612	87-293	202(b)(3), (c)	765	89-572	5	Repeal. (See also 1935, P.L. 271, sec. 205(p)(1).)
26	75:640	87-299	1	661	89-554	8	Repeal, except "Sec. 12."
26	75:662	87-304	1-8, 9(a)	661	89-554	8	Repeal.
26	75:670	87-307	-----	937	89-670	6(a)(1)(F)	Transfer of functions.
26	75:685	87-322	1, 3	661	89-554	8	Repeal.
30	75:732	87-331	1-3	1515, 1516	89-800	6(b)(1)-(3)	Amendment.
30	75:732	87-331	3(2), (3)	1516	89-800	6(b)(3)	Par. (2) redesignated as (3); new (2) added.
Oct. 30	75:733	87-332	-----	661	89-554	8	Partial repeal.
3	75:751	87-339	-----	661	89-554	8	Repeal.
4	75:770	87-350	-----	661	89-554	8	Partial repeal.
4	75:780	87-362	2(b), (c)	319	89-513	1(a)-(c)	Amendment.
4	75:780	87-362	4	319	89-513	2	Do.
4	75:785	87-367	102	661	89-554	8	Repeal.
4	75:785	87-367	103(1), (9), (12)	661	89-554	8	Do.
4	75:785	87-367	104	661	89-554	8	Do.
4	75:785	87-367	202	661	89-554	8	Do.
4	75:785	87-367	202, "Sec. 1(d)"	938	89-670	6(a)(5)	Transfer of authority.
4	75:785	87-367	202, "Sec. 1(e)"	262	89-492	5	Revision.
4	75:785	87-367	303(d), (f)	661	89-554	8	Repeal.
4	75:785	87-367	304, 305	661	89-554	8	Do.
4	75:807	87-378	7	661	89-554	8	Do.
<b>1962</b>							
Mar. 15	76:23	87-415	-----	1466	89-794	501	Exception.
15	76:23	87-415	-----	1476	89-794	1001(c)	Do.
15	76:23	87-415	104(a)	1434	89-792	2(a)	Amendment.
15	76:23	87-415	105	1434	89-792	2(b)	Do.
15	76:23	87-415	201-261	1437	89-792	6(a)	Exception.
15	76:23	87-415	201	1475	89-794	1001(a)	Amendment.

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<b>1962</b>							
Mar. 15	76:23	87-415	202(c)-(i)	1434	89-792	3(a)	Subsecs. (c)-(h) redesignated as (d)-(i); new (c) added.
15	76:23	87-415	202(i)-(l)	1434	89-792	3(b)	Subsec. (i) deleted; (j)-(l) added.
15	76:23	87-415	203(c)	1435	89-792	4(a)	Amendment; exceptions.
15	76:23	87-415	203(c)	1475	89-794	1001(b)	Do.
15	76:23	87-415	203(h)	1435	89-792	4(a)(3), (b)	Do.
15	76:23	87-415	203(h)	1475	89-794	1001(b)	Exceptions.
15	76:23	87-415	203(j)-(l)	1435	89-792	4(c)	Addition.
15	76:23	87-415	231	1436	89-792	5(a), (b)	Amendment.
15	76:23	87-415	233	1437	89-792	8(b)	Addition.
15	76:23	87-415	251	1436	89-792	6(a)	Do.
15	76:23	87-415	261	1475	89-794	1001(c)	Do.
15	76:23	87-415	301	1437	89-792	6(a), 7	Amendment; exception.
15	76:23	87-415	304(d), (e)	1437	89-792	6(b)	Subsec. (d) redesignated as (e); new (d) added.
15	76:23	87-415	309	1437	89-792	8(a)	Repeal.
Apr. 27	76:59	87-441	-----	937	89-670	6(a)	Transfer of functions.
June 27	76:111	87-500	-----	1124	89-718	(1)(L)	Repeal.
28	76:120	87-509	1	1124	89-718	75(3)	Do.
July 10	76:152	87-531	1	1124	89-718	75(4)	Do.
25	76:220	87-550	2	133	89-409	75(5)	Do.
27	76:223	87-554	-----	755	89-568	3(b)	Do.
27	76:223	87-554	101	741	89-568	606(a)	Certain authorizations continued.
27	76:223	87-554	301	752	89-568	105(a)	Amendment.
27	76:223	87-554	602(1), (3)	741, 752	89-568	105(b), 304(b)	Do.
Aug. 2	76:264	87-566	-----	661	89-554	8	Repeal.
13	76:357	87-581	201	661	89-554	8	Do.
28	76:406	87-611	-----	661	89-554	8	Do.
29	76:408	87-614	-----	661	89-554	8	Do.
Sept. 5	76:437	87-637	-----	727	89-563	117	Repeal; savings provisions.
7	76:451	87-649	10	1124	89-718	73(a)(1)	Technical amendment.
7	76:451	87-649	14b	1124	89-718	73(a)(2), (b)	Technical amendment. (See 1950, P.L. 771, secs. 1, 4.)
7	76:451	87-649	14d(7)	1124	89-718	73(a)(3)	Addition. (See also 14 U.S.C. 461(a), (b).)
7	76:506	87-651	305	661	89-554	8	Partial repeal.
13	76:538	87-657	2(b)	919	89-666	1(a)	Revision.
13	76:538	87-657	8	919	89-666	1(b)	Amendment.
25	76:580	87-686	4(a), (b)	821	89-594	2	Exception.
25	76:580	87-686	4(c)	821	89-594	2	Addition.
28	76:653	87-714	-----	929	89-669	4(h)	Exception.
28	76:653	87-714	1	930	89-669	9	Amendment.
Oct. 5	76:750	87-753	-----	661	89-554	8	Repeal.
9	76:763	87-765	-----	331	89-522	2	Revision.
9	76:777	87-776	-----	661	89-554	8	Repeal.
9	76:777	87-777	1, 2	1124	89-718	75(6)	Do.
11	76:832	87-793	115	661	89-554	8	Do.

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<b>1962</b>							
Oct. 11	76:832	87-793	501-505	661	89-554	8	Repeal.
11	76:832	87-793	601	661	89-554	8	Do.
11	76:832	87-793	602(a), (b)	661	89-554	8	Do.
11	76:832	87-793	603-610	661	89-554	8	Do.
11	76:832	87-793	1001(a)	662	89-554	8	Do.
11	76:832	87-793	1003(a)	662	89-554	8	Do.
11	76:832	87-793	1005(h), (i)	662	89-554	8	Do.
11	76:832	87-793	1006, 1008, 1009	662	89-554	8	Do.
11	76:832	87-793	1102-1104	662	89-554	8	Do.
11	76:872	87-794	314	133	89-409	3(a)	Applicability; supplemental provision.
11	76:872	87-794	315, 316, 318-320	133	89-409	3(a)	Applicability.
18	76A:1	87-845	8	662	89-554	8	Repeal.
23	76:1119	87-849	3	662	89-554	8	Do.
23	76:1145	87-866	-----	937	89-670	6(a)(1)(C)	Transfer of functions.
23	76:1173	87-874	203	1422	89-789	204	Amendment.
<b>1963</b>							
July 8	77:76	88-59	-----	662	89-554	8	Repeal.
Sept. 24	77:174	88-130	5(e)	198	89-444	3	Amendment.
Oct. 16	77:252	88-146	-----	662	89-554	8	Repeal.
Nov. 4	77:301	88-168	1	814	89-592	-----	Amendment.
7	77:307	88-174	-----	755	89-568	606(a)	Certain authorizations continued.
7	77:307	88-174	101, 102	741	89-568	106(a)(1), (2)	Amendment.
7	77:307	88-174	201	747	89-568	204(a)	Do.
7	77:307	88-174	602(1), (2)	741, 747	89-568	106(b), 204(b)	Do.
Dec. 13	77:359	88-200	2(c), (e)	662	89-554	8	Partial repeal.
13	77:361	88-201	-----	727	89-563	117	Repeal; savings provisions.
16	77:363	88-204	101(a)	1240	89-752	2(a)	Amendment.
16	77:363	88-204	101(b)	1240	89-752	2(b)	Revision.
16	77:363	88-204	102	1241	89-752	2(c)	Do.
16	77:363	88-204	103(c)	1241	89-752	2(d)	Amendment.
16	77:363	88-204	104(c)	1241	89-752	2(d)	Do.
16	77:363	88-204	105(b)	1241	89-752	3(a)	Revision.
16	77:363	88-204	201	1242	89-752	4	Do.
16	77:363	88-204	303(c)	166	89-429	4(a)	Amendment.
16	77:363	88-204	303(c)	1242	89-752	5	Do.
16	77:363	88-204	304(b), (c)	1243	89-752	7	Subsec. (b) deleted; (c) redesignated as (b).
16	77:363	88-204	305	166	89-429	4(b)	Addition.
16	77:363	88-204	401(a)(1)	1243	89-752	8	Amendment.
16	77:363	88-204	401(c)(1), (2)	1243	89-752	6	Existing text designated as (1); par. (2) added.
16	77:363	88-204	401(c)(1)(A), (B)	1243	89-752	6	Clauses (1), (2) redesignated as (A), (B) of par. (1).
16	77:363	88-204	401(c)(1)(A)(i), (ii)	1243	89-752	6	Subclauses (A), (B) redesignated as (i), (ii) of clause (A).
16	77:363	88-204	408	1318	89-769	7(a)	Addition; applicability.

TABLE 1.—General Legislation—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1963</b>							
Dec. 17	77:392	88-206	1, "Sec. 104(a)"	954	89-675	3(a)(1)	Revision.
17	77:392	88-206	1, "Sec. 104(b)"	954	89-675	3(a)(2)	Amendment.
17	77:392	88-206	1, "Sec. 104(c)"	954	89-675	3(b)	Revision.
17	77:392	88-206	1, "Sec. 209"	954	89-675	2(b)	Repeal.
17	77:392	88-206	1, "Sec. 306"	954	89-675	2(a)	Revision.
<b>1964</b>							
Feb. 5	78:8	88-266	-----	662	89-554	8	Repeal.
7	78:8	88-267	-----	662	89-554	8	Do.
Mar. 17	78:164	88-284	-----	662	89-554	8	Do.
26	78:168	88-290	"Sec. 306 (b)"	662	89-554	8	Do.
Apr. 29	78:184	88-300	-----	1477	89-795	1	Applicability.
July 2	78:240	88-351	-----	662	89-554	8	Repeal.
2	78:241	88-352	701(b)	662	89-554	8	Partial repeal.
9	78:302	88-365	3(c)	716	89-562	2(b)	Amendment.
9	78:302	88-365	4(b)	715	89-562	1(a)	Do.
9	78:302	88-365	6(b)-(d)	717	89-562	3	Subsecs. (b), (c) redesignated as (c), (d); new (b) added.
9	78:302	88-365	6(c)	715	89-562	1(b)	Redesignated subsec. (c) amended.
9	78:302	88-365	7	1346	89-774	1	Applicability.
9	78:302	88-365	8	937	89-670	6(a)(2)(B)	Transfer of functions.
9	78:302	88-365	9-15	715	89-562	2(a)	Secs. 9-12 redesignated as 12-15; new 9-11 added.
9	78:302	88-365	10(c)	1346	89-774	1	Applicability.
9	78:302	88-365	13(c)	716	89-562	2(b)(2)	Amendment.
9	78:302	88-365	15	717	89-562	4	Do.
17	78:329	88-379	104	130	89-404	2	Partial repeal.
17	78:329	88-379	200	129	89-404	1	Revision.
17	78:329	88-379	307	130	89-404	2	Addition.
Aug. 1	78:341	88-390	-----	755	89-568	606(a), (b)	Certain authorizations continued; others repealed, with exception.
1	78:341	88-390	101	742	89-568	107(a)	Amendment.
1	78:341	88-390	301	752	89-568	305(a)	Do.
1	78:341	88-390	602(1), (3)	742, 752	89-568	107(b), 305(b)	Do.
14	78:400	88-426	101-103, 123	662	89-554	8	Repeal.
14	78:400	88-426	202(d)	662	89-554	8	Do.
14	78:400	88-426	301, 302	662	89-554	8	Do.
14	78:400	88-426	303	662	89-554	8	Partial repeal.
14	78:400	88-426	303(c)(47)	299	89-504	408(a)	Addition.
14	78:400	88-426	303(d)(21)	262	89-492	3	Amendment.
14	78:400	88-426	303(d)(30)	299	89-504	408(b)	Repeal.
14	78:400	88-426	303(e)(60)	262	89-492	4(1)	Amendment.
14	78:400	88-426	303(e)(101)	262	89-492	4(2)	Addition.
14	78:400	88-426	306(a)(1)	662	89-554	8	Repeal.
14	78:400	88-426	308-310	662	89-554	8	Do.
14	78:437	88-428	-----	662	89-554	8	Do.

TABLE 1.—General Legislation—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1964</b>							
Aug. 14	78:443	88-435	1	1156	89-728	-----	Amendment.
19	78:484	88-448	101	662	89-554	8	Partial repeal.
19	78:484	88-448	201(a)-(e)	662	89-554	8	Repeal.
19	78:484	88-448	202-204	662	89-554	8	Do.
19	78:484	88-448	301(a)-(d)	662	89-554	8	Do.
19	78:484	88-448	301(c)	1169	89-743	-----	Exception.
19	78:484	88-448	301(f)	662	89-554	8	Repeal.
19	78:484	88-448	401(h)	662	89-554	8	Do.
19	78:484	88-448	403	662	89-554	8	Do.
20	78:508	88-452	2	1472	89-794	614(b)	Amendment.
20	78:508	88-452	101-141	1455	89-794	113(1)	Title I heading revised.
20	78:508	88-452	103(a), (b)	1451	89-794	101(a), (b), 102	Amendment.
20	78:508	88-452	104(e)-(j)	1452, 1453	89-794	103-108	Addition.
20	78:508	88-452	106(c)	662	89-554	8	Repeal.
20	78:508	88-452	106(c)(2) (B)	1453	89-794	109	Amendment.
20	78:508	88-452	110	1475	89-794	901(a)	Heading added.
20	78:508	88-452	111, 111-1	1453, 1454	89-794	110, 111	Addition (Pt. A).
20	78:508	88-452	111-113	1454	89-794	112(a)	Secs. 111-113 (Pt. B) replaced by new secs. 112, 113.
20	78:508	88-452	114(a), (c)	1455	89-794	112(b), (c)	Amendment.
20	78:508	88-452	115	1455	89-794	112(d)	Do.
20	78:508	88-452	131, 132	1455, 1456	89-794	113(2)	Addition (Pt. D).
20	78:508	88-452	131, 141	1456	89-794	114	Former sec. 131 revised and renumbered 141 (Pt. E).
20	78:508	88-452	202(a)(1)	1456	89-794	201	Amendment.
20	78:508	88-452	202(b)	1457	89-794	202	Do.
20	78:508	88-452	202(c), (d)	1457	89-794	203	Addition.
20	78:508	88-452	203(b)(1), (2)	1458	89-794	204	Amendment.
20	78:508	88-452	205(a)	1458	89-794	205	Do.
20	78:508	88-452	205(e), (f)	1458	89-794	206	Subsec. (e) redesignated as (f); new (e) added.
20	78:508	88-452	205(f)	1458	89-794	207	Amendment.
20	78:508	88-452	205(g)-(o)	1459, 1460	89-794	208-211	Addition.
20	78:508	88-452	206	1461	89-794	212	Revision.
20	78:508	88-452	207	1461	89-794	213	Amendment.
20	78:508	88-452	208	1465	89-794	402	Applicability.
20	78:508	88-452	208(a)	1462	89-794	214	Amendment.
20	78:508	88-452	211-1-211-3	1462-1464	89-794	215-217	Addition.
20	78:508	88-452	212-218	1222	89-750	315	Repeal.
20	78:508	88-452	213	1475	89-794	901(c)	Amendment.
20	78:508	88-452	219, 219-1	1475	89-794	901(b)	Sec. 219 (statement of purpose) redesignated as 219-1.
20	78:508	88-452	221	1465	89-794	218	Revision.
20	78:508	88-452	302(a)	1464	89-794	301(a)	Amendment.
20	78:508	88-452	305(f)(1), (2)	1464	89-794	310(b)	Part of existing text designated as (1); clause (2) added.
20	78:508	88-452	321	1465	89-794	302	Revision.
20	78:508	88-452	331(c)	1465	89-794	301(c)	Amendment.

TABLE 1.—General Legislation—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1964</b>							
Aug. 20	78:508	88-452	402	1465	89-794	401	Amendment.
20	78:508	88-452	402(a), (b)	1465	89-794	402	Existing text designated as (a); subsec. (b) added (relating to grants for counseling, etc.).
20	78:508	88-452	402(a), (b)	1465	89-794	405	Existing text designated as (a); subsec. (b) added (relating to authority of Small Business Administrator).
20	78:508	88-452	403	1465	89-794	403	Repeal.
20	78:508	88-452	403, 405	1465	89-794	401, 406	Sec. 405 amended and renumbered as 403.
20	78:508	88-452	404	1465	89-794	403	Repeal.
20	78:508	88-452	404, 406	1465	89-794	401, 406	Sec. 406 amended and renumbered as 404.
20	78:508	88-452	405, 407	1465	89-794	404, 406	Sec. 407 revised and renumbered as 405.
20	78:508	88-452	501-505	1466	89-794	501	Title V revised.
20	78:508	88-452	503	1476	89-794	1001(c)	Applicability.
20	78:508	88-452	601(a)	1468	89-794	601(a)	Amendment.
20	78:508	88-452	602(d)	1468	89-794	602	Do.
20	78:508	88-452	602(m)	1468	89-794	603	Revision.
20	78:508	88-452	603	1469	89-794	604	Do.
20	78:508	88-452	603(d)	662	89-554	8	Partial repeal.
20	78:508	88-452	604(b)	1475	89-794	901(d)	Amendment.
20	78:508	88-452	605	1469	89-794	605	Revision.
20	78:508	88-452	606(a), (d)	1465	89-794	407	Amendment.
20	78:508	88-452	610	1468	89-794	601(b)	Do.
20	78:508	88-452	610-1	1470	89-794	606	Addition.
20	78:508	88-452	611(c), (d)	1470	89-794	607	Do.
20	78:508	88-452	613(a)-(c)	1471	89-794	608	Existing text designated as (a); subsecs. (b), (c) added.
20	78:508	88-452	615	1471	89-794	609	Revision.
20	78:508	88-452	616	1471	89-794	610	Amendment.
20	78:508	88-452	618-620	1471, 1472	89-794	611, 612, 614(a)	Addition.
20	78:508	88-452	701(a)	1472	89-794	701(a)	Amendment.
20	78:508	88-452	801-806	1472	89-794	801	Addition.
20	78:557	88-459	-----	662	89-554	8	Repeal.
21	78:582	88-471	1-5	662	89-554	8	Do.
21	78:582	88-471	6(a)-(d)	662	89-554	8	Do.
21	78:582	88-471	8	662	89-554	8	Do.
30	78:615	88-499	1	662	89-554	8	Do.
30	78:615	88-499	2(e)	622	89-554	8	Do.
30	78:615	88-499	3-7	662	89-554	8	Do.
30	78:666	88-508	-----	662	89-554	8	Do.
31	78:737	88-531	-----	662	89-554	8	Do.
31	78:745	88-538	-----	662	89-554	8	Do.
31	78:745	88-538	1	98	89-383	1	Amendment.
31	78:745	88-538	2, 3	98	89-383	2	Revision.
31	78:767	88-558	3(b)	1156	89-729	-----	Exception.
Sept. 2	78:808	88-561	-----	873	89-624	-----	Revision.
2	78:880	88-575	102	1592	89-810	102	Nonapplicability.
22	78:990	88-609	2	203	89-453	1(1)	Deletion; new sec. 2 added.
22	78:990	88-609	4	203	89-453	1(2)	Amendment.

TABLE 1.—General Legislation—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1964</b>							
Oct. 6	78:1005	88-630	3(a)	229	89-475	1	Amendment.
6	78:1005	88-630	9	229	89-475	2	Revision.
6	78:1007	88-631	1, 2	662	89-554	8	Repeal.
6	78:1007	88-631	3(a), (b), (e)	662	89-554	8	Do.
6	78:1007	88-631	4	662	89-554	8	Do.
13	78:1063	88-647	302	662	89-554	8	Do.
13	78:1079	88-652	-----	295	89-504	302(c)-(e)	Compensation increases, with exceptions.
<b>1965</b>							
Mar. 9	79:5	89-4	201(a)-(c)	942, 943	89-670	8(b)(1)-(5)	Amendment.
9	79:5	89-4	201(e)-(g)	943	89-670	8(b)(6)-(8)	Do.
9	79:5	89-4	206(c)	943	89-670	8(c)	Do.
Apr. 11	79:27	89-10	201(b)	1199	89-750	121	Revision.
11	79:27	89-10	202(a)	1199	89-750	122	Do.
11	79:27	89-10	203(a)(1)-(3)	1200	89-750	123	Do.
11	79:27	89-10	301(b)	1201	89-750	131	Do.
11	79:27	89-10	302(a)	1201	89-750	132	Do.
11	79:27	89-10	303(b)(3)	1203	89-750	152(b)	Amendment.
11	79:27	89-10	304(a)(4)(C), (D)	1201	89-750	133	Clause (C) redesignated as (D); new (C) added.
11	79:27	89-10	304(c), (d)	1202	89-750	134	Subsec. (c) redesignated as (d); new (c) added.
11	79:27	89-10	501(b)	1203	89-750	151	Revision.
11	79:27	89-10	502(b)	1203	89-750	152(c)	Amendment.
11	79:27	89-10	503(a), (b)	1203	89-750	152(a)	Designation "(a)" deleted and text amended; subsec. (b) deleted.
11	79:27	89-10	503(11)	1204	89-750	154	Addition.
11	79:27	89-10	504	1203	89-750	152(d)	Amendment.
11	79:27	89-10	507(c)(3)(D)	1204	89-750	153	Do.
11	79:27	89-10	601-610	1204	89-750	161	Addition (former secs. 601-605 redesignated as 701-705).
11	79:27	89-10	601-610	1206	89-750	161	Restriction.
11	79:27	89-10	701-705	1204	89-750	161	Former secs. 601-605 (title VI) redesignated as 701-705 (title VII).
11	79:27	89-10	703(c)	1196	89-750	111(f)	Addition.
11	79:27	89-10	704	1209	89-750	181	Amendment.
11	79:27	89-10	706	1209	89-750	171	Addition.
14	79:58	89-11	201	1156	89-727	1	Supplemental provision.
May 22	79:116	89-26	2	851	89-608	1	Amendment. (See also 37 U.S.C. 405a, table 5(a).)

TABLE 1.—General Legislation—Continued

Provisions affected				Amendatory provisions				
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment	
<b>1965</b>								
June	2	79:120	89-32	101	163	89-428	106(a)	Amendment.
	2	79:120	89-32	101(b)	163	89-428	106(a)	Do.
	2	79:120	89-32	101(b)(5),(6)	163,	89-428	106(b)-(d)	Do.
					164			
	2	79:120	89-32	106	164	89-428	107	Rescission.
	18	79:135	89-43	-----	662	89-554	8	Repeal.
	21	79:136	89-44	701(b)(2)	66	89-368	202(c)	Applicability.
	24	79:171	89-47	-----	662	89-554	8	Repeal.
	28	79:174	89-52	-----	179	89-435	-----	Supplemental provision.
	July	26	79:236	89-75	-----	233	89-481	101(b)
22		79:244	89-80	101	942	89-670	7(a)	Do.
30		79:286	89-97	-----	865	89-614	2(7)	(See 1935, P.L. 271, secs. 1801-1875.)
Aug.	30	79:286	89-97	102(b)	105	89-384	3(c)	Amendment.
	10	79:451	89-117	105(b)(1), (2)	1284	89-754	1001	Existing text designated as (1) and amended; par. (2) added. (See also 1959, P.L. 86-372, sec. 202(a)(3).)
	10	79:451	89-117	107(a)-(e)	1288	89-754	1012	Revision.
	10	79:451	89-117	108	1292	89-754	1013(j)	Repeal.
	10	79:451	89-117	1113(a), (b)	1293	89-754	1015	Existing text designated as (a) and amended; subsec. (b) added.
	26	79:552	89-136	401(b)(3)	1477	89-794	1102	Revision; exception.
	28	79:578	89-139	-----	937	89-670	6(a)(1)(J)	Transfer of functions.
	31	79:589	89-156 (title II)	-----	155	89-426	-----	Appropriation increase.
Sept.	31	79:589	89-156 (title II)	-----	1394	89-787	-----	Supplemental provision.
	2	79:620	89-164	-----	233	89-481	101(b)	Do.
	8	79:663	89-173	5(a)(1), (2)	1352	89-774	3(b)	Do.
	14	79:679	89-182	2(f)	1322	89-771	-----	Amendment.
	16	79:793	89-188	-----	755	89-568	606(a), (b)	Certain authorizations continued; others repealed, with exception.
	16	79:793	89-188	101	742	89-568	108(a)	Amendment.
	16	79:793	89-188	201	747	89-568	205(a)	Do.
	16	79:793	89-188	602(1), (2)	742,	89-568	108(b), 205(b)	Do.
	16	79:793	89-188	606	755	89-568	606(a), (b)	Exception.
16	79:793	89-188	607(b)	756	89-568	611	Amendment.	
16	79:793	89-188	611	757	89-568	613	Revision; applicability.	
22	79:828	89-197	9, 10	1506	89-798	1, 2	Amendment.	
25	79:835	89-202	-----	234	89-481	101(b)	Supplemental provision.	
29	79:863	89-213	-----	234	89-481	101(b)	Do.	
29	79:863	89-213	606	82	89-374	103	Amendment.	
29	79:863	89-213	606	155	89-426	-----	Limitation increase.	
29	79:880	89-214	3(a)	1159	89-730	6(a), (g)	Amendment; exception.	
29	79:880	89-214	3(c)(1)	1159	89-730	6(b)	Revision.	
29	79:880	89-214	3(c)(2), (3)	1159	89-730	6(c), (d)	Par. (2) repealed; (3) redesignated as (2).	
30	79:893	89-220	-----	937	89-670	6(a)(2)(A)	Transfer of functions.	

TABLE 1.—General Legislation—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1965</b>							
Oct. 3	79:911	89-236	13(c)	1161	89-732	3	Addition. (See also 1952, P.L. 414, sec. 245.)
20	79:1002	89-273	-----	234	89-481	101(b)	Supplemental provision.
22	79:1026	89-284	-----	972	89-685	6	Applicability.
22	79:1026	89-284	2(c)	971	89-685	1	Addition.
22	79:1026	89-284	3(b)(1), (2)	971	89-685	2(a), (b)	Amendment.
22	79:1026	89-284	3(b)(3)-(5)	972	89-685	2(c)	Addition.
22	79:1026	89-284	4(1)	972	89-685	3	Amendment.
22	79:1026	89-284	5(a), (b)	972	89-685	4	Existing text designated as (a); subsec. (b) added.
22	79:1026	89-284	6-8	972	89-685	5, 6	Sec. 6 renumbered as 8 and amended; new 6, 7 added.
22	79:1026	89-284	9	973	89-685	7	Addition.
22	79:1028	89-285	-----	937	89-670	6(a)(1)(H)	Transfer of functions.
22	79:1034	89-286	-----	841	89-601	305	Exception.
22	79:1068	89-292	6	312	89-510	-----	Revision.
27	79:1073	89-298	204	1420	89-789	203	Project modification.
27	79:1073	89-298	204	1424	89-789	210	Amendment.
28	79:1096	89-299	-----	233	89-481	101(b)	Supplemental provision.
29	79:1111	89-301	9(d)	1164	89-737	2	Amendment.
31	79:1133	89-309	-----	681	89-555	-----	Limitation increase.
Nov. 3	79:1187	89-321	709	1538	89-808	3(b)	Amendment.
8	79:1219	89-329	202(a), (b)	1243	89-752	9	Do.
8	79:1219	89-329	301-305	234	89-481	101(b)	Supplemental provision.
8	79:1219	89-329	301(b)(1)	1243	89-752	10	Amendment.
8	79:1219	89-329	422(b)	1243	89-752	11	Do.
8	79:1219	89-329	427(a)(2)	1476	89-794	1101(b)(1), (2)	Addition; non-applicability.
8	79:1219	89-329	(C)(iv)	1072	89-698	204	Amendment.
8	79:1219	89-329	435(a)	1244	89-752	12	Addition.
8	79:1219	89-329	436	1244	89-752	12	Addition.
8	79:1219	89-329	511-517	234	89-481	101(b)	Supplemental provision.
8	79:1219	89-329	601(d), (e)	1241	89-752	3(b)	Subsec. (d) deleted; (e) redesignated as (d) and amended.
8	79:1219	89-329	604(b)	1244	89-752	14	Amendment.
<b>1966</b>							
Mar. 3	80:12	89-358	-----	234	89-481	101(c)	Supplemental provision.
15	80:36	89-367	301, 302	37	89-367	305	Limitation.
16	80:71	89-369	11(a)	73	89-369	11(b)	Suspension authority.
25	80:79	89-374	-----	234	89-481	101(b)	Supplemental provision.
Apr. 13	80:107	89-387	-----	939, 940	89-670	6(e)(5), (f)(1)-(3)	Transfer of functions.
18	80:123	89-402	2(a), (b)	123	89-402	2(c)	Exception.
18	80:123	89-402	3(a)-(c)	124, 125	89-402	3	Do.
May 12	80:162	89-428	108	895	89-648	-----	Addition.
June 3	80:192	89-441	6	349	89-542	-----	Amendment.
14	80:200	89-448	2(a)-(c)	714	89-561	6	Existing text designated as (a) and amended; subsecs. (b), (c) added.

TABLE 1.—General Legislation—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1966</b>							
June 17	80:203	89-454	1	1001	89-688	2(a)	Citation of Title I.
17	80:203	89-454	3(a)	943	89-670	8(j)	Amendment.
17	80:203	89-454	4(a), 5(a)	1001	89-688	2(b)	Do.
17	80:203	89-454	8, 9	1001	89-688	2(b)	Do.
17	80:203	89-454	201-205	998	89-688	1	Addition.
22	80:214	89-465	-----	329	89-519	10	Applicability.
29	80:222	89-474	-----	227	89-474	-----	Exception.
30	80:233	89-481	102(c)	371	89-549	-----	Amendment.
30	80:233	89-481	102(c)	859	89-611	-----	Do.
July 5	80:263	89-493	8	1178	89-745	7, 8(d)	Repeal. (See also D.C. Code 15-101(a)(3), table 5(b).)
5	80:263	89-493	9(a)	1178	89-745	7, 8(d)	Repeal. (See also D.C. Code 15-102(a)(4),(5), table 5(b).)
5	80:263	89-493	9(b)	1178	89-745	7, 8(d)	Repeal. (See also D.C. Code 15-102(b), (c), table 5(b).)
5	80:263	89-493	10	1178	89-745	7, 8(d)	Repeal. (See also D.C. Code 15-132(a)(2), table 5(b).)
13	80:279	89-502	-----	283	89-502	11	Exception.
18	80:288	89-504	303	294	89-504	302(b)	Do.
Aug. 5	80:336	89-528	-----	338	89-528	4	Do.
27	80:354	89-545	-----	233	89-481	101(a)	Supplemental provision.
31	80:371	89-549	-----	859	89-611	-----	Amendment. (See also 1966, P.L. 89-481.)
Sept. 6	80:663	89-555	-----	233	89-481	101(a)	Supplemental provision.
6	80:663	89-555	-----	685, 686	89-555	-----	Exception.
6	80:663	89-555	102	1059	89-697	-----	Limitation increase.
7	80:689	89-556	-----	233	89-481	101(a)	Supplemental provision.
9	80:718	89-563	-----	932	89-670	3(f)(1)	Applicability.
9	80:718	89-563	-----	938	89-670	6(a)(6)(A)	Transfer of functions.
9	80:718	89-563	108(a)(1)	722, 723	89-563	108(b)(1), (2), (5)	Exception.
9	80:718	89-563	115	943	89-670	8(i)	Amendment.
9	80:718	89-563	401, "Secs. 1-3"	937	89-670	6(a)(1)(D)	Transfer of functions.
9	80:731	89-564	-----	932	89-670	3(f)(2)	Applicability.
9	80:731	89-564	-----	938	89-670	6(a)(6)(B)	Transfer of functions.
9	80:731	89-564	201	943	89-670	8(h)	Amendment.
12	80:739	89-568	607	755	89-568	607	Exception.
13	80:766	89-574	-----	937	89-670	6(a)(1)(B)	Transfer of functions.
16	80:772	89-577	8(b), 9(b)	783	89-577	16(e)	Nonapplicability.
16	80:785	89-578	-----	788, 790	89-578	6(c), 8(b)	Applicability.
21	80:826	89-599	2(e)	944	89-670	8(k)	Amendment.
Oct. 15	80:931	89-670	-----	938, 941, 943, 947	89-670	6(b)(3), (h), 8(g)(2), 9(p)	Exception.
15	80:959	89-682	2	959	89-682	3	Waiver.

TABLE 1.—General Legislation—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	80 Stat.	Public law	Section	Comment
<b>1966</b>							
Nov. 2	80:1091	89-702	-----	1096	89-702	208(e)	Exception.
2	80:1161	89-732	-----	1161	89-732	1	Applicability.
3	80:1191	89-750	301-315	1222	89-750	313	Limitation.
3	80:1296	89-755	3(a), 4	1297, 1298	89-755	3(b), 5(b)	Exemption.
6	80:1354	89-775	-----	1355	89-775	6	Exception.
7	80:1378	89-787	-----	233	89-481	101(a)	Supplemental provision.
8	80:1438	89-793	301-316	1447, 1450	89-793	311, 312, 605	Applicability; exception.
8	80:1479	89-797	-----	1495	89-797	-----	Exception.

TABLE 2.—Revised Statutes

Affected section	Amendatory provisions			
	80 Stat.	Public law	Section	Comment
102-104	869	89-617	8(a)	Applicability.
158-161	632	89-554	8	Repeal.
165, 166	632	89-554	8	Do.
169, 170	632	89-554	8	Do.
173-175	632	89-554	8	Do.
176	632	89-554	8	Partial repeal.
177-189	632	89-554	8	Repeal.
195	632	89-554	8	Do.
320	632	89-554	8	Do.
324	161	89-427	1	Amendment.
346-350	632	89-554	8	Repeal.
353, 354	632	89-554	8	Do.
355	37	89-367	303	Exception.
355	754, 757	89-568	601, 702	Do.
355	986-988	89-687	-----	Exceptions.
355	1023	89-691	-----	Exception.
355	1505	89-797	-----	Do.
356-361	632	89-554	8	Repeal.
364-367	632	89-554	8	Do.
369-371	632	89-554	8	Do.
382	632	89-554	8	Do.
383	632	89-554	8	Partial repeal.
384	632	89-554	8	Repeal.
446, 447	632	89-554	8	Do.
1706	632	89-554	8	Do.
1753, 1754	632	89-554	8	Do.
1757-1761	632	89-554	8	Do.
1764-1766	632	89-554	8	Do.
1773-1775	632	89-554	8	Do.
1778	632	89-554	8	Do.
1784	632	89-554	8	Do.
1974	632	89-554	8	Do.
1996-1998	632	89-554	8	Do.
2039	632	89-554	8	Do.
2052	632	89-554	8	Do.
2056-2058	632	89-554	8	Do.
2060	632	89-554	8	Do.
2063, 2064	632	89-554	8	Do.
2068	632	89-554	8	Do.
2077	632	89-554	8	Do.

TABLE 2.—*Revised Statutes—Continued*

Affected section	Amendatory provisions			
	80 Stat.	Public law	Section	Comment
2222	632	89-554	8	Repeal.
2234-2236	632	89-554	8	Do.
2242-2244	632	89-554	8	Do.
2275	220	89-470	1	Amendment.
2276	220	89-470	2(a), (b)	Do.
2276(a)	220	89-470	2(c)	Do.
2631	632	89-554	8	Repeal.
3144	632	89-554	8	Do.
3157	632	89-554	8	Do.
3617	874	89-625		Exception.
3617	1012	89-689		Do.
3648	37	89-367	303	Do.
3648	436, 511, 512	89-554	1	Do.
3648	668	89-555		Do.
3648	754, 757	89-568	601, 702	Do.
3648	973	89-685	6	Do.
3648	1023	89-691		Do.
3648	1202	89-750	141	Do.
3648	1483, 1504	89-797		Do.
3679	293	89-504	108(b)	Do.
3679	1006	89-689		Do.
3679	1504	89-797		Do.
3679(c)	228	89-474		Do.
3679(c)	677	89-555		Do.
3679(c)	993	89-687	612(a)	Do.
3679(d)(2)	234	89-481	103	Do.
3709	330	89-522	1	Do.
3709	364-366	89-545		Exceptions.
3709	416, 434, 596, 601	89-554	1	Exception.
3709	665	89-555		Do.
3709	973	89-685	6	Do.
3709	1202	89-750	141	Do.
3709	1239	89-751	8(b)	Do.
3709	1481, 1490, 1498	89-797		Do.
3710	973	89-685	6	Do.
3732(a), (b)	993	89-687	612(e)	Existing text designated as (a); par. (b) added.
3735	973	89-685	6	Exception.
3735	1065	89-697		Do.
3735	1490	89-797		Do.
3738	632	89-554	8	Repeal.
3828	973	89-685	6	Exception.
3828	1490	89-797		Do.
4148	229	89-476	1	Revision.
4152	230	89-476	2(a)	Repeal.
4153	230	89-476	2(b)	Partial repeal.
4181	230	89-476	2(c)	Repeal.
4233 (Rule 13)	941	89-670	6(g)(1)	Transfer of functions.
4233 (Rule 20)	1313	89-764	5	Amendment.
4233 (Rule 23(A))	1313	89-764	6	Addition.
4331	230	89-476	2(d)	Repeal.
4400(a)-(c)	1356	89-777	1	Existing text designated as (a); subsecs. (b), (c) added.
4400(a)	1356	89-777	1	Exception.
4404	632	89-554	8	Repeal.
4414-4416	632	89-554	8	Do.
4450	1254	89-753	211(a)	Applicability.

TABLE 2.—*Revised Statutes*—Continued

Affected section	Amendatory provisions			
	80 Stat.	Public law	Section	Comment
4840, 4841-----	632	89-554	8	Repeal.
5136, par. 7-----	72	89-369	10	Amendment.
5136, par. 7-----	1277	89-754	504(a)	Do.
5144-----	242	89-485	13(c)	Revision.
5211(c)-----	243	89-485	13(d)	Amendment.
5305-----	632	89-554	8	Repeal.
5314-----	632	89-554	8	Do.

TABLE 3.—*Internal Revenue Code of 1939*

Affected section	Amendatory provisions			
	80 Stat.	Public law	Section	Comment
871(i)-----	28, 29	89-359	1(b), (c)	Amendment.
894(a)-----	28, 29	89-359	1(a), (c)	Do.
1106(d)-----	5	89-354	1, 2	Do.

TABLE 4.—*Internal Revenue Code of 1954*

Affected section	Amendatory provisions			
	80 Stat.	Public law	Section	Comment
1 <i>et seq.</i> -----	1575	89-809	110	Amendments contrary to U.S. treaty obligations, nonapplicability.
1-1563-----	760, 761	89-570	1(a)	Exception.
1-1563-----	1135	89-719	103(a)	Do.
1(d), (e)-----	1550, 1555	89-809	103(a)(2), (n)(1)	Subsec. (d) redesignated as (e); new (d) added.
11(e)(4)-----	1557, 1563	89-809	104(b)(2), (n)	Deletion.
11(f)-----	1557, 1563	89-809	104(b)(2), (n)	Addition.
39-----	113	89-389	2(a)	Exception.
46(a)(2)-----	1514	89-800	3(a), 4	Deletion; new par. (2) added.
46(a)(3)-----	102, 105	89-384	1(c), 2	Amendment.
46(a)(3)-----	114	89-389	2(b)(5), (c)	Do.
46(b)(1)-----	1514	89-800	3(b)(2), 4	Do.
46(b)(1)(B)-----	1514	89-800	3(b)(1), 4	Deletion; new subpar. (B) added.
48(a)(2)(B)(vii)-----	1575, 1576	89-809	201(a), (b)	Addition.
48(d)-----	1513, 1514	89-800	1(a), (b), 4	Nonapplicability; amendment.
48(h)-(k)-----	1508-1514	89-800	1(a), 4	Subsec. (h) redesignated as (k); new (h)-(j) added.
72(b), (d)-----	32, 33	89-365	1(b), (d)	Nonapplicability.
72(o), (p)-----	32, 33	89-365	1(b), (d)	Subsec. (o) redesignated as (p); new (o) added.
80-----	101	89-384	1(b)(1)-(3)	Addition.
81-----	1152	89-722	1(b)(1), (2), 2	Do.
101(b)(2)(D)-----	32, 33	89-365	1(c), (d)	Amendment.
112(b)-----	1165	89-739	1, 2	Do.
116(d)-----	1552, 1555	89-809	103(g), (n)(1)	Revision.

TABLE 4.—Internal Revenue Code of 1954—Continued

Affected section	Amendatory provisions			
	80 Stat.	Public law	Section	Comment
122, 123	32, 33	89-365	1(a), (d)	Sec. 122 redesignated as 123; new 122 added.
154(3)	1551, 1555	89-809	103(c)(2), (n) (1)	Revision.
162	1025	89-692		Supplemental provision.
166(g), (h)	1151- 1153	89-722	1, 2(a)-(c)	Subsec. (g) redesignated as (h); new (g) added.
167(i), (j)	1513, 1514	89-800	2, 4	Subsec. (i) redesignated as (j); new (i) added.
170(e)	762, 764	89-570	1(b)(1), 3	Amendment.
245(a)	1558, 1559, 1563	89-809	104(d)(1), (4), (e)(2), (n)	Do.
245(a)(1), (2)	1558, 1563	89-809	104(d)(2), (3), (n)	Do.
245(b), (c)	1558, 1563	89-809	104(e)(1), (n)	Subsec. (b) redesignated as (c); new (b) added.
245(c)	1559, 1563	89-809	104(e)(3), (n)	Amendment.
276	66, 67	89-368	301(a)-(c)	Addition.
301(b)(1)(B)(ii)	762, 764	89-570	1(b)(2), 3	Amendment.
301(b)(1)(C)	1559, 1563	89-809	104(f)(3), (n)	Do.
301(b)(1)(C)(i), (ii)	1559, 1563	89-809	104(f)(1), (2), (n)	Do.
301(d)(2)(B)	762, 764	89-570	1(b)(2), 3	Do.
312(c)(3)	762, 764	89-570	1(b)(3), 3	Do.
334(b)(2)(B)	1576	89-809	202(b), (d)	Do.
334(b)(3)	1576	89-809	202(a), (d)	Do.
341(e)(12)	762, 764	89-570	1(b)(4), 3	Do.
351(a)	1577	89-809	203(a), (c)	Do.
351(d), (e)	1577	89-809	203(b), (c)	Subsec. (d) redesignated as (e); new (d) added.
381(c)(10)	763	89-570	2(a)	Exception.
401(a)(10)(A)(ii)	1577, 1578	89-809	204(b)(1), (d)	Amendment.
401(c)(2)(A),(B)	1577, 1578	89-809	204(c)	Deletion; new subpar. (A) added.
401(c)(2)(C)	1578	89-809	205(a), (b)	Addition.
401(d)(5)(A), (B)	1577, 1578	89-809	204(b)(1), (d)	Amendment.
401(d)(6)(A)	1577, 1578	89-809	204(b)(1), (d)	Do.
401(e)(1)(A), (B)(i)	1577, 1578	89-809	204(b)(1), (d)	Do.
401(e)(3)(B), (C)	1577, 1578	89-809	204(b)(1), (d)	Do.
404(a)(10)	1577, 1578	89-809	204(a), (d)	Repeal.
404(e)(1)	1577, 1578	89-809	204(b)(3), (d)	Amendment.
404(e)(2)(A), (B)	1577, 1578	89-809	204(b)(2), (3), (d)	Do.
453(d)(4)(A)	762, 764	89-570	1(b)(5), 3	Do.
453(d)(4)(A)	1576	89-809	202(c), (d)	Revision.
453(d)(4)(B)	762, 764	89-570	1(b)(5), 3	Amendment.
501(e)(6)	1515, 1516	89-800	6(a), (c)	Do.
501(c)(14)	4	89-352	1, 3	Revision.
511(a)(2)(A)	4	89-352	2, 3	Amendment.
512(a)	1559, 1563	89-809	104(g), (n)	Do.
542(e)(7)	1559, 1563	89-809	104(h)(1), (n)	Revision.
543(a)(2)	1579	89-809	206(b)(1), (c)	Amendment.

TABLE 4.—Internal Revenue Code of 1954—Continued

Affected section	Amendatory provisions			
	80 Stat.	Public law	Section	Comment
543(b)(1)(C)-----	1559, 1563	89-809	104(h)(2), (n)	Addition.
543(b)(2)(D)-----	1579	89-809	206(b)(2), (c)	Do.
543(b)(3)-----	1578, 1579	89-809	206(a), (c)	Amendment.
545(a)-----	1560, 1563	89-809	104(h)(3), (n)	Deletion; new subsec. (a) added.
545(b)(9)-----	1132, 1146	89-719	101(b)(2), 114	Amendment.
545(d)-----	1560, 1563	89-809	104(h)(3), (n)	Addition.
613(b)(2)(B)-----	1579	89-809	207(a), (b)	Amendment.
613(b)(3)(B)-----	1579, 1580	89-809	207(a), (b), 209(a), (c)	Do.
613(b)(5)-(7)-----	1579, 1580	89-809	209(a), (c)	Pars. (5), (6) renumbered as (6), (7); new (5) added.
613(b)(5)(A)-----	1579	89-809	208(a), (b)	Amendment.
613(b)(6)-----	1579	89-809	208(a), (b)	Do.
613(b)(6)-----	1580	89-809	209(a)(3), (c)	Renumbered par. (6) amended.
613(b)(6)(B)-----	1580	89-809	209(a)(4), (c)	Do.
613(b)(7)-----	1580	89-809	209(a)(5), (e)	Renumbered par. (7) amended.
613(c)(4)(G)-----	1580	89-809	209(b), (c)	Amendment.
615(b), (d)-----	763	89-570	2(a)	Exception.
615(e)-(g)-----	763, 764	89-570	2(a), 3	Addition.
615(e)-----	763	89-570	2(a)	Restriction.
617-----	759, 764	89-570	1(a), (d), 3	Addition.
617(a)-----	763	89-570	2(a)	Restriction.
617(d)-----	761	89-570	1(a)	Applicability.
642(g)-----	872, 873	89-621	2(a), (b)	Amendment.
703(b)-----	764	89-570	2(b), 3	Do.
751(c)-----	762, 764	89-570	1(c), 3	Do.
819(a)-(d)-----	1561, 1563	89-809	104(i)(3), (n)	Subsecs. (a), (d) deleted; (b), (c) redesignated as (a), (b).
819(a)(1), (2)-----	1561, 1563	89-809	104(i)(3), (n)	Amendment.
819(a)(3)-----	1561, 1563	89-809	104(i)(3), (n)	Addition.
819(b)-----	1561, 1563	89-809	104(i)(3)(E)- (G), (n)	Amendment.
819(b)(2)(B)(ii)-----	1562, 1563	89-809	104(i)(3)(H), (n)	Do.
819(c)-----	1562, 1563	89-809	104(i)(3)(I), (n)	Addition.
821(e)-(g)-----	1562, 1563	89-809	104(i)(4), (n)	Subsec. (e) deleted; (f), (g) re- designated as (e), (f).
821(f)(3)-----	1562, 1563	89-809	104(i)(4), (n)	Addition.
822(e), (f)-----	1562, 1563	89-809	104(i)(5), (n)	Subsec. (e) deleted; (f) re- designated as (e).
831(b), (c)-----	1562, 1563	89-809	104(i)(6), (n)	Subsec. (b) deleted; (c) re- designated as (b).
831(c), (d)-----	1562, 1563	89-809	104(i)(6), (n)	Subsec. (d) relettered as (c) and revised.
832(d), (e)-----	1562, 1563	89-809	104(i)(7), (n)	Subsec. (d) deleted; (e) re- designated as (d).
841-----	1562, 1563	89-809	104(i)(8), (n)	Amendment.
842-----	1561, 1563	89-809	104(i), (n)	Revision.
861(a)(1)(A)-----	1541, 1547	89-809	102(a)(1), (e)	Do.

TABLE 4.—Internal Revenue Code of 1954—Continued

Affected section	Amendatory provisions			
	80 Stat.	Public law	Section	Comment
861(a)(1)(B)-(F)-----	1542, 1547	89-809	102(a)(2), (e)	Subpars. (B), (C) deleted; new (B)-(F) added.
861(a)(2)(B)-----	1543, 1547	89-809	102(b), (e), (2)	Revision.
861(a)(3)(C)(ii)-----	1543, 1547	89-809	102(c), (e)	Do.
861(c), (d)-----	1541, 1542, 1547	89-809	102(a)(1), (3), (e)	Addition.
864(a)-(c)-----	1544- 1547	89-809	102(d), (e)	Existing text designated as (a); subsecs. (b), (c) added.
871-----	1547, 1555	89-809	103(a), (n)(1)	Revision.
871(d)(2), (3)-----	1557	89-809	104(b)(1)	Applicability.
872(a)-----	1550, 1555	89-809	103(b)(1), (n)(1)	Revision.
872(b)(3)(B)-----	1550, 1555	89-809	103(b)(2), (n)(1)	Amendment.
872(b)(4)-----	1550, 1555	89-809	103(b)(3), (n)(1)	Addition.
873-----	1550, 1555	89-809	103(c)(1), (n)(1)	Revision.
874(a)-----	1551, 1555	89-809	103(d), (n)(1)	Do.
874(c)-----	1569	89-809	106(a)(3), (6)	Amendment.
875-----	1551, 1555	89-809	103(e), (n)(1)	Revision.
877, 878-----	1551, 1555	89-809	103(f), (n)(1)	Sec. 877 redesignated as 878; new 877 added.
881, 882-----	1555, 1563	89-809	104(a), (b)(1), (3), (n)	Revision.
884-----	1563	89-809	104(m), (n)	Do.
894-----	1563, 1565	89-809	105(a), (c), (d)	Do.
895-----	1543, 1547	89-809	102(a)(4), (e)	Do.
896-----	1563- 1565	89-809	105(b)-(d)	Addition.
901(a)-----	102, 105	89-384	1(c)(2), 2	Amendment.
901(b)(3)-----	1569, 1570	89-809	106(b)(1), (4)	Do.
901(b)(4), (5)-----	1569	89-809	106(a)(4), (6)	Par. (4) redesignated as (5); new (4) added.
901(b)(5)-----	1569	89-809	106(a)(5), (6)	Amendment.
901(c)-(e)-----	1569, 1570	89-809	106(b)(2), (4)	Subsecs. (c), (d) redesignated as (d), (e); new (e) added.
904(b)-----	100, 105	89-384	1(a), 2	Applicability.
904(b)(1)-----	100, 105	89-384	1(a), 2	Exception.
904(f)(2)-----	1571	89-809	106(c)(1) (B), (2)	Amendment.
904(f)(2)(C)-----	1570, 1571	89-809	106(c)(1), (2)	Subpar. (C) deleted; new (C) added.
906-----	1568, 1569	89-809	106(a)(1), (2), (6)	Addition.
911(d)(1), (2)-----	1567	89-809	105(e)(3)	Existing text designated as (1); par. (2) added.
912(3)-----	765	89-572	5	Amendment unaffected.
931(d)-----	1571	89-809	107(a), (b)	Revision.
932(a)-----	1554, 1555	89-809	103(m), (n)(1)	Amendment.
952(b)-----	1562, 1563	89-809	104(j), (n)	Revision.

TABLE 4.—Internal Revenue Code of 1954—Continued

Affected section	Amendatory provisions			
	80 Stat.	Public law	Section	Comment
953(b)(3)(F)-----	1563	89-809	104(m)(2), (n)	Amendment.
981-----	1565- 1567	89-809	105(e)(1), (2)	Addition.
1202-----	1548	89-809	103(a)(1)	Exception.
1212-----	1548, 1552	89-809	103(a)(1), (f)(1)	Do.
1234(c), (d)-----	1580	89-809	210(a), (b)	Subsec. (c) redesignated as (d); new (c) added.
1245(b)(1)-(3)-----	761	89-570	1(a)	Applicability.
1248(d)(4)-----	1562, 1563	89-809	104(k), (n)	Revision.
1249(a)-----	1563	89-809	104(m)(3), (n)	Amendment.
1303(b)(4)-----	765	89-572	5	Amendment unaffected.
1351-----	99, 104, 105	89-384	1(a), (g), 2	Addition.
1361-----	116	89-389	4(b)(1), (2)	Repeal; effective date.
1361(a), (c), (e)-----	115, 116	89-389	4(a)(1)-(3), (c)	Amendment.
1361(m)-----	115, 116	89-389	4(a)(4), (c)	Deletion.
1361(n)-----	115	89-389	4(a)(5)	Addition.
1372(b)(1)-----	114	89-389	2(b)(2), (c)	Amendment.
1372(e)(5)-----	114	89-389	3(a), (b)	Revision.
1373(c)-----	114	89-389	2(b)(3), (c)	Amendment.
1375(a)(3)-----	114	89-389	2(b)(4), (c)	Addition.
1375(d)(2)(B)(ii)-----	111	89-389	1(b)-(d)	Amendment.
1375(e)-----	111	89-389	1(a)(2)	Repeal.
1375(f)-----	111	89-389	1(a), (c), (d)	Addition.
1378-----	113	89-389	2(a), (b)(1), (c)	Do.
1382(a)-----	1580, 1584	89-809	211(a)(1), (e)	Amendment.
1382(b)(3), (4)-----	1580, 1581, 1584	89-809	211(a)(2), (e)	Pars. (3), (4) added; last sentence of subsec. (b) revised.
1382(e)-----	1581, 1584	89-809	211(a)(3), (e)	Revision.
1382(f)-----	1581, 1584	89-809	211(a)(4), (e)	Amendment.
1383(a)-----	1581, 1582, 1584	89-809	211(a)(5), (6), (8), (e)	Do.
1383(b)(2)-----	1581, 1584	89-809	211(a)(7), (e)	Do.
1385(a)(3)-----	1582, 1584	89-809	211(b)(1), (5), (e)	Addition.
1385(c)(1)-----	1582, 1584	89-809	211(b)(2), (3), (e)	Revision.
1385(c)(2)-----	1582, 1584	89-809	211(b)(4), (e)	Amendment.
1388(e)(1), (2)-----	1582, 1584	89-809	211(c)(1), (e)	Do.
1388(f)-(i)-----	1582- 1584	89-809	211(c)(2), (e)	Addition.
1402(e)(3)(E)-----	64	89-368	102(c), (d)	Do.
1403(b)(3)-----	64	89-368	102(b)(6), (d)	Do.
1441(a)-----	1553, 1555	89-809	103(h)(1), (n) (2)	Amendment.
1441(b)-----	1553, 1555	89-809	103(h)(2)- (4), (n)(2)	Do.
1441(c)(1)-----	1553, 1555	89-809	103(h)(5), (n)(2)	Deletion; new par. (1) added.
1441(c)(4)-----	1553, 1555	89-809	103(h)(6), (n)(2)	Revision.

TABLE 4.—Internal Revenue Code of 1954—Continued

Affected section	Amendatory provisions			
	80 Stat.	Public law	Section	Comment
1441 (c) (5) -----	1553, 1555	89-809	103 (h) (7), (n) (2)	Amendment.
1441 (c) (7) -----	1553, 1555	89-809	103 (h) (8), (n) (2)	Addition.
1441 (d), (e) -----	1553, 1555	89-809	103 (h) (9), (n) (2)	Subsec. (d) redesignated as (e); new (d) added.
1442 -----	1557, 1563	89-809	104 (c), (n)	Revision.
1461 -----	1554, 1555	89-809	103 (i), (n) (3)	Do.
1493 -----	1554, 1555	89-809	103 (l) (2), (n) (1)	Repeal.
1504 (b) (7) -----	116	89-389	4 (b) (3)	Deletion; effective date.
2014 (a) -----	1570	89-809	106 (b) (3), (4)	Amendment.
2014 (h) -----	1570	89-809	106 (b) (3), (4)	Addition.
2039 (c) -----	33	89-365	2 (a) (2), (3), (c)	Amendment.
2039 (c) (4) -----	33	89-365	2 (a) (1), (c)	Addition.
2056 -----	872	89-621	1 (c)	Supplemental provision.
2056 (d) (2) -----	872	89-621	1 (a), (b)	Revision.
2101 (a) -----	1571, 1574	89-809	108 (a), (i)	Do.
2102 -----	1572, 1574	89-809	108 (b), (i)	Do.
2104 (c) -----	1572, 1574	89-809	108 (c), (i)	Addition.
2105 (b) -----	1572, 1574	89-809	108 (d), (i)	Revision.
2106 (a) (3) -----	1572, 1574	89-809	108 (e), (i)	Do.
2107, 2108 -----	1573, 1574	89-809	108 (f), (h), (i)	Addition.
2501 (a) -----	1574, 1575	89-809	109 (a), (c)	Revision.
2511 (b) -----	1575	89-809	109 (b), (c)	Do.
2517 (a) (4) -----	33	89-365	2 (b) (1), (c)	Addition.
2517 (b) -----	33	89-365	2 (b) (2), (c)	Amendment.
3121 (i) (3) -----	765	89-572	5	Amendment unaffected.
3121 (p) -----	765	89-572	5	Do.
3122 -----	765	89-572	5	Do.
3201 -----	1088, 1089	89-700	301 (v), (vi)	Amendment.
3201 (3)-(5) -----	1078	89-699	301 (a)	Do.
3202 -----	1088	89-700	301 (iii), (v)	Do.
3211 -----	1088, 1089	89-700	301 (v), (vi)	Do.
3211 (3)-(5) -----	1078	89-699	301 (b)	Do.
3211 (a), (b) -----	1078, 1079	89-699	301 (d), (f)	Existing text designated as (a); subsec. (b) added.
3221 -----	1088	89-700	301 (iii), (v)	Amendment.
3221 (a) -----	1089	89-700	302	Do.
3221 (a) (3)-(5) -----	1078	89-699	301 (c)	Do.
3221 (b) -----	1089	89-700	301 (vi)	Do.
3221 (c) -----	1078, 1079	89-699	301 (e), (f)	Addition.
3401 (a) (6), (7) -----	1554, 1555	89-809	103 (k), (n) (4)	Pars. (6), (7) deleted; new (6) added.
3401 (a) (13) -----	765	89-572	5	Amendment unaffected.
3402 (a) -----	38, 62	89-368	101 (a), (g)	Revision.
3402 (b) (1) -----	41, 62	89-368	101 (b), (g)	Do.
3402 (c) (1) -----	41, 62	89-368	101 (c), (g)	Tables revised.
3402 (f) (1) (F) -----	59, 62	89-368	101 (e) (1), (6)	Addition.
3402 (f) (3) (B) -----	61, 62	89-368	101 (e) (3), (f)	Amendment; exception.
3402 (l) -----	59, 62	89-368	101 (d), (g)	Addition.
3402 (m) -----	59, 62	89-368	101 (e) (2), (6)	Do.
3505 -----	1138, 1147	89-719	105 (a), (c), 114 (c)	Do.

TABLE 4.—Internal Revenue Code of 1954—Continued

Affected section	Amendatory provisions			
	80 Stat.	Public law	Section	Comment
4061(a)(2)(A)-----	65, 66	89-368	201(a), (c)	Revision.
4062(b)-----	1585	89-809	212(a), (b)	Addition.
4071-----	332	89-523	2	Nonapplicability.
4071(b)-(d)-----	331	89-523	1(a), (b)	Subsecs. (b), (c) redesignated as (c), (d); new (b) added.
4226(e)-----	331	89-523	2	Addition.
4251-4254-----	66	89-368	202(c)	Applicability; supplemental provision.
4251-----	66	89-368	202(b), (c)	Exception.
4251(a)(2)-----	66	89-368	202(a)(1), (c)	Deletion; new par. (2) added.
4251(c)-----	66	89-368	202(a)(2), (c)	Deletion; new subsec. (c) added.
4253(h)-----	66	89-368	202(b), (c)	Addition.
4914(d)(3)-----	1585	89-809	213(a), (c)	Do.
4914(e)(2)-----	1585,	89-809	214(a), (b)	Amendment.
	1587			
4914(e)(3)(A)(i), (ii)-----	1585,	89-809	214(a)(2), (3),	Do.
	1587		(b)	
4914(e)(3)(A)(iii), (iv)-----	1585-	89-809	214(a)(4), (b)	Addition.
	1587			
4914(e)(3)(B)(i)-----	1586,	89-809	214(a)(5), (6),	Amendment.
	1587		(b)	
4914(e)(3)(C)-----	1586,	89-809	214(a)(7), (b)	Do.
	1587			
4914(e)(3)(E)(i)-----	1586,	89-809	214(a)(8), (b)	Do.
	1587			
4914(e)(4)(B)(i), (ii)-----	1586,	89-809	214(a)(9),	Do.
	1587		(10), (b)	
4914(e)(4)(C)-----	1587	89-809	214(a)(11),	Addition.
			(b)	
4914(j)(1)(A), (D)-----	1585	89-809	213(b), (c)	Amendment.
4918(g)-----	1585	89-809	213(b), (c)	Addition.
4931(a)-----	1587	89-809	215(a), (b)	Amendment.
6015(a)-----	1554,	89-809	103(j),	Do.
	1555		(n)(1)	
6015(c)-----	62, 64	89-368	102(a), (d)	Revision.
6015(i), (j)-----	1554,	89-809	103(j)(2),	Subsec. (i) redesignated as (j);
	1555		(3), (n)(1)	new (i) added.
6016(f), (g)-----	1563	89-809	104(l), (n)	Subsec. (f) redesignated as (g);
				new (f) added.
6018(a)(2)-----	1574	89-809	108(g), (i)	Amendment.
6044(b)(1)(D), (E)-----	1584	89-809	211(d)(1),	Addition.
			(e)(2)	
6044(d)(1), (2)-----	1584	89-809	211(d)(2),	Amendment.
			(e)(2)	
6051(a)-----	765	89-572	5	Amendment unaffected.
6091(b)(1), (2)-----	1107,	89-713	1(a)(1), 6	Revision.
	1111			
6091(b)(4), (5)-----	1108,	89-713	1(a)(2),	Par. (4) redesignated as (5)
	1111		(3), 6	and amended; new (4) added.
6096-----	1587,	89-809	302(a)-(c)	Addition.
	1588			
6103(f)-----	1109,	89-713	4(a), (b), 6	Deletion; new subsec. (f) added.
	1111			
6107-----	1110,	89-713	4(c), 6	Amendment.
	1111			
6151(a)-----	1108,	89-713	1(b), 6	Do.
	1111			
6154(a)-----	64, 65	89-368	104(a), (b)	Revision.
6167-----	102,	89-384	1(d), (g)(2), 2	Addition.
	104,			
	105			
6211-6216-----	61	89-368	101(e)(4)	Nonapplicability.
6211(b)(1)-----	64	89-368	102(b)(4),	Amendment.
			(d)	
6322-----	1146	89-719	113(a), 114	Do.

TABLE 4.—Internal Revenue Code of 1954—Continued

Affected section	Amendatory provisions			
	80 Stat.	Public law	Section	Comment
6323	1125, 1146	89-719	101(a), (b) (1), 114	Revision.
6323(a) (3)	266	89-493	17(a)	Do.
6324	1132, 1146	89-719	102, 114	Do.
6325	1133, 1146	89-719	103(a), (b), 114	Do.
6331(b)	1135, 1146	89-719	104(a), 114	Amendment.
6332(a)	1135, 1146	89-719	104(b), 114	Do.
6332(b)	1136, 1146	89-719	104(b)(2), 114	Revision.
6332(c)-(e)	1136, 1146	89-719	104(b)(3), (4), 114	Subsec. (c) redesignated as (e); new (c), (d) added.
6334(a) (4)	1137, 1146	89-719	104(c), 114	Amendment.
6334(a) (6), (7)	1137, 1146	89-719	104(c)(2), 114	Addition.
6335(b)	1137, 1146	89-719	104(d), 114	Amendment.
6337(b) (1)	1137, 1146	89-719	104(e), 114	Do.
6338(c)	1137, 1146	89-719	104(f), 114	Revision.
6339(c), (d)	1137, 1146	89-719	104(g), 114	Addition.
6342(a)	1137, 1146	89-719	104(h)(1), 114	Amendment.
6342(a) (1), (3)	1138, 1146	89-719	104(h)(2), (3), 114	Do.
6343(a), (b)	1138, 1146	89-719	104(i), (j), 114	Existing text designated as (a); subsec. (b) added.
6411(a)	1150	89-721	2(a), (g)	Amendment.
6411(a) (1), (5)	1150	89-721	2(b), (c), (g)	Do.
6411(b), (c)	1150	89-721	2(d), (e), (g)	Do.
6412(a) (1)	66	89-368	201(b)	Do.
6501(b) (1), (2)	1568	89-809	105(f)(3), (4)	Do.
6501(j)	1150	89-721	2(f), (g)	Do.
6501(m)	1151	89-721	3(a), (b)	Addition.
6502	1140, 1146	89-719	106(b), (c), 114	Limitation period, suspensions.
6502(a)	1146	89-719	113(b), 114	Amendment.
6503(b)	1139, 1146	89-719	106(a), 114	Do.
6503(c)	1139, 1146	89-719	106(b), 114	Revision.
6503(f), (g)	104, 105	89-384	1(e), 2	Subsec. (f) redesignated as (g); new (f) added.
6503(g), (h)	1140, 1146	89-719	106(c), 114	Subsec. (g) redesignated as (h); new (g) added.
6513(b)	1567, 1568	89-809	105(f)(1), (4)	Revision.
6513(c)	1568	89-809	105(f)(2), (4)	Amendment.
6513(c) (2)	1568	89-809	105(f)(2), (4)	Do.
6532(c)	1144, 1146	89-719	110(b), 114	Addition.
6601(j), (k)	104, 105	89-384	1(f), 2	Subsec. (j) redesignated as (k); new (j) added.
6611(e)	1150	89-721	1(a), (b)	Revision.
6654(a)-(c)	62	89-368	102(b)(2)	Exception.
6654(a)	62, 64	89-368	102(b)(1), (d)	Amendment.
6654(b)	64	89-368	103(a), (b)	Do.
6654(d)	62, 64	89-368	102(b)(2), (d)	Revision.
6654(d)	64	89-368	103(a), (b)	Amendment.

TABLE 4.—Internal Revenue Code of 1954—Continued

Affected section	Amendatory provisions			
	80 Stat.	Public law	Section	Comment
6654(f)-----	64	89-368	102(b)(3), (d)	Revision.
6682-----	61	89-368	101(e)(4)	Addition.
6683-----	1560, 1563	89-809	104(h)(4), (n)	Do.
7205-----	62	89-368	101(e)(5)	Amendment.
7237(d)-----	1449, 1450	89-793	501, 605	Revision.
7402(e), (f)-----	1140, 1146	89-719	107(a), 114	Subsec. (e) redesignated as (f); new (e) added.
7403(c)-----	1140, 1146	89-719	107(b), 114	Amendment.
7421(a)-----	1144, 1146	89-719	110(c), 114	Revision.
7422(a)-----	1144	89-719	110(a)	Nonapplicability.
7422(f), (g)-----	1108, 1109	89-713	3(a), (d)	Subsec. (f) redesignated as (g); new (f) added.
7424-----	1140, 1147	89-719	108, 114(d)	Revision.
7425-7427-----	1141- 1146	89-719	109, 110(a), (d), 114	Sec. 7425 redesignated as 7427; new 7425, 7426 added.
7447(d)-----	5	89-354	1, 2	Amendment.
7482(b)(1)-----	1109	89-713	3(c), (d)	Revision.
7502-----	1110, 1111	89-713	5(a)-(c)	Do.
7505(a)-----	1145, 1146	89-719	111(a), (c), 114	Amendment.
7506(a)-----	1145, 1146	89-719	111(b), 114	Do.
7701(a)(31)-----	1554, 1555	89-809	103(l), (n)(1)	Do.
7701(a)(34)-----	64	89-368	102(b)(5), (d)	Addition.
7809(a)-----	1146	89-719	112(b), 114	Amendment.
7809(b)(4)-----	1146	89-719	112(b), 114	Addition.
7810-----	1145, 1146	89-719	112(a), (c), 114	Do.

TABLE 5(a).—Positive Law Titles of United States Code

(The following titles of the U.S. Code have been enacted into positive law: Titles 1, 3, 4, 5, 6, 9, 10, 13, 14, 17, 18, 23, 28, 32, 35, 37, 38, and 39.)

Provisions affected		Amendatory provisions			
Title	Section	80 Stat.	Public Law	Section	Comment
1	113-----	271	89-497	-----	Revision.
3	19(d)(1)-----	948	89-670	10(a)	Amendment.
4	42-----	608	89-554	2(a)	Revision.
4	111, 112-----	608	89-554	2(b), (c)	Sec. 111 redesignated as 112; new 111 added.
5	101-8913-----	378	89-554	1	Laws relating to the organization of the U.S. Government, officers and employees, revised, codified and enacted as Title 5, U.S. Code.
5	101-8913-----	414, 416, 418	89-554	1	Partial exception.
5	101-8913-----	947	89-670	9(p)(2)	Applicability.
5	101-8913-----	1069	89-698	106(d)	Partial exception.
5	101-----	948	89-670	10(b), (c)	Amendment.
5	551-559-----	602	89-554	1	Exception.

TABLE 5(a).—Positive Law Titles of United States Code—Continued

Provisions affected		Amendatory provisions			
Title	Section	80 Stat.	Public Law	Section	Comment
5	551-559	941	89-670	6(h)	Applicability, with exception.
5	701-706	602	89-554	1	Exception.
5	701-706	941	89-670	6(h)	Applicability.
5	1302	1427- 1429, 1432	89-791	103(a)(4), (5), (12), 203 (a)(4), (5)	Do.
5	1501-1508	1427, 1431	89-791	103(a)(4), 203(a)(4)	Exception.
5	2108	1427- 1429, 1432	89-791	103(a)(4), (5), (12), 203 (a)(4), (5)	Applicability.
5	3106	416	89-554	1	Nonapplicability.
5	3305, 3306	1427- 1429, 1432	89-791	103(a)(4), (5), (12), 203 (a)(4), (5)	Applicability.
5	3308-3320	1427- 1429, 1432	89-791	103(a)(4), (5), (12), 203 (a)(4), (5)	Do.
5	3323	1427, 1431	89-791	103(a)(4), 203(a)(4)	Exception.
5	3323	1428, 1429, 1432	89-791	103(a)(5), (12), 203(a) (5)	Applicability.
5	3326	1427, 1431	89-791	103(a)(4), 203(a)(4)	Exception.
5	3342	1312	89-762	1	Repeal.
5	3351	1427- 1429, 1432	89-791	103(a)(4), (5), (12), 203 (a)(4), (5)	Applicability.
5	3363, 3364	1427- 1429, 1432	89-791	103(a)(4), (5), (12), 203 (a)(4), (5)	Do.
5	3501-3504	1427- 1429, 1432	89-791	103(a)(4), (5), (12), 203 (a)(4), (5)	Do.
5	3501, 3502	1427, 1431	89-791	103(a)(4), 203(a)(4)	Exception.
5	5101-5115	414, 416	89-554	1	Do.
5	5101-5115	454	89-554	1	Do.
5	5101-5115	471	89-554	1	Applicability.
5	5101-5115	1069	89-698	106(d)	Exception.
5	5101-5115	1427, 1431	89-791	103(a)(3), (4), 203(a) (3), (4)	Do.
5	5101-5115	1428, 1429, 1432	89-791	103(a)(5), (12), 203(a)(5)	Applicability.
5	5107	456	89-554	1	Exception.
5	5108	454	89-554	1	Exceptions.
5	5108(a)	878	89-632	1(a)	Revision.
5	5108(b)(1), (2)	878	89-632	1(b)	Existing text designated as (1); par. (2) added.
5	5108(c)(1), (2)	878	89-632	1(c), (d)	Amendment.
5	5114	454	89-554	1	Exception.
5	5312(11), (12)	948	89-670	10(d)(1)	Addition.
5	5313(7)	948	89-670	10(d)(2)	Amendment.
5	5313(19)	948	89-670	10(d)(2)	Addition.
5	5314(6)	948	89-670	10(e)	Repeal.
5	5314(46)-(48)	948	89-670	10(d)(3)	Addition.
5	5315-5317	618	89-554	4(c)	Applicability.
5	5315(2)	948	89-670	10(e)	Repeal.
5	5315(78)	948	89-670	10(d)(4)	Addition (relating to National Transportation Safety Board).

TABLE 5(a).—Positive Law Titles of United States Code—Continued

Provisions affected		Amendatory provisions			
Title	Section	80 Stat.	Public Law	Section	Comment
5	5315(78)-----	1163	89-734	1(1)	Addition (relating to Smithsonian Institution).
5	5315(78)-----	1364	89-779	8(c)(1)	Addition (relating to Small Business Administration).
5	5315(79)-----	948	89-670	10(d)(4)	Addition (relating to Dept. of Transportation).
5	5315(79)-----	1163	89-734	1(1)	Addition (relating to Smithsonian Institution).
5	5315(80)-(83)-----	948	89-670	10(d)(4)	Addition.
5	5316(10)-----	948	89-670	10(e)	Repeal.
5	5316(11)-----	1364	89-779	8(c)(2)	Amendment.
5	5316(12)-(14)-----	948	89-670	10(e)	Repeal.
5	5316(76), (82)-----	948	89-670	10(e)	Do.
5	5316(117)-----	948	89-670	10(d)(5)	Addition (relating to Dept. of Transportation).
5	5316(117)-----	1163	89-734	1(2)	Addition (relating to Smithsonian Institution).
5	5316(118)-----	1163	89-734	1(2)	Addition.
5	5317-----	948	89-670	10(d)(6)	Amendment.
5	5331-5338-----	414, 416	89-554	1	Exception.
5	5331-5338-----	471	89-554	1	Applicability.
5	5331-5338-----	1069	89-698	106(d)	Exception.
5	5331-5338-----	1427, 1431	89-791	103(a)(3), (4), 203(a)(3), (4)	Do.
5	5331-5338-----	1428, 1429, 1432	89-791	103(a)(5), (12), 203(a)(5)	Applicability.
5	5531-5533-----	1427, 1431	89-791	103(a)(4), 203(a)(4)	Exception.
5	5532(b)-----	483	89-554	1	Do.
5	5533-----	484	89-554	1	Nonapplicability.
5	5536-----	510, 513	89-554	1	Exception.
5	5707-----	500	89-554	1	Nonapplicability.
5	5722-----	501	89-554	1	Do.
5	5727-5729-----	505, 506	89-554	1	Do.
5	5921(6)-----	512	89-554	1	Exception.
5	6301-6305-----	1427, 1431	89-791	103(a)(4), 203(a)(4)	Do.
5	6303-----	1427, 1431	89-791	103(a)(4), 203(a)(4)	Do.
5	6304(b)-----	520	89-554	1	Do.
5	6304(b)-----	1179	89-747	1(1)	Do.
5	6305(c)-----	1179	89-747	-----	Addition.
5	6307-6311-----	1427, 1431	89-791	103(a)(4), 203(a)(4)	Exception.
5	7324-7327-----	1427, 1431	89-791	103(a)(4), 202(a)(4)	Do.
5	7501-----	528	89-554	1	Nonapplicability.
5	7511-----	1427, 1429, 1432	89-791	103(a)(4), (5), (12), 203(a)(4), (5)	Applicability.
5	7512-----	528	89-554	1	Nonapplicability.
5	7512-----	1427, 1429, 1432	89-791	103(a)(4), (5), (12), 203(a)(4), (5)	Applicability.
5	7701-----	1427, 1429, 1432	89-791	103(a)(4), (5), (12), 203(a)(4), (5)	Do.
5	7902-----	1427, 1429, 1431, 1432	89-791	103(a)(4), (5), (12), 203(a)(4), (5)	Do.
5	8101-8138-----	1427, 1429, 1431, 1432	89-791	103(a)(4), (5), (12), 203(a)(4), (5)	Do.

TABLE 5(a).—Positive Law Titles of United States Code—Continued

Provisions affected		Amendatory provisions			
Title	Section	80 Stat.	Public Law	Section	Comment
5	8113(a), (b)-----	553	89-554	1	Applicability.
5	8114(e)-----	1164	89-737	1(1)	Amendment.
5	8145-8150-----	1427- 1429, 1431, 1432	89-791	103(a)(4), (5), (12), 203(a) (4), (5)	Applicability.
5	8331-8348-----	1427, 1431	89-791	103(a)(4), 203(a)(4)	Exception.
5	8331-8348-----	1428, 1429, 1432	89-791	103(a)(5), (12), 203(a) (5)	Applicability.
5	8331(3)-----	1164	89-737	1(2)(D)	Amendment.
5	8331(3)(C)-----	1164	89-737	1(2)(A)-(C)	Addition.
5	8348(g)-----	1164	89-737	3	Nonapplicability.
5	8504-----	591	89-554	1	Exception.
5	8701-8716-----	1427- 1429, 1432	89-791	103(a)(4), (5), (12), 203(a)(4), (5)	Applicability.
5	8704(c)-----	1164	89-737	1(3)	Amendment.
5	8901-8913-----	1427- 1429, 1432	89-791	103(a)(4), (5), (12), 203(a)(4), (5)	Applicability.
9	1-14-----	344	89-532	3(a)	Nonapplicability.
10	101 <i>et seq.</i> -----	278	89-501	401	Exception.
10	123-----	1115	89-718	1	Amendment.
10	125(c)-----	278	89-501	401	Do.
10	173(c)-----	1115	89-718	2	Repeal.
10	564(a)-----	1115	89-718	3	Amendment.
10	591(a)-----	1115	89-718	4	Do.
10	651(a)-----	1115	89-718	5	Do.
10	687(a)-----	1115, 1116	89-718	6(1), (3)	Amendment; exception.
10	687(a)(3)-----	1116	89-718	6(2)	Amendment.
10	687(b)-----	1116	89-718	6(3)	Revision.
10	687(e), (f)-----	1116	89-718	6(4)	Subsec. (e) deleted; new (f) added.
10	703(a), (b)-----	1163	89-735	-----	Existing text designated as (a); subsec. (b) added.
10	703(a)-----	1163	89-735	-----	Exception.
10	717(b)-----	1117	89-718	7	Repeal.
10	719-----	960	89-683	1(1), (2)	Addition.
10	801-940-----	938	89-670	6(b)(3)	Transfer of certain functions.
10	801(1)-----	948	89-670	10(g)	Amendment.
10	802(8)-----	1117	89-718	8(a)	Do.
10	1035-----	347, 348	89-538	1, 2, 3(a), (b)	Revision; exception; applicability.
10	1035-----	1165	89-738	-----	Supplemental provision.
10	1071-1073-----	862, 866	89-614	2(1), (9)	Amendment.
10	1072(1)-----	1117	89-718	8(a)	Do.
10	1073-----	1117	89-718	8(a)	Do.
10	1074(b)-----	862	89-614	2(2)	Revision.
10	1076-----	863	89-614	2(4)	Limitations.
10	1076(b)-----	862	89-614	2(3)	Revision.
10	1077-----	863, 866	89-614	2(4), (9)	Do.
10	1078(a)-----	863	89-614	2(5)	Amendment.
10	1079-----	863	89-614	2(6)	Revision.
10	1082-----	866	89-614	2(8), (9)	Amendment.
10	1084-----	862	89-614	2(1)	Do.
10	1086-----	365, 866	89-614	2(7), (9)	Addition.
10	1086-----	865	89-614	2(7)	Restriction.
10	1087-----	866	89-614	2(7), (9)	Addition.
10	1124-----	345	89-534	1(1), (2)	Addition (relating to gold star lapel buttons).
10	1124, 1126-----	1117	89-718	9	Sec. 1124 (as added 80 Stat. 345) redesignated as 1126.

TABLE 5(a).—Positive Law Titles of United States Code—Continued

Provisions affected		Amendatory provisions			
Title	Section	80 Stat.	Public Law	Section	Comment
10	1124(g)-----	1117	89-718	10	Amendment (relating to cash awards).
10	1125-----	339	89-529	1(1), (2)	Addition.
10	1164-----	1115	89-718	3	Amendment.
10	1208(a)-----	1117	89-718	8(b)	Do.
10	1208(a)(2)(B)-----	1117	89-718	8(a)	Do.
10	1213-----	1117	89-718	8(a)	Do.
10	1221-----	1115	89-718	3	Do.
10	1255(a)-----	1115	89-718	3	Do.
10	1263(a)-----	1115	89-718	3	Do.
10	1305(a)-----	1115	89-718	3	Do.
10	1331(d)-----	902	89-652	1	Addition.
10	1404-----	1115	89-718	3	Amendment.
10	1406-----	902	89-652	2, 3	Addition; exception.
10	1431-1446-----	1137	89-719	104(c)(2)	Exemption of annuities.
10	1444(a)-----	1117	89-718	8(a)	Amendment.
10	1478(a)(4)-----	1117	89-718	11	Do.
10	1524-----	1117	89-718	12(a)	Addition.
10	1571-1576-----	1016	89-690	1, 2	Do.
10	1580-----	663,	89-554,	8,	Repeal.
		1117	89-718	13	
10	1583(a), (b)-----	1117	89-718	14	Designation "(a)" deleted; subsec. (b) repealed.
10	1586-----	1117	89-718	15	Amendment.
10	2031(d)(1), (2)-----	1117,	89-718	16	Do.
		1118			
10	2109(b)(3)-----	1118	89-718	17	Do.
10	2110(a)(1)-----	1118	89-718	18	Do.
10	2231-2238-----	757	89-568	701	Applicability.
10	2237(a)-----	1118	89-718	19	Amendment.
10	2310(b)-----	850	89-607	1(1)	Do.
10	2310(b)(4), (5)-----	850	89-607	1(1)(B)	Clause (4) redesignated as (5); new (4) added.
10	2313(b)-----	37	89-367	304	Exemption.
10	2313(b)-----	754	89-568	604	Do.
10	2313(b)-----	850	89-607	1(2)	Amendment; exception.
10	2313(c)-----	850	89-607	1(2)	Addition.
10	2389-----	1056	89-696	1(1), (2)	Do.
10	2674(a)-----	756	89-568	608	Amendment.
10	2680(a)-----	1118	89-718	20	Do.
10	2733(f)-----	1117	89-718	8(a)	Do.
10	2736, 2737-----	1118	89-718	21	Sec. 2736 (relating to U.S. property use) redesignated as 2737.
10	2771(b)-----	1117	89-718	8(a)	Amendment.
10	3012(b)-----	1118	89-718	22	Revision.
10	3017-----	1118	89-718	23	Amendment.
10	3036(a)-----	1119	89-718	24	Revision.
10	3038-----	1119	89-718	25	Repeal.
10	3068-----	846	89-603	1(1)	Revision.
10	3069-----	852	89-609	1(1)	Amendment.
10	3070(b), (c)-----	852	89-609	1(2), (3)	Do.
10	3210(e)-----	846	89-603	1(2)	Addition.
10	3291(a)-(c)-----	852	89-609	1(4)	Amendment.
10	3291(a)-----	854	89-609	2	Waiver of certain provisions.
10	3533-----	1119	89-718	26	Amendment.
10	3883-3886-----	1115	89-718	3	Do.
10	3913(a)-----	1115	89-718	3	Do.
10	3915-----	1115	89-718	3	Do.
10	3915(b)-----	852	89-609	1(5)	Revision.
10	3916(a)-----	1115	89-718	3	Amendment.
10	3921(a)-----	1115	89-718	3	Do.
10	3922(a)-----	1115	89-718	3	Do.
10	3923-----	1115	89-718	3	Do.
10	4339-----	1114	89-716	1	Repeal.
10	4342(a)(1), (2)-----	896	89-650	1(1), (2)	Amendment.

TABLE 5(a).—Positive Law Titles of United States Code—Continued

Provisions affected		Amendatory provisions			
Title	Section	80 Stat.	Public Law	Section	Comment
10	4342(b) (1)-----	896	89-650	1(3)	Revision.
10	4342(b) (3)-----	896	89-650	1(4)	Amendment.
10	4346(d)-----	1519	89-802	1(g)	Exception.
10	4508-----	1119	89-718	27	Amendment.
10	4537-----	1117	89-718	8(a)	Do.
10	4540(c)-----	1119	89-718	28	Do.
10	4565(a)-----	1119	89-718	29	Do.
10	4712(a)-----	1119	89-718	30	Do.
10	4774(d)-----	37	89-367	303	Exception.
10	4774(d)-----	754, 757	89-568	601, 702	Do.
10	4774(d)-----	1023	89-691		Do.
10	4834(a), (b)-----	1119	89-718	31	Designation "(a)" deleted; subsec. (b) deleted.
10	5036(a)-----	1119	89-718	32	Amendment.
10	5082(a)-----	1119	89-718	33	Revision.
10	5111, 5112-----	1119, 1120	89-718	34	Repeal.
10	5131(3)-(6)-----	1120	89-718	35	Deletion.
10	5133(a), (b)-----	1120	89-718	35(2)-(4)	Amendment.
10	5140(a)-----	853	89-609	1(6)	Do.
10	5145-5147-----	1120	89-718	35(5)	Repeal.
10	5149-----	1120	89-718	36	Headings amended.
10	5154-----	1120	89-718	35(5)	Repeal.
10	5443(a)-----	1160	89-731	1	Amendment.
10	5580(a)-----	853	89-609	1(7)	Do.
10	5580(b) (1), (2)-----	853	89-609	1(8), (9)	Revision.
10	5601-----	853	89-609	1(10)	Repeal.
10	5773(c)-----	853	89-609	1(11)	Amendment.
10	5776(d)-----	853	89-609	1(12)	Do.
10	5782(d)-----	853	89-609	1(13)	Do.
10	5792-----	1115	89-718	4	Do.
10	5899(e)-----	853	89-609	1(14)	Do.
10	5902(c)-----	1160	89-731	3	Revision.
10	5902(d), (e)-----	1160	89-731	4, 5	Subsec. (d) repealed; (e) redesignated as (d).
10	6112-----	1124	89-718	75(7)	Repeal.
10	6324-----	853	89-609	1(15)	Amendment.
10	6377(c), (d)-----	853	89-609	1(16), (17)	Do.
10	6384(c) (3), (4)-----	853	89-609	1(18), (19)	Do.
10	6388(d) (1), (2)-----	853	89-609	1(20), (21)	Do.
10	6395(h) (3)-----	853	89-609	1(22)	Do.
10	6396(a), (b)-----	853	89-609	1(23), (24)	Do.
10	6396(c) (1), (2)-----	854	89-609	1(25), (26)	Do.
10	6397(b)-----	854	89-609	1(27)	Do.
10	6954(a) (1), (2)-----	896	89-650	1(1), (2)	Do.
10	6954(b) (1)-----	896	89-650	1(3)	Revision.
10	6970(b), (c)-----	1120	89-718	37	Do.
10	6971(a)-----	1120	89-718	38	Amendment.
10	7043(b)-----	346	89-536		Do.
10	7083-----	1120	89-718	39	Do.
10	7086(g)-----	1120	89-718	40	Do.
10	7204(a) (1) (D)-----	1117	89-718	8(a)	Do.
10	7205(a) (4)-----	1117	89-718	8(a)	Do.
10	7211(a) (4)-----	1117	89-718	8(a)	Do.
10	7212(a)-----	1119	89-718	28	Do.
10	7218-----	339	89-529	1(3), (4)	Repeal.
10	7218(b)-----	1117	89-718	8(a)	Amendment.
10	7303(a)-----	1120	89-718	41	Do.
10	7306(a), (b)-----	1120	89-718	42	Designation "(a)" deleted; subsec. (b) repealed.
10	7307-----	121	89-398	1	Exception.
10	7474-----	663, 1120	89-554, 89-718	8, 43	Repeal.
10	7571(a) (3)-----	1117	89-718	8(a)	Amendment.
10	7572(a) (3)-----	1117	89-718	8(a)	Do.
10	7576(a) (3)-----	1117	89-718	8(a)	Do.

TABLE 5(a).—Positive Law Titles of United States Code—Continued

Provisions affected		Amendatory provisions			
Title	Section	80 Stat.	Public Law	Section	Comment
10	7604(a)-----	1120	89-718	44	Amendment.
10	8017-----	1118	89-718	23	Do.
10	8031(c)-----	1121	89-718	45	Do.
10	8202-----	849	89-606	2	Do.
10	8202(a)-----	849	89-606	1	Do.
10	8287(b)-----	854	89-609	1(28)	Do.
10	8299(g)-----	854	89-609	1(29)	Do.
10	8883-8886-----	1115	89-718	3	Do.
10	8888(2)(D)-----	854	89-609	1(30)	Revision.
10	8913(a)-----	1115	89-718	3	Amendment.
10	8915(a)-----	854	89-609	1(31), (32)	Do.
10	8915(a)-----	1115	89-718	3	Do.
10	8915(b)-----	854	89-609	1(31), (32)	Do.
10	8916(a)-----	1115	89-718	3	Do.
10	8921(a)-----	1115	89-718	3	Do.
10	8922(a)-----	1115	89-718	3	Do.
10	8923-----	1115	89-718	3	Do.
10	8927(a)(4)-----	854	89-609	1(33)	Revision.
10	9342(a)(1), (2)---	896	89-650	1(1), (2)	Amendment.
10	9342(b)(1)-----	896	89-650	1(3)	Revision.
10	9342(b)(3)-----	896	89-650	1(5)	Amendment.
10	9343-----	1121	89-718	46	Do.
10	9346(d)-----	1121	89-718	47	Addition.
10	9537-----	1117	89-718	8(a)	Amendment.
10	9540(c)-----	1119	89-718	28	Do.
10	9712(a)-----	1121	89-718	48	Do.
10	9774-----	987, 988	89-687	-----	Exceptions.
10	9774(d)-----	37	89-367	303	Exception.
10	9774(d)-----	754, 757	89-568	601, 702	Do.
13	14-----	221	89-473	2	Repeal.
14	4(d), (e)-----	195	89-444	1(1)	Technical amendment.
14	42(a)-----	195	89-444	1(2)	Revision.
14	44-----	195	89-444	1(3)	Amendment.
14	46(c)-----	195	89-444	1(4)	Revision.
14	46(d)-----	195	89-444	1(5)	Repeal.
14	47(c), (d)-----	195	89-444	1(6), (7)	Revision.
14	81, 82-----	912	89-662	1, 2	Do.
14	182-----	195	89-444	1(8)	Amendment.
14	186(a), (b)-----	195	89-444	1(9)	Existing text designated as (a) and amended; subsec. (b) added.
14	190-----	196	89-444	1(10)	Amendment.
14	211-----	198	89-444	3	Supplemental provision; applicability.
14	211(a)(4)-----	196	89-444	1(11)	Revision.
14	214(a)-(c)-----	196	89-444	1(12)-(14)	Amendment.
14	253(a)-----	196	89-444	1(15)	Do.
14	256(a)-----	196	89-444	1(16)	Do.
14	258(2)-----	196	89-444	1(17)	Revision.
14	332(b)-----	196	89-444	1(18)	Amendment; exception.
14	334-----	196, 197	89-444	1(19), (25) (A)	Catchline revised.
14	371-373-----	196, 197	89-444	1(20), (25) (B)	Addition.
14	438-----	197	89-444	1(21)	Amendment.
14	461-----	197	89-444	1(23)	Exception.
14	461(a), (b) <sup>1</sup> -----	1124	89-718	73(a)(3)	Repeal.
14	461(c)-----	1124	89-718	73(c)(1), (2)	Designation "(c)" deleted.
14	462, 464-466, 474, 504-506.	197	89-444	1(26)	Deletion of repealed items from analysis.
14	462a-511-----	197	89-444	1(23)	Applicability.
14	654-----	197	89-444	1(22)	Catchline added.
14	755(b)-----	197	89-444	1(23)	Revision.
14	770-795-----	197	89-444	1(24)	Applicability.

<sup>1</sup> Referred to in text as sec. 471.

TABLE 5(a).—Positive Law Titles of United States Code—Continued

Provisions affected		Amendatory provisions			
Title	Section	80 Stat.	Public Law	Section	Comment
14	771	197	89-444	1(24)	Revision.
18	203	1188	89-749	3	Applicability.
18	205	1188	89-749	3	Do.
18	207-209	1188	89-749	3	Do.
18	209	414, 425, 437	89-554	1	Exception.
18	219	249	89-486	8(b), (c)(2)	Addition; nonapplicability.
18	292	608	89-554	3(a), (b)	Addition.
18	292	1427- 1429, 1431, 1432	89-791	103(a)(4), (5), (12), 203(a)(4), (5)	Applicability.
18	613	248, 249	89-486	8(a), (c)(1)	Addition.
18	659	904	89-654	1(a)-(e)	Amendment.
18	713	1525	89-807	1(a), (b)	Addition.
18	751, 752	1440, 1448	89-793	101, 315	Applicability.
18	831-835	939, 940	89-670	6(e)(4), (f)(1)- (3)	Transfer of functions.
18	1001	1448	89-793	316	Applicability.
18	1001	1473	89-794	801	Do.
18	1020	948	89-670	10(f)	Amendment.
18	1153	1100	89-707	1	Revision.
18	1916-1923	608	89-554	3(c), (d)	Addition.
18	1920-1922	1427- 1429, 1431, 1432	89-791	103(a)(4), (5), (12), 203(a)(4), (5)	Applicability.
18	2117	904	89-654	2(a)-(d)	Amendment.
18	3041	217	89-465	5(a)	Do.
18	3141-3143	217	89-465	5(b)-(d)	Do.
18	3146-3152	214-217	89-465	3(a), (b), 5(e)	Addition. (Former sec. 3146 deleted.)
18	3146(d)	215	89-465	3(a)	Applicability.
18	3147	216	89-465	3(a)	Nonapplicability.
18	3237(b)	1108, 1111	89-713	2, 6	Amendment.
18	3242	1101	89-707	2	Revision.
18	3282	661	89-554	8	Exception.
18	3568	217	89-465	4, 6	Partial revision; applicability.
18	3656	293	89-504	202(a)	Compensation rates, increase.
18	4010, 4011	610	89-554	3(e), (f)	Addition.
18	4202	1449	89-793	501	Nonapplicability.
18	4251-4255	1442, 1450	89-793	201, 603, 605	Addition.
23	101-136	733	89-564	101	Applicability, with exceptions.
23	101-138	768	89-574	8(a), (b)	Applicability.
23	101-404	937	89-670	6(a)(1)(A)	Transfer of functions.
23	101(b)	767	89-574	4(a)	Amendment.
23	104(b)(5)	767	89-574	4(b)	Do.
23	105(c)	736	89-564	206	Addition.
23	109(b)	767	89-574	5(a)	Amendment.
23	109(g)	771	89-574	14	Addition.
23	118(d)	768	89-574	7(a)	Do.
23	120(f)	769	89-574	9(a)	Amendment.
23	125(a), (c)	769	89-574	9(b), (c)	Do.
23	131	768	89-574	8(c)	Exception.
23	131(m)	768	89-574	8(a)	Amendment.
23	135	734	89-564	102(a), (b)(1)	Repeal.
23	136	768	89-574	8(c)	Exception.
23	136(m)	768	89-574	8(a)	Amendment.
23	137, 138	768, 771	89-574	8(c), 15	Addition.
23	302(a)	770	89-574	11	Amendment.
23	303	933	89-670	3(f)(4)	Transfer of office.
23	307(a)	735	89-564	103	Amendment.

TABLE 5(a).—Positive Law Titles of United States Code—Continued

Provisions affected		Amendatory provisions			
Title	Section	80 Stat.	Public Law	Section	Comment
23	307(d)-----	735	89-564	103	Addition.
23	313-----	734, 735	89-564	102(a), (b)(2)	Repeal.
23	319(b)-----	768	89-574	8(b),(c)	Amendment; exception.
23	401-404-----	731, 735	89-564	101, 102(b) (3)	Addition.
28	1 <i>et seq.</i> -----	306	89-506	1(b)	Applicability.
28	44(a)-----	75	89-372	1(b)	Amendment.
28	84-----	75	89-372	3(a)	Revision.
28	86-----	705	89-558	-----	Amendment.
28	116(b), (c)-----	335	89-526	1(a), (b)	Revision.
28	122-----	883	89-638	-----	Amendment.
28	133-----	77	89-372	4	Do.
28	134(a)-----	764	89-571	1, 4	Revision.
28	171-----	140	89-425	1(b)	Amendment.
28	175-----	140	89-425	2, 3	Deletion; new sec. 175 added.
28	373-----	764	89-571	2, 4	Amendment.
28	451-----	764	89-571	3	Do.
28	501-526 (ch. 31) (501-510).	611, 663	89-554	4, 8	Addition. (Former secs. 501-510 repealed.)
28	508-----	293	89-504	108	Compensation rates, increase.
28	531-537 (ch. 33) (541-556).	616, 663	89-554	4, 8	Addition. (Former secs. 541-556 repealed.)
28	541-550 (ch. 35)-----	617	89-554	4	Addition.
28	561-575 (ch. 37)-----	619	89-554	4	Do.
28	603-----	294	89-504	202(a)	Compensation rates, increase.
28	604(a)(5)-----	294	89-504	202(a)	Do.
28	671-675-----	294	89-504	202(a)	Do.
28	753(e)-----	294	89-504	202(c)	Amendment.
28	792(a)-----	959	89-681	3	Do.
28	962-----	663	89-554	8	Repeal.
28	1254(3)-----	624	89-554	4(e)	Applicability.
28	1346(e)-----	1148, 1149	89-719	202(a), 203	Addition.
28	1362-----	880	89-635	1, 2	Do.
28	1391(a), (b)-----	1111	89-714	1	Revision.
28	1391(f)-----	1111	89-714	2	Repeal.
28	1402(c)-----	1149	89-719	202(b), 203	Addition.
28	1444-----	1140	89-719	108	Applicability.
28	1492-----	958	89-681	1	Revision.
28	1544-----	901	89-651	8(c)(1), (2)	Addition.
28	2072-----	1323	89-773	1, 3	Amendment.
28	2073, 2074-----	1323	89-773	2, 3	Repeal.
28	2101(f)-----	624	89-554	4(e)	Applicability.
28	2112(a), (b)-----	1323	89-773	5(a)-(c)	Amendment.
28	2241(d)-----	811	89-590	-----	Addition.
28	2244(a)-(c)-----	1104	89-711	1(a)-(c)	Existing text designated as (a) and amended; subsecs. (b), (c) added.
28	2254(a)-(f)-----	1105, 1106	89-711	2(a)-(d), 3	Existing text designated as (b), (c); subsecs. (a), (d)-(f) added.
28	2341-2352-----	621	89-554	4(d), (e)	Addition.
28	2352-----	1323	89-773	4	Repeal.
28	2401(b)-----	307	89-506	7	Revision.
28	2410-----	1140	89-719	108	Applicability.
28	2410(a)-(e)-----	1147, 1149	89-719	201, 203	Subsec. (d) redesignated as (e); (a)-(c) deleted; new (a)-(d) added.
28	2410(b)-----	1140	89-719	108	Exception.
28	2412-----	308	89-507	1	Revision.
28	2415-----	304	89-505	1, 2	Addition.
28	2416-----	304, 305	89-505	1, 2	Applicability; addition.
28	2502-----	1108	89-713	3(a)	Exception.
28	2502(a), (b)-----	1108, 1109	89-713	3(b),(d)	Existing text designated as (a); subsec. (b) added.

TABLE 5(a).—Positive Law Titles of United States Code—Continued

Provisions affected		Amendatory provisions			
Title	Section	80 Stat.	Public Law	Section	Comment
28	2509	958	89-681	2	Revision.
28	2520(d)	308	89-507	2	Repeal.
28	2602	902	89-651	8(c)(3)	Amendment.
28	2671	307	89-506	8	Do.
28	2672	306, 308	89-506	1(a)-(c), 9	Partial revision.
28	2675(a)	306	89-506	2(a)	Revision; exception.
28	2675(b)	306	89-506	2(b)	Amendment.
28	2677	307	89-506	3	Revision.
28	2678	307	89-506	4	Partial revision.
28	2679(b)	307	89-506	5(a)	Revision.
28	2901-2906	1438, 1450	89-793	101, 603, 605	Addition.
32	107	982, 985	89-687		Exceptions.
37	101(3)	1121	89-718	49(a)(1)	Amendment.
37	101(5)(E)	1121	89-718	49(a)(1)	Do.
37	201	1121	89-718	49(a)(1)	Do.
37	202(g)	1121	89-718	50(1)	Do.
37	202(h)(2)	1121	89-718	50(2)	Deletion.
37	203(a)	276	89-501	301	Revision.
37	205(a)	1121	89-718	49(b)	Amendment.
37	205(a)(5)	1121	89-718	49(a)(1)	Do.
37	209(a), (c)	1121	89-718	51(1), (2)	Do.
37	301(a)(2)	1121	89-718	52	Revision.
37	302(b)(3)	1122	89-718	53	Amendment.
37	402(c)	198	89-444	2(2)	Do.
37	403(a)	1122	89-718	54	Revision.
37	403(e)	1121	89-718	49(a)(1)	Amendment.
37	404(c)	957	89-680	1(1)	Do.
37	404(d)	1123	89-718	55(5)	Do.
37	404(d)(1)-(3)	1122, 1123	89-718	55(1)-(4)	Do.
37	404(e)	1123	89-718	56	Do.
37	405	1123	89-718	57	Do.
37	405a	851	89-608	1	Provisions extended.
37	405a(a)	851	89-608	2	Amendment.
37	406(b)	1123	89-718	58(1)	Do.
37	406(d)	957	89-680	1(2)	Do.
37	406(g)	957	89-680	1(3)	Do.
37	406(g)	1123	89-718	59	Do.
37	406(g)(1)	1123	89-718	58(2)	Do.
37	407(a), (b)(2)	1123	89-718	60	Do.
37	409	1123	89-718	61, 62	Do.
37	414(a)(2)	1121	89-718	49(a)(2)	Do.
37	415(a)	1123	89-718	63	Do.
37	415(e)	198	89-444	2(1)	Do.
37	416(b)	1123	89-718	63	Do.
37	419	1123	89-718	64	Do.
37	422(c)	1123	89-718	63	Do.
37	501(b)	1121	89-718	49(a)(1)	Do.
37	501(d)	1123	89-718	65	Do.
37	501(e)	1121	89-718	49(a)(1)	Do.
37	502(a)	1121	89-718	49(a)(1)	Do.
37	503	1121	89-718	49(a)(1)	Do.
37	551-558	625	89-554	5(a), (b)	Addition.
37	558	630	89-554	5(b)	Exception.
37	604	1123	89-718	66	Heading amended.
37	701(d)	1123	89-718	67	Amendment.
37	706	1121	89-718	49(a)(1), (3)	Do.
37	801(b)	1123	89-718	68(1)	Deletion.
37	801(c)	1121, 1123	89-718	49(a)(1), 68(2)	Amendment.
37	1001(b)	1121, 1123	89-718	49(a)(1), 69	Do.
37	1006(g), (h)	1123, 1124	89-718	70	Subsec. (g) (relating to advance payment of pay and allowances) redesignated as (h).

TABLE 5(a).—Positive Law Titles of United States Code—Continued

Provisions affected		Amendatory provisions			
Title	Section	80 Stat.	Public Law	Section	Comment
37	1007(a), (c)-----	1124	89-718	71, 72	Amendment.
38	101-5228-----	1374	89-785	203	Applicability of certain provisions.
38	101(20)-----	24	89-358	4(d)	Amendment.
38	102(a)(2)-----	24	89-358	4(e)	Do.
38	102(b)-----	24	89-358	4(f)	Do.
38	107(a), (b)-----	885	89-641	2	Do.
38	111(a)-----	24	89-358	4(g)	Do.
38	111(b)-----	208	89-455	-----	Revision.
38	210(c)(1), (2)-----	1376	89-785	301	Existing text designated as (1); par. (2) added.
38	210(d)-----	29	89-361	1	Addition.
38	211(a)-----	24	89-358	4(h)	Amendment.
38	212(a)-----	30	89-361	2(a), (b)	Do.
38	213-----	1376	89-785	302	Do.
38	216(c)-----	1099	89-705	-----	Addition.
38	233(a), (b)-----	1376, 1377	89-785	303(a)-(c)	Existing text designated as (a); subsec. (b) added.
38	311-313-----	27	89-358	7(a)	Applicability.
38	332, 333-----	27	89-358	7(a)	Exception.
38	337-----	27	89-358	7	Addition.
38	402(d)-----	873	89-622	-----	Amendment.
38	412(b)-----	217	89-466	-----	Revision.
38	413(1)-(4)-----	1159, 1160	89-730	4(1)-(4), 7(a)	Amendment.
38	414(a)-(c)-----	1159, 1160	89-730	5(1)-(3), 7(a)	Do.
38	415(b)-----	1157, 1160	89-730	1(a), 7(a)	Revision.
38	415(c), (d)-----	1157, 1158, 1160	89-730	1(b), (c), 7(a)	Table revised.
38	415(g)(1)(C)-----	1158, 1160	89-730	2(1), 7(b)	Amendment.
38	415(g)(1)(F)-(L).-----	1158, 1160	89-730	2(3), 7(b)	Addition.
38	507-----	218	89-467	-----	Do.
38	562-----	1137	89-719	104(c)(2)	Exemption of annuities.
38	610(a)(1)(B)-----	27	89-358	8	Amendment.
38	610(b)(2)-----	27	89-358	8	Do.
38	610(c)-----	1377	89-785	304	Addition.
38	622-----	859	89-612	1	Amendment.
38	632(a)-(e)-----	859, 860	89-612	2(1), (3)	Existing text designated as (a); subsecs. (b)-(e) added.
38	632(a)(2)-----	859	89-612	2(2)	Amendment.
38	634(1)-----	861	89-612	3	Do.
38	901(a)(1)-----	28	89-358	9	Do.
38	902(a)-----	29	89-360	-----	Revision.
38	903(b)-----	24	89-358	4(i)	Amendment.
38	1601-1669 (Ch. 33)-----	23	89-358	4(a)-(c)	Repeal; savings provision.
38	1651-1686 (Ch. 34)-----	12, 24, 28	89-358	2, 4(c)(2), 12(a)	Addition.
38	1651-1686-----	21	89-358	3(b)	Restriction.
38	1675(a)-----	16	89-358	2	Exception.
38	1701-1766-----	21	89-358	3(b)	Restriction.
38	1701-1766-----	861	89-613	1	Applicability.
38	1701(a)(1)-----	24	89-358	4(j)(3)	Amendment.
38	1701(a)(3)(C)-----	24	89-358	4(j)(1)	Do.
38	1701(a)(8)-(10)-----	24	89-358	4(j)(2)	Pars. (8), (9) deleted; (10) redesignated as (8).
38	1701(d)-----	24	89-358	4(j)(3)	Amendment.
38	1711(b)-----	24	89-358	4(k)	Do.
38	1726-----	20, 21	89-358	3(a)(3), (10)	Deletion.
38	1731(e)-(e)-----	24	89-358	4(l)	Subsec. (c) deleted; new (c)-(e) added.

TABLE 5(a).—Positive Law Titles of United States Code—Continued

Provisions affected		Amendatory provisions			
Title	Section	80 Stat.	Public Law	Section	Comment
38	1734(a), (b)-----	25	89-358	4(m)(1), (2)	Amendment.
38	1735-----	25	89-358	4(n)	Revision.
38	1736(a), (b)-----	25	89-358	4(o)	Designation "(a)" deleted and text amended; subsec. (b) deleted.
38	1761-----	19	89-358	3(a)(1)	Revision.
38	1762(a), (b)-----	20	89-358	3(a)(2)	Designation "(a)" deleted; subsec. (b) deleted.
38	1763-1768-----	20, 21	89-358	3(a)(3), (10)	Deletion.
38	1765, 1766-----	861	89-613	1, 2	Addition.
38	1765(b)-----	28	89-358	12(b)	Continuation provision.
38	1770-1790-----	20, 21, 24	89-358	3(a)(4), (10), 4(c)(3)	Designation as Ch. 36.
38	1770-1790-----	861	89-613	1	Applicability.
38	1770-----	20	89-358	3(a)(5)	Addition.
38	1771(a)-----	20	89-358	3(a)(6)	Amendment.
38	1772(a)-----	20, 21	89-358	3(a)(7), (8)	Do.
38	1772(b)-----	21	89-358	3(a)(7)	Do.
38	1773-----	21	89-358	3(a)(7)	Do.
38	1773(a)-----	21	89-358	3(a)(11)	Do.
38	1774-----	21	89-358	3(a)(7), (8), (11)	Do.
38	1775, 1776-----	21	89-358	3(a)(8), (9)	Do.
38	1781-1790-----	21	89-358	3(b)	Addition.
38	1783-----	22	89-358	3(b)	Waiver.
38	1801-1826-----	25	89-358	5(a)	Eligibility.
38	1803(c)(1)-----	26	89-358	5(d)	Amendment.
38	1811(d)-----	26	89-358	5(e)	Do.
38	1813-1815-----	25	89-358	5(a)	Exception.
38	1818-----	25, 26	89-358	5(a), (b)	Addition; applicability; exception.
38	1818(d)-----	26	89-358	5(a)	Exception.
38	1820(a)(6)-----	874	89-625	-----	Amendment.
38	1820(e)-----	167	89-429	6(a)	Exception.
38	1820(f)-----	1316	89-769	3(c)	Addition.
38	1822(a)-----	26	89-358	5(c)	Amendment.
38	1822(a)-----	873	89-623	-----	Do.
38	1823(a)-----	679	89-555	-----	Supplemental provision.
38	1826-----	26	89-358	5(f)(1), (2)	Addition.
38	2001-2005-----	27	89-358	6(a), (b)	Heading amended.
38	2001-2004-----	27	89-358	6(c)(1), (2)	Amendment.
38	2002(1), (3)-(5)-----	27	89-358	6(c)(1), (3)	Do.
38	3012(b)(4)-----	1159, 1160	89-730	3, 7(a)	Do.
38	3013-----	25	89-358	4(p)	Do.
38	3203(a)(1)-----	30	89-362	1	Do.
38	3203(f)-----	30	89-362	2	Do.
38	4101(a), (b)-----	1368	89-785	101	Existing text designated as (a); subsec. (b) added.
38	4102-----	1368	89-785	102	Amendment.
38	4103(a)(3)-(8)-----	1368	89-785	103(a)(1)	Par. (3)-(7) redesignated as (4)-(8); new (3) added.
38	4103(a)(4)-----	1368	89-785	103(a)(2)	Redesignated par. (4) amended.
38	4103(b)-----	1368	89-785	103(b)	Revision.
38	4104(2)-----	1369	89-785	104	Amendment.
38	4105-----	1369	89-785	105	Revision.
38	4105(a)-----	1371	89-785	111(b)	Waiver.
38	4106(c)-----	1370	89-785	106(a)	Amendment.
38	4106(e)-----	1370	89-785	106(b)	Addition.
38	4107-----	291	89-504	105	Revision.
38	4107(a)-----	1370	89-785	107(a)(1)	Amendment.
38	4107(b)(2)-----	1370	89-785	107(a)(2), (b)	Amendment; savings provision.
38	4107(c)-----	1370	89-785	107(a)(3)	Addition.
38	4111(a), (b)-----	1370	89-785	108	Designation "(a)" deleted; subsec. (b) deleted.

TABLE 5(a).—Positive Law Titles of United States Code—Continued

Provisions affected		Amendatory provisions			
Title	Section	80 Stat.	Public Law	Section	Comment
38	4112(a),(b)-----	1370, 1371	89-785	109(a), (b)	Existing text designated as (a) and amended; subsec. (b) added.
38	4113-----	1371	89-785	110	Amendment.
38	4114(a)(1)(A)-----	1371	89-785	111(a), (c), (d)	Do.
38	4114(d)-----	1371	89-785	111(b)	Addition.
38	4116(a)-----	307	89-506	5(b)	Revision.
38	4117-----	1371	89-785	112(a), (b)	Addition.
38	5004-----	1372	89-785	201(a), (b)	Revision.
38	5012(c)-----	1373	89-785	202(a)-(c)	Addition.
38	5051-5057-----	1373, 1376	89-785	203	Do.
39	305-----	262	89-492	2	Revision.
39	2103-2105-----	882	89-637	-----	Supplemental provision.
39	2109-----	882	89-637	-----	Revision.
39	2201(a), (b)-----	274	89-500	-----	Existing text designated as (a); subsec. (b) added.
39	3301-----	878	89-632	1(f)	Amendment.
39	3542(a)-----	289	89-504	104(a)	Revision.
39	3542(c)-----	297	89-504	403	Amendment.
39	3543(a)-----	290	89-504	104(b)	Revision.
39	3544(a)-----	290	89-504	104(c)	Do.
39	3551(c)-----	296	89-504	401	Addition.
39	3552(d)-----	296	89-504	402(b)	Deletion.
39	3573(b), (c)-----	297	89-504	404(d)	Amendment.
39	4169(a)-----	1154, 1155	89-725	1(1), 2	Amendment; exception.
39	4169(a)(1)(A), (2)(D)-----	1154	89-725	1(2), (3)	Amendment.
39	4303(d)(1)-----	818, 821	89-593	2(b), 6	Do.
39	4303(d)(4)-----	1155	89-725	3	Do.
39	4303(d)(5), (6)-----	1154	89-725	2	Revision.
39	4303(f)-----	1155	89-725	4	Addition.
39	4359(e)(3)-----	818, 821	89-593	2(c), 6	Amendment.
39	4552-----	818, 821	89-593	3, 6	Revision.
39	4553(c)-(e)-----	818, 821	89-593	2(a), 6	Addition.
39	4554(a)(1)-----	818, 821	89-593	2(d), 6	Revision.
39	4556-4559-----	815, 818, 821	89-593	1(a), (b), 6	Addition.
39	4558-----	818, 821	89-593	2(a), 6	Applicability.
39	5225-5229-----	92	89-377	1, 2	Addition.
39	6216-----	631	89-554	6(a), (b)	Do.

TABLE 5(b).—District of Columbia Code

(The following titles of the D.C. Code have been enacted into law: Titles 11-21, and 28 (Subtitles I and II))

Provisions affected		Amendatory provisions			
Title	Section	80 Stat.	Public Law	Section	Comment
11	11-902(a)-----	825	89-598	-----	Amendment.
11	11-1701(a)(3)-----	810	89-587	1(a), (b)	Revision; supplemental provision.
11	11-1701(e)-----	810, 811	89-587	2(a), (b)	Addition.
14	14-306-----	1355	89-775	5	Exception.
14	14-307-----	1354, 1355	89-775	2, 5	Do.
15	15-101-15-717--	1177, 1178	89-745	3(a), 8(a)(1), (2)	Applicability.

TABLE 5(b).—*District of Columbia Code*—Continued

Provisions affected		Amendatory provisions			
Title	Section	80 Stat.	Public Law	Section	Comment
15	15-101(a)(2)-----	1177, 1178	89-745	1, 8(a)(1), (2)	Amendment.
15	15-101(a)(3)-----	264	89-493	8	Addition.
15	15-101(a)(3)-----	1178	89-745	7, 8(d)	Repeal.
15	15-102(a)-----	1177, 1178	89-745	2(a), 8(a)(1), (2)	Revision.
15	15-102(a)(4), (5) -	264	89-493	9(a)	Addition.
15	15-102(a)(4), (5) -	1178	89-745	7, 8(d)	Repeal.
15	15-102(b)-----	264	89-493	9(b)	Amendment.
15	15-102(b), (c)-----	1177, 1178	89-745	2(b), 7, 8	Subsec. (b) repealed; (c) redesignated as (b).
15	15-132(a)-----	1177, 1178	89-745	3(a), (b), 8(a)(1), (2)	Revision.
15	15-132(a)(1), (2) -	264	89-493	10	Existing text designated as (1) and amended; par. (2) added.
15	15-132(a)(2)-----	1178	89-745	7, 8(d)	Repeal.
15	15-310(a), (b)-----	264	89-493	11	Existing text designated as (a) and amended; subsec. (b) added.
15	15-310(b)-----	1178	89-745	4, 8(b)	Amendment.
15	15-311(a), (b)-----	264	89-493	12	Existing text designated as (a); subsec. (b) added.
15	15-311(b)-----	1178	89-745	5, 8(b)	Amendment.
15	15-706(e)(11)-(14), (16), (18)	265, 266	89-493	13(d)(1), 19	Repeal.
15	15-717-----	265	89-493	13(d)(2), (3)	Addition.
19	19-308-----	738	89-567	1	Amendment.
20	20-2301(b)-----	738	89-567	2	Do.

TABLE 5(c).—*Canal Zone Code*

Provisions affected		Amendatory provisions			
Title	Section	80 Stat.	Public Law	Section	Comment
2	181(a)-----	1106	89-712	-----	Exception.
2	181(b)-----	1106	89-712	-----	Revision.

TABLE 6.—*Reorganization Plans*

Provisions affected			Amendatory provisions			
Year	Statutes vol.: page	Plan	80 Stat.	Public law	Section	Comment
1946-----	60:1095-----	No. 2, sec. 3.	662	89-554	8	Repeal.
1949-----	63:1067-----	No. 5-----	662	89-554	8	Do.
1949-----	63:1070-----	No. 7-----	937	89-670	6(a)(1)(M)	Transfer of functions.
1950-----	64:1261-----	No. 2, secs. 1-5.	662	89-554	8	Repeal.
1950-----	64:1271-----	No. 19-----	662	89-554	8	Do.
1952-----	66:824-----	No. 5-----	125	89-402	4	Exception.
1953-----	67:636-----	No. 4-----	662	89-554	8	Repeal.
1965-----	79:1320-----	No. 3-----	939, 940	89-670	6(e)(1), (f)(1)-(3)	Transfer of functions.
1966-----	80:1610-----	No. 3-----	1190	89-749	7	Applicability.
1966-----	80:1610-----	No. 3-----	1240	89-751	9	Do.
1966-----	80:1610-----	No. 3-----	1450	89-793	606	Do.

TABLE 7.—Veterans' Regulations

Provisions affected			Amendatory provisions			
Vets. regs.	Part	Paragraph	80 Stat.	Public law	Section	Comment
None						

TABLE 8.—Executive Orders and Proclamations

Number	Date	Amendatory provisions			
		80 Stat.	Public law	Section	Comment
<b>Executive orders:</b>					
	<b>1908</b>				
893	July 1	199	89-446		Boundaries extended.
	<b>1963</b>				
11107	Apr. 25	941	89-670	6(i)	Transfer of functions.
<b>Proclamations:</b>					
	<b>1875</b>				
225 (No. 1)	June 2	633	89-554	8	Repeal.
	<b>1916</b>				
1339	July 8	866	89-615		Land exchange.
	<b>1936</b>				
2165	Apr. 21	190	89-438		Additional land.

TABLE 9.—Treaties and International Agreements

Provisions affected				Amendatory provisions			
Date	Series No.	Stat.	Identification	80 Stat.	Public law	Section	Comment
<b>1909</b>							
Jan. 11	TS 548	36:2448	U.S.—Canada— boundary waters, etc.	1250	89-753	206	Exception.
<b>1944</b>							
Feb. 3	TS 994	59:1219	Mexico—utiliza- tion of waters of the Colorado River, etc.	1250	89-753	206	Do.

TABLE 10.—*Provisions Respecting General Repeals, Conflicts, Etc.*

80 Stat.	Public law	Section	Comment
6	89-355	3(b)(1)	Civil-service laws, exception.
11	89-357		Civil-service and classification laws, exception.
34	89-366	2(a)	Acquisition of Federal property by transfer.
35	89-366	5	National park system, utilization of statutory authority regarding.
93	89-378	2	Civil-service retirement and disability fund, payments, authorization.
110	89-388	3(b)	Coconut oil; refund of customs duty.
112	89-389	1(d)(5)	Internal revenue taxes, statutory period for certain deficiency assessments, exception to laws regarding.
121	89-398	1	Naval vessels loan, exception to laws prohibiting.
173	89-435		Classification laws, exception.
190	89-438	3(b)	Acquisition of Federal property by transfer.
202	89-452		Relinquishment of Federal jurisdiction over certain lands.
205	89-454	3(e)	Civil-service laws, exception.
212	89-460	1	Aluminum, disposal from national stockpile, authorization.
223	89-474		Armed Forces, flight pay requirements, exception.
227	89-474		Executive Mansion, operating expenses, disposition of funds by President.
227, 228	89-474		Government funds, expenditure, exception to regulations.
227, 228	89-474		Government service, employment and compensation of persons, exceptions to regulations.
278	89-501	302	Armed Forces, increase in retired pay received by certain members under special provisions of law.
278	89-501	303	Uniformed services, increase in retired pay of certain members, eligibility.
278	89-501	401	Major weapons systems, reduction or elimination, detailed report to Congress by Defense Secretary.
310	89-509	3	Civil-service laws, exception.
320	89-514	3	Civil-service and classification laws, exception.
366	89-545		Procurement and service contract requirements, exception.
368	89-545		Aliens, employment restrictions, exception.
422	89-554	1	Civil-service annuitants, re-appointment.
473	89-554	1	Executive agencies and military departments, limitation on salaries fixed by administrative action.
494	89-554	1	Government employees in "missing status", income tax deferment.
529	89-554	1	Federal employees, suspension for national security reasons, authority of U.S. agency heads.
570	89-554	1	Civil-service retirement system; deductions, contributions, and deposits.
601	89-554	1	Competitive bidding, exception to laws requiring.
616	89-554	4(c)	Crimes involving Government employees, etc., investigation authority of Attorney General and Federal Bureau of Investigation.

TABLE 10.—Provisions Respecting General Repeals, Conflicts, Etc.—Continued

80 Stat.	Public law	Section	Comment
631	89-554	5(b)	Uniformed services, members in "missing status", income tax deferment.
665, 666	89-555		Federal employees retirement and insurance programs, funds available.
703	89-556	502	Aliens, employment restrictions, exception.
755	89-568	607	Military public works, priority to projects previously authorized and funded; exceptions.
760	89-570	1(a)	Internal revenue taxes, statutory period for certain deficiency assessments, exception to laws regarding.
765	89-572	2	Peace Corps volunteers in foreign judicial proceedings, payment of defense counsel fees and court costs by U.S.
768	89-574	8(c)	Highway appropriations, specific fiscal year authorization required.
778, 783	89-577	10(e), 17	Civil-service laws, exception; applicability.
797, 799	89-583	102(c), 105(a)(2)	Foreign assistance funds, availability without regard to prohibitive statutes.
805	89-583	301(h)(1)	Foreign assistance, denial to countries engaged in military efforts.
808	89-584		Lower Rio Grande drainage canals, U.S.-Mexican agreement, authorization.
820, 821	89-593	5(e), 6	Civil-service laws, applicability.
828	89-599	2(a)	U.S. tax laws, applicability.
841	89-601	306	Federal employees, compensation in certain positions in accordance with Fair Labor Standards Act.
869	89-617	6(a), (b)	Civil-service laws, exception.
871	89-620		University of Alaska, conveyance by Agriculture Secretary of certain lands at Palmer and Matanuska.
874	89-625		Veterans Administration, property management, brokers' fees.
875	89-627		D.C., Fourteenth Street Bridge structure, replacement, authority of Commissioners.
882	89-636	3, 4	Foreign Service buildings, property sales, disposition of certain proceeds; short-term leasing arrangements.
884	89-641	1	Philippine veterans, national service life insurance premiums, refund of certain amounts.
896	89-650	2	U.S. service academies, congressional appointments of alternate candidates, provisions not affected.
913	89-664	2(a)	Acquisition and exchange of certain property by Interior Secretary, authorization.
914	89-664	2(c)	Yellowtail Reservoir, Mont.-Wyo., operation of water-based recreational facilities by Crow Indian Tribe.
919	89-665	205(b), (c)	Civil-service laws, exception.
921	89-667	3(c)	Mineral leasing laws, exception.
921	89-667	3(c)	Surplus property sales, exception to laws regarding.
924	89-668	8(c)	Acquisition of Federal property by transfer.
928	89-669	4(c)	Mining and mineral leasing laws, applicability.
934	89-670	4(c)	Notice, hearings, or administrative review, applicability of statutory requirements regarding.
936, 944	89-670	5(n), 9(a)	Civil-service and classification laws, applicability.

TABLE 10.—Provisions Respecting General Repeals, Conflicts, Etc.—Continued

80 Stat.	Public law	Section	Comment
947	89-670	9(o)	Civil-service laws, exception.
947	89-670	9(p)(1)	Transportation Department, appointment of Coast Guard members on active duty.
960	89-683		Armed Forces, assignment of members to Environmental Science Services Administration, authorization.
972	89-685	6	Surplus property laws, applicability.
981	89-687		Armed Forces, members or units of Ready Reserve, order to active duty, Presidential authority.
990	89-687	602	Non-citizens, employment restrictions, exception.
991	89-687	606	Defense Dept., teachers overseas, compensation rates fixed by Secretary.
993	89-687	613	Armed Forces, commissary stores, sales prices, adjustment.
993, 994	89-687	614	Armed Forces, proficiency flying; flight pay requirements, exception.
1023	89-691		Civil-service or classification laws, exception.
1023	89-691		Non-citizens, payment restrictions, exception.
1042, 1046, 1056	89-695	102(a), (b), 401	Federal Savings and Loan Insurance Corp., jurisdiction and enforcement proceedings; expiration date.
1090	89-701	3	Fish protein concentrate, research authority of Interior Secretary not affected.
1096	89-702	208(e)	Civil-service retirement and disability fund, payments, authorization.
1097	89-702	401(b)	Seizure, summary and judicial forfeiture laws, applicability.
1101	89-708		Acquisition of real property by Interior Secretary, authorization.
1130	89-719	1(a)	Federal tax lien notices, form and content to be prescribed by Treasury Secretary.
1137	89-719	104(c)(2)	Workmen's compensation laws, exemption of annuities from tax liens.
1164	89-736		World War I veterans, cancellation of interest on certain loans.
1179	89-746		Armed Forces Institute of Pathology, D.C. additional facility, construction authorization.
1180	89-748		Relinquishment of Federal jurisdiction over certain lands.
1186	89-749	3	Federal employees detailed to States, continued coverage under certain employee acts.
1188	89-749	3	Civil-service laws, exception.
1208	89-750	161	Do.
1244	89-752	12	D.C. higher education, student loan insurance program, obligations of minors held binding.
1259, 1264	89-754	108, 206(a)	City demonstration programs, continued availability of Federal grant-in-aid funds; extent of grants.
1287	89-754	1010(e)	Housing and Urban Development Secretary, authority not affected.
1290	89-754	1013(a)	Property acquisition near closed military bases, authority of Defense Secretary.
1294	89-754	1016(b)	Construction, alteration, etc., of public buildings, exception to laws regarding.

TABLE 10.—Provisions Respecting General Repeals, Conflicts, Etc.—Continued

80 Stat.	Public law	Section	Comment
1307	89-758		Commodity Credit Corp., sale of grain storage facilities.
1329, 1340, 1349, 1350	89-774	1	D.C. laws, exception; applicability.
1349, 1350	89-774	1	D.C., mass transit service, exemption and applicability of certain U.S. laws.
1353	89-774	5(a)	D.C. and U.S. laws (including reorganization plans), amended to conform with Washington Metropolitan Area Transit Authority Compact.
1370	89-785	107(a)(3)	Veterans Administration hospitals, etc., directors, salary rate.
1372	89-785	201(a)	Competitive bidding, exception to laws requiring.
1404	89-788	4	Civil-service laws, exception.
1406	89-789	105	East Saint Louis and Chester, Ill., bridges, toll charges, diversion of revenues for municipal purposes, authorization.
1427, 1431	89-791	103(a)(3), (4), 203(a)(3), (4)	Civil-service laws, exception.
1428	89-791	103(a)(4)	D.C., Federal City College, officers and employees, retirement and leave systems.
1428, 1429, 1432	89-791	103(a)(5), (12), 203(a)(5)	Civil-service laws, applicability.
1428, 1432	89-791	103(a)(5), 203(a)(5)	D.C. Federal City College and Washington Technical Institute, noneducational employees, applicability of certain laws.
1429	89-791	103(a)(12)	D.C. Teachers College, transfer of control, educational and noneducational employees, retention of benefits.
1432	89-791	203(a)(4)	D.C., Washington Technical Institute, officers and employees, retirement and leave systems.
1468	89-794	603	Office of Economic Opportunity, buildings maintenance and rental, etc., authority of Director.
1469	89-794	605	Civil-service laws, exception.
1474	89-794	801(§§804, 805)	Federal employees, nonapplicability of laws relating to.
1503	89-797		Civil-service and classification laws, exception.
1507	89-799	2	Do.
1507	89-799	2	Aliens, employment restrictions, exception.
1507	89-799	2	Printing and binding laws, exception.
1517	89-801	5(a), (c)	Civil-service laws, exception.
1518	89-802		U.S. service academies, attendance of certain foreign students.
1523	89-806	1	U.S. products assembled abroad, tariff treatment.
1524	89-806	4	Scientific instruments for certain universities, duty-free provisions.
1524	89-806	5	International Peace Garden, Dunseith, N. Dak., gifts by Canadian donors, duty-free provisions.
1527-1529, 1532	89-808	2(B)	Agricultural commodities, sales and financing agreements; use of foreign currencies; executive branch authority.
1536	89-808	2(E)	Food production and distribution, etc., in friendly developing countries, assistance programs by Agriculture Secretary, authorization.

## TABLES OF PRIOR LAWS AND OTHER FEDERAL INSTRUMENTS REFERRED TO IN TEXT

TABLE 11.—General Legislation

Date	Chapter	80 Stat.	Date	Public law	80 Stat.
<b>1787</b>			<b>1906</b>		
Sept. 17	Constitution	305, 371, 558, 828, 880, 1105, 1326	June 20 30	254 382	1426, 1430 178, 180, 699
<b>1822</b>			<b>1910</b>		
Mar. 30	14	1406	May 17	181	185
<b>1827</b>			<b>1911</b>		
Mar. 2	51	1406	Feb. 13 Mar. 1	350 435	488 183, 184
<b>1833</b>			<b>1912</b>		
Mar. 2	87	1406	Apr. 9 Aug. 3 24	116 252 302	1397 1302 188
<b>1879</b>			<b>1913</b>		
Mar. 3	186	1398	Mar. 4 4 Dec. 23	426 430 43	1378 183, 1301 236, 473
<b>1887</b>			<b>1914</b>		
Feb. 4 Mar. 2	104 314	720, 933 691	Jan. 17 May 8 Oct. 15	46 95 212	1449 691 9, 10, 240, 241
<b>1888</b>			<b>1915</b>		
June 29 Aug. 1	503 728	909 1351	Mar. 4	307	1302
<b>1890</b>			<b>1916</b>		
Apr. 30 July 2 Aug. 30	173 647 837	188 9, 10, 240, 241 873	Aug. 25 31 Sept. 1 7 7	235 248 250 260 267	922, 923, 951 1302 521, 533 622 78, 175, 1380
<b>1891</b>			<b>1917</b>		
Mar. 3	543	909	May 22 Oct. 6 6	17 64 91	908 484 1485
<b>1894</b>			<b>1918</b>		
Aug. 18 27	301 349	188 240, 241	Mar. 19	106	107
<b>1895</b>			<b>1919</b>		
Jan. 12 Mar. 2	23 188	368, 445, 699 909	July 24	22	488
<b>1901</b>			<b>1920</b>		
Mar. 1 3	670 872	1399 875, 1299, 1492	June 5 10	259 280	1380 1418
	Public law		<b>1921</b>		
<b>1902</b>			Mar. 4 June 10	401 13	107, 108 174
June 17	161	200, 704, 822, 1003, 1006, 1008, 1009			
July 1	218	791			
<b>1904</b>					
Apr. 22	140	1171			

TABLE 11.—General Legislation—Continued

Date	Public law	80 Stat.	Date	Public law	80 Stat.
<b>1921</b>			<b>1933</b>		
Aug. 15	51	622, 624, 694, 699	Mar. 3	415	622
<b>1922</b>			9	1	242
Sept. 21	331	696	May 12	10	567
<b>1923</b>			18	17	473, 1014
Feb. 17	427	785	27	22	73
<b>1924</b>			June 6	30	588, 1017, 1378, 1379
Apr. 23	104	1168	13	43	685
23	104	1173	16	66	1044, 1054
May 27	148	182	<b>1934</b>		
June 7	276	368	Mar. 10	121	377
<b>1925</b>			May 7	211	1498
Mar. 3	541	484	June 6	291	73, 123-125
<b>1926</b>			12	307	676
May 7	186	1480	13	324	83, 1028, 1208,
20	257	1401	19	416	1224, 1260, 1346
July 2	450	691	26	473	488, 622, 1400
<b>1927</b>			27	479	93
Mar. 4	803	157, 531, 1380	27	479	26, 167, 382, 392,
<b>1928</b>			683, 685-687,		
May 15	391	1004	753, 825, 1232,		
21	462	1302	1234, 1260, 1278,		
29	566	819	1288, 1543		
Dec. 21	642	312, 1008	28	482	171
<b>1929</b>			<b>1935</b>		
Feb. 11	719	1171	Feb. 22	14	175
20	Pub. Res. 89	174	Apr. 27	46	565, 567, 592, 600,
25	804	1429	692, 693, 696, 698		
27	831	1354, 1355	June 29	182	1384
Mar. 2	935	1396	July 5	198	1401
June 20	17	369	26	220	368
<b>1930</b>			Aug. 14	271	146, 147, 156, 508,
May 29	279	578	551, 552, 557, 558,		
29	284	1171	569, 588-590, 1075,		
June 5	305	1171	1077, 1081, 1083,		
10	325	622	1084, 1193, 1195,		
17	361	488, 902, 1503	1378, 1379, 1387-		
July 3	520	422	1389, 1395-1398,		
<b>1931</b>			1436		
Mar. 2	774	488	19	286	1482
3	787	367	21	292	1009
3	791	1383	24	320	689, 690, 695, 888
<b>1932</b>			26	337	184
June 6	154	1107	29	392	1482
30	212	182, 1011	29	401	1301
July 15	287	1520	30	403	83, 1028, 1208,
22	304	685, 1036, 1041	1224, 1260, 1346		
<b>1937</b>			<b>1936</b>		
Mar. 24	Pub. Res. 14	188	Feb. 29	461	697
June 3	137	695	May 20	605	700, 1316
			27	622	488
			June 4	638	173
			4	648	1482
			15	678	1004
			22	738	693, 845
			26	816	909
			29	835	1493-1495
			30	846	1380

TABLE 11.—General Legislation—Continued

Date	Public law	80 Stat.	Date	Public law	80 Stat.
<b>1937</b>			<b>1944</b>		
June 24	162	70, 454, 557, 558, 1078, 1087, 1401	Feb. 26	237	178
28	169	1099	May 29	319	666
July 22	210	693, 701	June 3	328	488
Aug. 16	308	1378	22	346	1288, 1378, 1380
28	405	171	28	369	1009
Sept. 1	412	683, 688, 1260, 1270, 1320	July 1	395	382, 392
			1	410	185, 1264, 1265, 1375, 1387-1393, 1400, 1448
<b>1938</b>			Sept. 21	425	184, 689-694, 698-701
Feb. 16	430	694, 696, 705, 823	Oct. 3	457	382, 392
May 11	505	184	Dec. 22	534	322, 1010, 1011
June 25	717	1090, 1298-1302	<b>1945</b>		
25	722	454, 1085	Apr. 19	35	1008, 1009
25	718	964, 1380, 1401, 1470	27	45	266
25	748	184	May 3	49	673
28	761	1418	Oct. 6	190	861, 862
<b>1939</b>			31	208	875
Apr. 13	Pub. Res. 9	188	Dec. 6	248	133, 166, 167, 416, 432, 499, 501, 531, 555, 1015, 1294, 1488
May 24	85	171	29	291	1322
July 18	191	1406	<b>1946</b>		
Aug. 2	252	697	Feb. 20	304	228
4	260	1008	May 13	377	667, 1264, 1265
9	354	1301	June 4	396	695, 886-889
9	355	1483	11	404	352, 353, 700, 721, 773
Nov. 4	Pub. Res. 54	246	28	464	1500
<b>1940</b>			July 23	520	212, 349, 672, 673
Apr. 4	446	455	24	526	1003
25	484	933	26	549	1381
June 17	637	184	30	565	1483
27	668	360, 363	Aug. 1	585	559, 560
July 8	732	1113	1	586	1383
11	Pub. Res. 93	1402	2	600	6, 84, 143, 182, 184- 189, 203, 206, 222- 228, 261, 368, 663- 666, 668, 669, 672, 675-677, 679, 683, 685, 689-694, 698- 700, 703, 720, 734, 775, 804, 820, 821, 869, 919, 990, 1006, 1011, 1014, 1015, 1022-1024, 1058, 1060, 1092, 1168, 1173, 1403, 1425, 1479, 1480, 1482, 1483, 1487, 1497, 1498, 1501- 1504, 1506, 1517
18	751	1406	2	601	354, 356, 359, 363, 366, 454, 566, 1407, 1417
19	753	665	7	624	1429, 1602
19	756	1008	7	639	1406
Aug. 22	768	238, 1360	7	648	1171
Sept. 18	785	933	8	658	1391
Oct. 9	812	152, 360, 484			
<b>1941</b>					
May 7	49	783			
June 28	136	1482			
July 1	145	363			
11	165	1449			
Aug. 18	228	1004			
Sept. 20	250	362			
Oct. 29	284	1396			
<b>1942</b>					
Feb. 16	454	1171			
Apr. 29	532	248, 249			
July 1	642	484			
9	663	991			
Dec. 10	796	368			
<b>1943</b>					
Mar. 24	17	485			

TABLE 11.—General Legislation—Continued

Date	Public law	80 Stat.	Date	Public law	80 Stat.
<b>1946</b>			<b>1949</b>		
Aug. 13	724	71, 422, 445, 459, 503, 505, 517, 585, 1023, 1479-1481, 1483, 1502, 1504	Oct. 28	429	84, 175, 195, 206, 252, 253, 278, 294, 311, 324, 328, 346, 778, 841, 845, 990, 1162, 1188, 1483, 1507
13	726	31, 186, 198, 211, 333			705, 823, 888, 991
14	732	377	31	439	
14	733	691, 693, 694, 704	<b>1950</b>		
<b>1947</b>			Mar. 10	455	1485
Feb. 28	8	690	18	462	1383
Apr. 16	36	854	Apr. 20	475	684, 686, 1148
June 23	101	1401, 1402	24	478	183, 184
25	104	1301	May 3	499	701
30	129	382, 392	10	507	401, 676, 1000
July 16	195	478, 813, 814	July 28	626	1485, 1487
18	204	174	Aug. 1	630	174
22	210	484	3	636	303, 794
30	268	674	11	686	401
Aug. 4	353	1487	19	719	666
5	361	179	Sept. 8	774	116, 175, 212, 362, 673
5	369	401			174
8	388	696	12	784	1481, 1482
<b>1948</b>			13	786	473, 686, 687, 825
Jan. 27	402	401, 1503	21	797	1209, 1384
Apr. 24	496	690	23	815	561
May 3	509	812	23	831	145, 223, 991, 1061, 1206, 1208, 1209, 1384
14	527	1171	30	874	664, 1010, 1316, 1318, 1319
June 2	573	484			
14	643	401	<b>1951</b>		
16	655	1392	Jan. 6	911	495
24	759	677	12	920	680, 1317
26	790	1008	June 2	45	680
30	843	401	July 31	95	1171
July 2	883	672, 674	Sept. 28	155	756
3	896	1381	Oct. 24	206	455
Aug. 10	901	681	26	213	806, 1019-1021
<b>1949</b>			31	245	850
Jan. 19	2	227	<b>1952</b>		
Feb. 26	11	1490	June 27	414	1071, 1379, 1548, 1552, 1573, 1575
May 24	71	356	July 3	448	181
27	76	812, 857	15	547	1015
June 9	92	98, 206, 323, 324, 666, 1504	16	550	14
20	110	473, 505	19	592	186, 857, 1324
30	152	674, 1090, 1307, 1380, 1400, 1504	<b>1953</b>		
July 11	162	1380	June 26	83	691
15	171	143, 681, 682, 701, 758, 1058, 1259, 1260	Aug. 5	193	188
Aug. 22	259	188	7	212	759
Oct. 7	335	1010	8	239	558, 559, 563
12	351	1211, 1214, 1215	13	264	222, 1490
13	353	1429	15	286	364
25	387	688			
26	390	668, 1497			
26	408	915			

TABLE 11.—General Legislation—Continued

Date	Public law	80 Stat.	Date	Public law	80 Stat.
<b>1954</b>			<b>1956</b>		
May 18	364	1168, 1171	July 31	854	295, 303, 666, 794, 810
June 16	Pri. L. 419	1391	Aug. 1	885	1479-1481
17	399	903	1	896	1383
18	420	1399	2	916	852, 853
24	428	1316	2	929	1315
30	451	174	3	941	1394
July 2	472	1171	3	959	173
10	480	116, 131, 136-139, 187, 212, 213, 348, 349, 367, 672, 676, 690, 702, 703, 803, 804, 1153, 1480	3	979	184, 695
		207, 261, 478, 919	6	984	1007
15	497	174	7	1020	681
22	517	670, 671	7	1021	693
22	519	1209, 1385	8	1024	695
26	531	704	<b>1957</b>		
28	545	681, 683, 1058, 1265, 1320	June 5	85-47	1007
Aug. 2	560	146, 535, 1386, 1387	21	85-58	698
3	565	692	Aug. 16	85-147	367
4	566	185, 1094	30	85-241	1291
5	568	299, 304, 794	Sept. 4	85-281	812
17	598	1019	7	85-300	1171
26	663	695	<b>1958</b>		
26	665	162, 529, 560, 561, 622, 773, 1011, 1012	May 27	85-426	819
28	690	182, 184, 186-188, 222, 223, 225, 226, 289, 364, 365, 665, 668, 669, 675, 677, 678, 684, 685, 688, 703, 996, 1004-1006, 1014, 1403, 1481, 1487, 1497, 1501	June 6	85-451	1168, 1171
30	703		20	85-462	566
Sept. 1	763		July 1	85-478	886
<b>1955</b>			7	85-507	1004, 1005
June 28	94	289, 566	7	85-507	677
July 4	130	1007	11	85-512	1406
Aug. 4	221	1012	15	85-523	914
5	242	361	29	85-568	483, 663
5	243	445, 485, 599, 607	Aug. 1	85-584	369
11	340	1409	12	85-624	1003, 1006
11	345	686, 1320	18	85-672	1494
11	352	691	20	85-684	719
11	360	691	20	85-692	1171
11	372	189	21	85-699	132, 133
<b>1956</b>			21	85-701	175
Mar. 29	450	1095	23	85-726	665, 667, 912, 932, 933, 1154, 1488
Apr. 11	485	1008	23	85-743	175
May 9	511	241, 243	25	85-745	532, 565, 592, 673
28	540	184, 696, 698	28	85-836	1380
June 7	569	1394	28	85-844	671
19	597	1062, 1200, 1264, 1265	28	85-851	174
29	627	1496	Sept. 2	85-864	1169, 1384, 1385
29	634	14	2	85-883	181
July 9	660	1264, 1265, 1394, 1412, 1512	2	85-890	1492, 1493
24	772	173	2	85-911	933
<b>1957</b>			6	85-926	1385
July 17	86-91	446, 469, 484, 485, 501, 517, 565, 592	6	85-934	704
Aug. 29	86-211	30	<b>1959</b>		
Sept. 9	86-249	669, 670, 675, 972	July 17	86-91	446, 469, 484, 485, 501, 517, 565, 592
14	86-255	671	Aug. 29	86-211	30
14	86-257	1380	Sept. 9	86-249	669, 670, 675, 972

TABLE 11.—General Legislation—Continued

Date	Public law	80 Stat.	Date	Public law	80 Stat.
<b>1959</b>			<b>1962</b>		
Sept. 23	86-372	683, 687	Oct. 4	87-746	1022
24	86-380	229	5	87-749	691
28	86-382	299, 666	9	87-767	1324
<b>1960</b>			10	87-788	691
Apr. 22	86-431	126	11	87-793	288, 566, 667
May 14	86-472	1483	11	87-794	110, 145, 902
June 12	86-515	1168, 1171	23	87-874	822
12	86-516	178	<b>1963</b>		
27	86-522	812	May 17	88-25	690, 909, 910
30	86-555	1488	July 19	88-71	1391
July 1	86-568	566	22	88-74	691
5	86-571	1396	Aug. 27	88-104	1168
7	86-599	177	Oct. 31	88-164	1385, 1390, 1392
12	86-610	1387	Nov. 4	88-170	174
12	86-629	1022	Dec. 11	88-195	672
14	86-645	1417	16	88-204	1061
14	86-660	1495	17	88-206	1391, 1512
14	86-669	186, 859, 1324, 1331	18	88-210	1383
Sept. 6	86-707	1015, 1023, 1479-1481, 1483	19	88-215	684
8	86-724	666	30	88-250	689
13	86-777	177	<b>1964</b>		
<b>1961</b>			Jan. 6	88-258	905, 913
June 29	87-63	1491	Feb. 11	88-269	1062
30	87-70	681, 682, 1264, 1265, 1270	Apr. 27	88-299	367
July 6	87-82	151, 356, 484	29	88-300	1482
Aug. 8	87-128	693, 695, 700, 701, 1320	May 20	88-309	178
17	87-155	702	June 9	88-317	911
Sept. 4	87-195	81, 121, 1025, 1066, 1526, 1532	July 2	88-352	845, 1209, 1210, 1382, 1491, 1501
14	87-235	1114	9	88-365	681, 682, 1264, 1265, 1343
21	87-256	1314, 1385, 1483, 1503, 1505, 1529	17	88-379	181
22	87-274	1397	Aug. 14	88-426	6, 204, 296, 473, 566, 727, 735, 736, 971, 1162
22	87-290	1385	20	88-452	132, 133, 553, 1062, 1192, 1197, 1383, 1435, 1477
22	87-293	552, 553, 567-569, 1022, 1537	20	88-454	369
26	87-297	1503	20	88-455	1499
26	87-299	564	30	88-498	178
27	87-328	1013	31	88-525	695
30	87-332	909, 910	31	88-552	201
Oct. 4	87-360	188	Sept. 2	88-560	681, 682
4	87-383	179	2	88-573	696
<b>1962</b>			3	88-578	173, 916, 927, 1264, 1265
Mar. 2	87-408	1168	3	88-579	186
15	87-415	1378, 1379, 1467	7	88-582	1379
20	87-422	1308	19	88-606	187
Apr. 4	87-432	903	Oct. 6	88-630	188
27	87-441	274	8	88-637	1174
June 28	87-510	1023	13	88-644	810
July 19	87-541	174	16	88-665	1384
27	87-554	1175	<b>1965</b>		
Aug. 6	87-569	877	Mar. 9	89-4	176, 179, 1383, 1390, 1395, 1488, 1496
13	87-581	1260, 1346			
Sept. 5	87-626	175			
25	87-688	1383			

TABLE 11.—General Legislation—Continued

Date	Public Law	80 Stat.	Date	Public law	80 Stat.
<b>1965</b>			<b>1965</b>		
Apr. 11	89-10-----	1061, 1199, 1385	Nov. 8	89-339-----	1502
30	89-16-----	697, 906	<b>1966</b>		
June 8	89-36-----	1398	Feb. 19	89-355-----	149, 1065
11	89-37-----	36, 275	Mar. 15	89-368-----	65
17	89-41-----	142	16	89-369-----	142
22	89-46-----	932	26	89-375-----	149
30	89-57-----	423	26	89-376-----	87
July 9	89-72-----	704, 822	Apr. 13	89-387-----	108
14	89-73-----	1398	14	89-391-----	155
16	89-75-----	160	May 24	89-429-----	683
22	89-80-----	1014	June 17	89-454-----	1060
30	89-97-----	70, 146, 1075, 1077, 1392, 1395	22	89-465-----	328
Aug. 4	89-106-----	691	30	89-481-----	1061, 1065
10	89-117-----	143, 681, 682, 1264, 1265, 1269, 1296, 1320	July 18	89-504-----	278
16	89-128-----	143	19	89-511-----	1062
26	89-136-----	1264, 1265, 1488, 1489	21	89-516-----	1059
Sept. 8	89-173-----	186, 857, 1168, 1172, 1324, 1353	30	89-522-----	1064
14	89-182-----	1493	Sept. 9	89-563-----	736, 933, 1497
21	89-196-----	1502	9	89-564-----	735, 736, 933, 1497
29	89-209-----	185, 186	10	89-556-----	1285
Oct. 1	89-226-----	184	19	89-583-----	803, 806
3	89-236-----	1058	23	89-601-----	838-840, 842, 843
6	89-239-----	1375	Oct. 3	89-617-----	1058
7	89-241-----	130	14	89-653-----	1063
19	89-258-----	1027	15	89-684-----	963, 970
20	89-272-----	176, 1391	Nov. 2	89-702-----	1098, 1099
21	89-283-----	145	2	89-743-----	1065
22	89-284-----	1065	2	89-744-----	1065
22	89-285-----	1496	3	89-750-----	1061, 1195, 1209
22	89-286-----	1380	3	89-751-----	1062
22	89-287-----	145, 1244, 1383, 1384	3	89-752-----	1061
22	89-291-----	146, 1394	3	89-754-----	1059, 1261, 1271, 1280, 1292, 1293
27	89-296-----	1023	6	89-774-----	1169
27	89-298-----	871, 1420	7	89-787-----	234, 1065
30	89-304-----	178, 179	7	89-791-----	1430, 1434
31	89-309-----	187	8	89-793-----	1449, 1450
Nov. 1	89-312-----	1156	8	89-794-----	1063
2	89-316-----	153, 695, 696	8	89-797-----	1065
3	89-321-----	698, 888	8	89-798-----	1064
8	89-329-----	146, 1061, 1237, 1383, 1384	8	89-799-----	1064
			11	89-808-----	1528
			13	89-809-----	1587
			13	89-810-----	369, 1600, 1601

TABLE 12.—Revised Statutes

Section	80 Stat.	Section	80 Stat.	Section	80 Stat.
291-----	1480				
3551-----	119, 122, 955, 956	4149-4151..	230	<u>D.C.</u>	
3648-----	1484	4197-----	1357, 1358		
3679-----	183, 207, 261, 367, 369, 690, 702, 919, 1009, 1395, 1396, 1502	4399-4500..	933	203-----	1168
		4501-4612..	933		
		5136-----	239, 241		
		5240-----	473		
3828-----	379				

TABLE 13.—Internal Revenue Code of 1939

Section	80 Stat.	Section	80 Stat.	Section	80 Stat.
1 <i>et seq.</i> -----	1566	2700-----	1087	3661-----	1087
1800-----	1087	3612(d)(2)--	28		

TABLE 14.—Internal Revenue Code of 1954

Section	80 Stat.	Section	80 Stat.	Section	80 Stat.
1-8023-----	1074	351-----	1510	871-----	1550, 1551
1-1563-----	60, 61, 1150, 1543, 1551, 1552, 1554, 1556, 1557, 1564, 1565, 1573, 1575	361-----	1510	871(a)-----	1545, 1553, 1554, 1557, 1558, 1569
1-1388-----	1152, 1560, 1562, 1566, 1578, 1587, 1588	371(a)-----	1510	871(b)-----	1550, 1552, 1553, 1557
1-----	1548, 1551	374(a)-----	1510	871(d)-----	1545
11-----	99-101, 113, 1555, 1563	381(a)-----	1152	871(e)-----	1555
31-48-----	61, 62, 64	401(a)-----	1132, 1549	871(f)-----	1553
31-40-----	113	402(a)-----	1547, 1549, 1553	872(a)-----	1552
31-----	64, 1551, 1567	403(a)-----	1547, 1549, 1553	873(a)-----	1568
32-----	1551, 1556, 1587	446(e)-----	1152	873(b)-----	1551, 1552
33-----	101, 1587	501-----	238	876-----	1569
35-----	1587	501(a)-----	66, 414, 437, 1549	877-----	1549, 1550
37-----	1587	501(c)-----	414, 437, 889	877(b)-----	1552, 1563
38-----	101, 1514, 1587	503(b)-----	66	881-884-----	1557
39-----	1551, 1556	511-----	1559	881-----	1558, 1561, 1563, 1569
46(a)-----	1513	512(a)-----	1563	881(a)-----	1545, 1549, 1557, 1558
46(b)-----	1150	541-----	114, 1556, 1560	882-----	1557
48-----	1513, 1514	542(c)-----	1544	882(a)-----	1557
62-----	60	543(a)-----	1559, 1560	882(c)-----	1568
78-----	1569	543(b)-----	1544	882(d), (e)-----	1545
80(a)-----	102	561-----	1560	891-----	1549, 1555
103-----	1561	581-----	1127	894-----	1561
111-----	100	591-----	1127, 1542	896-----	1549, 1563
141-----	60	611-----	760, 761	901-905-----	100, 1543
142(b)-----	1551, 1571	613-----	759, 761	901-----	1556, 1568
151-----	60, 63, 1550	614-----	761	902-----	1568
165-----	101	615-----	764	902(a)-----	1569
165(c)-----	1550, 1552, 1571	615(f), (g)-----	762	904-----	1569
165(g)-----	101	617-----	764	904(a)-----	100
166-----	99, 101	631(b)-----	1547, 1548, 1553, 1555, 1556	906-----	1556, 1562, 1563, 1569
166(c), (g)-----	1152, 1153	631(c)-----	762, 1547, 1548, 1553, 1555, 1556	906(b)-----	1551, 1556
167-----	759	721, 731-----	1510	911-----	1107
170-----	1550, 1556, 1571	751(b)-----	762	911(b)-----	1566
172-----	101	801-843-----	1563	922-----	1107
172(b)-----	1150	801-832-----	1561	931-----	1107, 1576
245-----	1543	801-820-----	1546	932-----	1576
265-----	1542	802-----	99, 101	933-----	1107, 1576
271(b)-----	67	810(c)-----	100	934(b), (c)-----	1576
274-----	67	812-----	101	941-----	1107
318(a)-----	1576	842-----	1557, 1562, 1563	952(a)-----	1546
332-----	1510, 1576	861-972-----	1564	958(a)-----	1546, 1560, 1573
334(b)-----	1511, 1576	861-864-----	1544, 1571	958(b)-----	1546, 1573
		861(a)-----	1545, 1572	981-----	1567
		861(c)-----	1572	1033-----	101
		862(a)-----	1546	1201(a)-----	1555, 1562, 1563
		864(b)-----	1549, 1563	1201(b)-----	1548, 1551
		871-894-----	1544	1212(a)-----	101
				1221(l)-----	1546

TABLE 14.—Internal Revenue Code of 1954—Continued

Section	80 Stat.	Section	80 Stat.	Section	80 Stat.
1231	102, 760	2034-2042	1132	6065	1150
1232	1547, 1555	2035-2038	1573	6073(b)	63
1232(a)	101	2052	1572	6074(a)	65
1235	1547, 1553	2101-2106	1572, 1574	6081	65
1236(c)	1580	2101	1572, 1574	6096	1588
1314(a)	100	2102	1573, 1574	6165	104
1351	102, 103	2103	1572, 1573	6167(f)	104
1351(b)	105	2105(b)	1572	6212(a), (c)	1144
1351(c)	102	2106	1571, 1573,	6213(a)	1144
1351(d)	102, 104		1574	6213(b)	1150
1351(e)	104	2107	1571	6321	1125, 1127- 1129, 1131,
1372(a)	113	2209	1572		1135
1373(b)	111	2501-2524	1132, 1575	6323	1134
1373(d)	113	2501(a)(2)	1575	6323(b), (e)	1133
1375(f)	112	2502	1574	6323(i)	1136, 1139
1378	114	3101-3126	508	6324	1130, 1131,
1381-1388	1582, 1584	3101(b)	1083		1134
1381-1383	1582	3102	1138	6325(b)	1143
1381(a)	1582	3121	1075, 1076,	6331-6344	1138
1382(b)	1584		1088, 1089	6332	1138
1382(c)	1582	3121(d)	1578	6332(b)	1126
1382(e)	1583	3201-3233	1087	6334(a)	1126
1385(a)	1583	3201	1083	6335	1137
1388(f)	1580, 1584	3202	1089, 1138	6335(e)	1138, 1143,
1388(h)	1581, 1584	3211	1083		1145
1401-1403	62, 64	3211(b)	1074	6342(b)	1137
1402(a)	63, 1566, 1578	3221(c)	1074	6343(b)	1140, 1144
1402(b)	63	3305	586	6411	1151
1402(c)	1578	3401-3404	61, 508,	6511, 6512	1567
1441-1465	1544, 1554,		1554, 1567	6601	103
	1564, 1568	3401(a)	1554	6655	1563
1441	1554, 1557	3402	1138	6851, 6861	
1441(b)	1548, 1549,	3402(f), (m)	61	6871	494, 631
	1557	3403	1138	7101-7103	1135
1441(c)	1557, 1558	4061(a)	769, 1585	7121-7123	112, 113
1442	1563	4731	1438, 1442,	7122	1135
1442(a)	1549		1444	7201, 7203	1108
1451	1557	4911	1585	7206(1), (2), (5)	1108
1462	1568	4916(a)	1586	7422(f)	1109
1504	1570	4916(b)	1586, 1587	7425	1146, 1148
1504(a), (b)	1511	6001-7852	1551, 1556	7426	1140, 1144,
1562	1559	6012	1557, 1568		1148
2001-2524	1551, 1552,	6015	64	7426(a)	1137
	1573, 1575	6015(c)	64	7506	1146
2001-2209	1132	6015(i)	1549	7701(a)	858
2001	1573	6016(b)	64		
2011-2013	1572	6018	1574		

TABLE 15(a).—Positive Law Titles of United States Code

(The following titles of the U.S. Code have been enacted into positive law: Titles 1, 3, 4, 5, 6, 9, 10, 13, 14, 17, 18, 23, 28, 32, 35, 37, 38, and 39.)

U.S. Code		80 Stat.	U.S. Code		80 Stat.
Title	Section		Title	Section	
1	202, 203, 213	361	5	553	386
3	102	227	5	554	386, 387
5	304	381	5	556	384, 385, 387,
5	305	523			388, 393, 415
5	501-576	1033, 1041,	5	557	384-388, 393,
		1051, 1362			415
5	551-559	388, 389, 612	5	575	389
5	551	389, 392, 425	5	701-706	388, 1042,
5	552	381			1051, 1363

TABLE 15(a).—Positive Law Titles of United States Code—Continued

U.S. Code		80 Stat.	U.S. Code		80 Stat.
Title	Section		Title	Section	
5	901-913	932	5	4504	442
5	901	395	5	5101-5115	414, 440, 459, 467-471, 473, 485, 487, 523
5	903	394, 395			444, 446, 467, 471, 1598
5	908-913	397			
5	1101	399	5	5102	444
5	1104	399, 455	5	5105	1598
5	1301, 1302	400	5	5106	455
5	1302(a)	609	5	5107	423, 455, 456
5	1305	388	5	5108	456, 457
5	1308	400	5	5109	457
5	1501-1508	400, 401, 1469	5	5114	458
5	1502	405	5	5301	423
5	1502(a) (1), (2)	1469	5	5303	473
5	1504-1506	406	5	5311-5317	467
5	1508	405	5	5315	467, 932
5	2105	429, 442, 476, 478, 484, 488, 489, 495, 514, 516, 517, 522, 555-557, 564, 592, 600	5	5316	440, 459, 473, 485, 487, 523
			5	5331-5338	416, 458, 473, 517, 618, 1471, 1474
5	2106	557, 565, 592, 600	5	5332	1598
			5	5333(a)	388, 402, 459, 470
5	2107	565, 592, 600	5	5335	453, 468, 469
5	2108	419, 421			594
5	2902(a)	608	5	5337	471
5	2951	418	5	5341	471, 594
5	3103	608	5	5343	495, 566
5	3104	423, 473	5	5344	446
5	3105	384, 386, 388, 402, 425, 440, 453, 469, 473 528, 878	5	5351-5356	485, 553, 565, 567, 585
			5	5351	415
5	3109	391, 446, 944	5	5361	388, 402
5	3301, 3302	418, 426	5	5362	609
5	3304, 3306	418	5	5501	467, 476
5	3308-3318	422	5	5504	522
5	3309	420	5	5515	481
5	3313	420	5	5522-5523	480, 481
5	3317	421	5	5524	482
5	3321	418	5	5532, 5533	425
5	3323	1602	5	5536	476, 515
5	3324	523	5	5541	486, 488
5	3331	411, 412, 424	5	5542	485, 488
5	3332	477	5	5544	488
5	3343	431	5	5545	1164
5	3344	388, 402	5	5545(c) (1)	489, 520, 566
5	3345-3347	484	5	5551	488, 566
5	3345	426, 612	5	5552	610
5	3346	426	5	5561-5568	491
5	3347	425, 426	5	5561	491, 494
5	3501	428, 518	5	5562	494
5	3504	428	5	5563	490, 491, 493, 494
5	3571	497	5	5565	494
5	3581	425	5	5568	494
5	3582	430	5	5581-5583	489, 1593, 1602
5	4101-4118	403			496
5	4102	432, 435	5	5582	436, 472, 502
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5	5721	379, 381, 416, 510	5	8315	558, 559, 563, 564
5	5722	503, 504	5	8316	564
5	5723	504	5	8331–8348	403, 495, 518, 535, 542, 585, 592, 600, 1602
5	5724	436, 502, 504	5	8331	422, 568, 581, 582, 584, 592, 600
5	5901	566	5	8332	518, 567
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5	7324	526	5	8707	595, 598
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5	8107–8113	610	10	701	1163
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5	8108, 8109	542	10	1037	416
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5	8111	540	10	1074	865
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5	8121	554	10	1079(a)	865
5	8122	543	10	1201–1221	957
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5	8129	536	10	1401a	482
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10	2101-2111	550, 551	18	5005-5026	1450
10	2208	82, 998	23	101-404	933
10	2231-2238	1175	23	101-136	736
10	2301-2314	755	23	103(d)	766
10	2313(b)	38	23	104	732
10	2353	994	23	104(a)	1495
10	2575	492, 628	23	105	771
10	2662	1291	23	106	767
10	2665	992	23	120(a)	1264, 1265
10	2672	991	23	125	1495
10	2673, 2675	1174	23	131	766, 767, 1496
10	2733	492, 628			
10	2771	563, 1165	23	134	859
10	3033	980, 982	23	135	1496
10	3496	982	23	136	766, 767, 1496
10	3927(a)	852	23	203	170, 172, 180, 183, 1496
10	4343	896			
10	4712, 4713	492, 628	23	204	1496
10	4837(d)	478	23	205	183
10	5131-5153	1166	23	209	1496
10	5751-5792	1160	23	210	991, 1176
10	6023(b)	197	23	307(a)	733
10	6522	492, 628	23	309	1495
10	6952	445	23	319(b)	766, 767, 1496
10	6956	896	23	320	1495
10	7043, 7044	445	23	401-404	735, 736, 932
10	7202	983	23	402	734, 735, 1497
10	7204	991			
10	7208	992	23	403	735
10	7209(a)	991	28	133	75
10	7307	803	28	291-296	140
10	7392, 7394	912	28	371-373, 375	1499
10	7474	841	28	451	565, 1036, 1042, 1045
10	7478	445			
10	8033	982	28	456	499
10	8067(e), (f)	854	28	460	72, 344
10	8496	982	28	543	614, 618
10	9343	896	28	610	565
10	9441	555	28	1254	210, 407, 721, 775, 781, 1034, 1042, 1051, 1207, 1219, 1363, 1446
10	9712, 9713	492, 628			
10	9837(d)	478			
13	23	446			
13	23(b)	484			
14	1-894	933, 1116			
14	3	938	28	1254(1)	624
14	186	198	28	1291	210, 1446
14	432(f), (g)	445	28	1346(b)	307
14	507	492, 628	28	1346(e)	1149
18	1 <i>et seq.</i>	616, 617	28	1358	1351
18	1	1439, 1442	28	1403	1351
18	613	246	28	1444	1147
18	792-794, 798	559	28	1446	1350, 1353
18	831-837	720	28	1825	621
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18	1913	696, 697	28	1920	308
18	2151-2157	559	28	2112	623, 720, 1034, 1042, 1051, 1207, 1219, 1363
18	2381-2385	559			
18	2387-2390	559			
18	3041	216, 1499	28	2344	622
18	3056	669	28	2349(b)	624
18	3141-3152	216, 217	28	2410	1141, 1142, 1146
18	3146	215, 216			
18	3192	1479	28	2414	308
18	4244-4248	1485	28	2517	308

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28	2671-2680	492, 628	38	1684	25
28	2672	307, 1490, 1491, 1504	38	1686	20
28	2677	306, 678	38	1701-1766	592
28	2901-2906	1439, 1443	38	1701-1762	14, 16, 19-25
28	2902(a)	1441	38	1720	19
32	502-505	429, 522	38	1734	19
32	708	982	38	1737	25
32	709	984, 985	38	1740-1743	20
37	101	423, 428, 482	38	1770-1790	15, 17, 19-21, 23, 25
37	202(h), (i)	1166	38	1770-1778	19, 25
37	204	433	38	1771-1778	20
37	301	223, 994	38	1774	22
37	310(a)(2)	1163	38	1778	20
37	402(c)	197	38	1801-1826	26, 27, 679, 738, 1288
37	404-406, 409	436	38	1803(a)(3)	26
37	501(b)	591	38	1811	873
37	551-558	610, 1117	38	1813-1815	26
37	552	626-628, 630	38	1815	873
37	553	630	38	1818	873
37	555	626, 627, 629, 630	38	1820(d)	1148
37	1007(b), (c)	478	38	1824	26, 679
38	101	428, 482, 518, 595	38	2101-2105	591
38	101(21)	28	38	3001-3022	1158
38	106(c)	29	38	4101-4116	440, 445, 459, 472
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38	331-337	27	38	4112	1375
38	341-343	27	38	4114	446
38	351	678	38	4202	446
38	401-423	217	38	5001, 5002, 5004	678
38	501-562	217	38	5031-5037	679
38	506(a)	218	38	5053	1379
38	510-523	218	38	5054	1375, 1376
38	631-634	679	39	705(d)	1154, 1155
38	641	678	39	2201, 2202	225
38	801-805	678	39	3101-3582	458, 459
38	901-905	1158	39	3311	426-428, 528
38	902	679	39	3335(a), (c)	484
38	903	24	39	3501-3582	444
38	1501-1511	14, 16, 19, 23, 592, 678	39	3552	459
38	1504	678	39	4422	817
38	1601-1905	678	39	4553	815, 816, 818
38	1601-1669	14, 20, 24	39	4554	817, 819
38	1651-1686	13-25	39	4558	815-817
38	1652(a)(1), (2)	25	39	4651-4654	817
38	1656	20	39	4654	819
38	1661(a)	13	39	5214, 5215	92
38	1682	17	39	5219	92
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TABLE 15(b).—District of Columbia Code

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11	11-1556	327	16	16-2350	1519
15	15-102(a)	1178	28	28-3301, 28-3302	126
16	16-1351-16-1368	1351			

TABLE 15(c).—*Canal Zone Code*

C.Z. Code		80 Stat.	C.Z. Code		80 Stat.
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2	2	1005	2	121	473
2	102	484	2	371	1005

TABLE 16.—*Reorganization Plans*

Year	Plan	80 Stat.	Year	Plan	80 Stat.	Year	Plan	80 Stat.
1950	No. 14	83, 1028, 1208, 1224, 1260, 1346	1952	No. 5	970, 1520	1953	No. 8	1503

TABLE 17.—*Veterans' Regulations*

Regulation	Part	80 Stat.	Regulation	Part	80 Stat.
1(a)	VII	14	1(a)	VIII	14, 592

TABLE 18.—*Executive Orders and Proclamations*

Number	Date	80 Stat.	Number	Date	80 Stat.
E.O. 9079	Feb. 26, 1942	1391	E.O. 11074	Jan. 8, 1963	1388
E.O. 9358	July 1, 1943	666	E.O. 11136	Jan. 3, 1964	1382
E.O. 10422	Jan. 9, 1953	666	E.O. 11182	Oct. 2, 1964	189
E.O. 10450	Apr. 27, 1953	23	E.O. 11246	Sept. 24, 1965	1382
E.O. 10787	Nov. 6, 1958	171	Proclamations		
E.O. 11035	July 9, 1962	674	(None)		

TABLE 19.—*Treaties and International Agreements*

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TS 232	1481		1482		1482
TS 455	1481	TIAS 1665	174	TIAS 5558	1091, 1093
TS 461	1481	TIAS 2130	1482	TIAS 5639	373
TS 548	1482	TIAS 3362	534	TIAS 5780	1356
TS 628	926	TIAS 3363	534	TIAS 6109	375
TS 720	1482	TIAS 3364	534	TIAS 6114	1482
TS 864	1481, 1482	TIAS 3365	534	TIAS 6116	879, 880
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# UNITED STATES STATUTES AT LARGE

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# PRIVATE LAWS



AN ACT

For the relief of Frank E. Lipp.

March 1, 1966  
[S. 1407]

The Secretary of the Treasury is authorized and directed to pay out of any money in the Treasury not otherwise appropriated, to the said Frank E. Lipp, referred to in the first section of this Act, the sum of any amounts received or withheld from his account of the United States, referred to in the first section of this Act, by way of overpayment referred to in this Act, or which shall be paid or delivered to or received by any agent or attorney or account of service rendered in connection with the claim of the said Frank E. Lipp, arising out of his service with the United States Armed Forces from the years 1940 to 1946, in violation of the provisions of this Act, shall be deemed partly of a husband and wife.

# PRIVATE LAWS

## SECOND SESSION, EIGHTY-NINTH CONGRESS

Private Law 89-215

AN ACT

For the relief of Frank E. Lipp.

March 1, 1966  
[S. 1407]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding any statute of limitations pertaining to suits against the United States, or any lapse of time, or bars of laches or any prior judgment of the United States Court of Claims, jurisdiction is hereby conferred upon the Court of Claims to hear, determine, and render judgment upon the claim of Frank E. Lipp arising out of his service with the United States Armed Forces from the years 1940 to 1946.

Frank E. Lipp.

SEC. 2. Suit upon the claim may be instituted at any time within one year after the date of the enactment of this Act. Nothing in this Act shall be construed as an inference of liability on the part of the United States. Except as otherwise provided herein, proceedings for the determination of such claim, and review and payment of any judgment or judgments thereon shall be had in the same manner as in the case of claims over which such court has jurisdiction under section 1491 of title 28 of the United States Code.

Approved March 1, 1966.

62 Stat. 940.

## Private Law 89-216

March 7, 1966  
[S. 577]

## AN ACT

For the relief of Mary F. Morse.

Mary F. Morse.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Mary F. Morse, an employee of the Department of the Army, is hereby relieved of all liability for repayment to the United States of the sum of \$7,301.36, representing the amount of overpayments of salary received by the said Mary F. Morse for the period from July 2, 1963, through October 20, 1964, as a result of administrative error. 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 amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Mary F. Morse, referred to in the first section of this Act, the sum of any amounts received or withheld from her on account of the overpayments referred to in the first section of this Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 March 7, 1966.

## Private Law 89-217

March 7, 1966  
[S. 851]

## AN ACT

For the relief of Master Sergeant Bernard L. LaMountain, United States Air Force (retired).

M. Sgt. Bernard L.  
LaMountain.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Master Sergeant Bernard L. LaMountain, United States Air Force (retired), is hereby relieved of all liability for repayment to the United States of the sum of \$4,067.16, representing the amount of overpayments of longevity pay received by the said Master Sergeant Bernard L. LaMountain (retired), for the period from October 24, 1951, through October 2, 1963, as a result of administrative error in the computation of his creditable service for pay purposes. 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 amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Bernard L. LaMountain referred to in the first section of this Act, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 March 7, 1966.

## Private Law 89-218

## AN ACT

For the relief of Mr. and Mrs. Earl Harwell Hogan.

March 7, 1966  
[S. 1520]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. and Mrs. Earl Harwell Hogan, of Pine Bluff, Arkansas, the sum of \$120, in full satisfaction of all their claims against the United States for reimbursement of the cost of transportation of the privately owned automobile of their son, the late Lowell S. Hogan, specialist, United States Army, from Bremen, Germany, his last duty station, to Pine Bluff, Arkansas, the said Mr. and Mrs. Earl Harwell Hogan having transported such automobile at their own expense in reliance upon the erroneous advice of agents of the United States, who misinterpreted United States Army regulations pursuant to which such transportation was authorized to be made at the expense of the United States: *Provided,* That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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.

Mr. and Mrs.  
Earl H. Hogan.

Approved March 7, 1966.

## Private Law 89-219

## AN ACT

To provide for the free entry of certain stained glass and cement windows for Our Lady of the Angels Seminary of Glenmont, New York.

March 7, 1966  
[H. R. 5831]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to admit free of duty the articles imported for the use of Our Lady of Angels Seminary, Glenmont, New York, which were entered as stained glass and cement windows on October 16, 1961, and February 2, 1962, pursuant to Consumption Entries A-046 and A-096. If the liquidation of such entries has become final, such entries may be reliquidated and the appropriate refund of duty may be made.

Our Lady of  
the Angels  
Seminary.

Approved March 7, 1966.

## Private Law 89-220

## AN ACT

For the relief of Mrs. Loneta Hackney.

March 14, 1966  
[H. R. 1484]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the provisions under the heading "Civil Service Retirement and Disability Fund" in title I of the Independent Offices Appropriation Act, 1959 (72 Stat. 1064; Public Law 85-844), Mrs. Loneta Hackney, Waco, Texas, widow of Charles B. Hackney, retired

Loneta  
Hackney.5 USC 2267  
note.

employee of the Veterans' Administration, shall be held and considered to be the wife and widow of the said Charles B. Hackney within the meaning of sections 1(h), 9(g), and 10(a) of the Civil Service Retirement Act, as amended (5 U.S.C. 2251(h), 2259(g), and 2260(a)), at and after the time of his retirement under such Act.

Approved March 14, 1966.

70 Stat. 744,  
76 Stat. 870,  
70 Stat. 754.

Private Law 89-221

March 14, 1966  
[H. R. 4928]

AN ACT  
For the relief of Chizuyo Hoshizaki.

Chizuyo  
Hoshizaki.

66 Stat. 268.  
8 USC 1481.

8 USC 1421.

8 USC 1448.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Chizuyo Hoshizaki, who lost United States citizenship under the provisions of section 349(a)(5) of the Immigration and Nationality Act, may be naturalized by taking prior to one year after the effective date of this Act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 337 of the said Act. From and after naturalization under this Act, the said Chizuyo Hoshizaki shall have the same citizenship status as that which existed immediately prior to its loss.*

Approved March 14, 1966.

Private Law 89-222

March 17, 1966  
[H. R. 1918]

AN ACT  
For the relief of Eligio Ciardiello.

Eligio  
Ciardiello.

66 Stat. 183.  
8 USC 1182.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212(a)(19) of the Immigration and Nationality Act, Eligio Ciardiello may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act.*

Approved March 17, 1966.

Private Law 89-223

March 17, 1966  
[H. R. 3076]

AN ACT  
For the relief of the estate of Bart Briscoe Edgar, deceased.

Bart B.  
Edgar estate.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 to the estate of Bart Briscoe Edgar, deceased, in full settlement of the claims of that estate against the United States for the death of the said Bart Briscoe Edgar, which resulted from injuries sustained on June 2, 1945, at Saint Petersburg, Florida, when he was struck by a United States Army truck proceeding as a part of an Army convoy over Gandy*

Bridge in Saint Petersburg, Florida: *Provided*, That no part of the amount appropriated in this Act 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 this 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 March 17, 1966.

Private Law 89-224

AN ACT

For the relief of Louis Shchuchinski.

March 17, 1966  
[H. R. 3236]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, for the purposes of the Immigration and Nationality Act, Louis Shchuchinski shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 3, 1960.

Approved March 17, 1966.

Louis  
Shchuchinski.  
66 Stat. 163.  
8 USC 1101  
note.

Private Law 89-225

AN ACT

For the relief of Muhammad Sarwar.

March 17, 1966  
[H. R. 4995]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, for the purposes of the Immigration and Nationality Act, Muhammad Sarwar shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

Approved March 17, 1966.

Muhammad  
Sarwar.  
66 Stat. 163.  
8 USC 1101  
note.

Private Law 89-226

AN ACT

For the relief of Jack Ralph Walker.

March 17, 1966  
[H. R. 5231]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, for the purposes of the Immigration and Nationality Act, Jack Ralph Walker shall be held and considered to have been lawfully admitted to the United States for permanent residence on September 16, 1930.

Approved March 17, 1966.

Jack R.  
Walker.  
66 Stat. 163.  
8 USC 1101  
note.

## Private Law 89-227

March 17, 1966  
[H. R. 5973]

## AN ACT

For the relief of Edwin F. Hower.

Edwin F.  
Hower.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Edwin F. Hower, of College Park, Maryland, is hereby relieved of liability to the United States in the amount of \$1,221.44, the amount of salary retention payments made to him, because of an administrative error, while he was an employee of the Department of the Interior in the period beginning May 10, 1961, and ending January 2, 1965. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for any amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to said Edwin F. Hower, an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, with respect to the liability to the United States specified in the first section. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 March 17, 1966.

## Private Law 89-228

March 17, 1966  
[H. R. 7667]

## AN ACT

For the relief of Donald F. Farrell.

Donald F.  
Farrell.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$134.10 to Donald F. Farrell of Stoughton, Massachusetts, in full settlement of his claims against the United States for the amount he paid in satisfaction of the judgment rendered against him on October 10, 1963, in the United States District Court for the District of Massachusetts in Civil Action No. 61-787-C, based upon an accident which occurred on January 30, 1961, in Brockton, Massachusetts, involving a Government car driven by the said Donald F. Farrell while performing his duties as an employee of the Geological Survey of the United States Department of the Interior. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 March 17, 1966.

## Private Law 89-229

## AN ACT

For the relief of Joseph B. Stevens.

March 17, 1966  
[H. R. 10338]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Joseph B. Stevens, of Warner Robins, Georgia, is relieved of liability to pay to the United States the sum of \$1,256.78, representing the amount of salary overpayment received by him from the Department of the Air Force for the period from February 23, 1958, through October 20, 1962, due to administrative error and without fault on his part. 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 amount for which liability is relieved by this section.

Joseph B.  
Stevens.

SEC. 2. The Secretary of the Treasury shall pay, out of any money in the Treasury not otherwise appropriated, to Joseph B. Stevens, of Warner Robins, Georgia, the sum certified to him by the Secretary of the Air Force as the aggregate of amounts paid to the United States by Joseph B. Stevens and amounts withheld by the United States from sums otherwise due him from the United States, on account of the liability referred to in the first section of this Act. No part of the amount appropriated in this section shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of the preceding sentence shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 17, 1966.

## Private Law 89-230

## AN ACT

For the relief of the estate of Robert A. Ethridge.

March 18, 1966  
[H. R. 5530]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Robert A. Ethridge, late of Macon, Georgia, the sum of \$2,064.07 in full settlement of the claims of such estate against the United States arising out of nonpayment, by reason of lapse of time, of certain United States postal money orders dated before 1944 and held by said Robert A. Ethridge at the time of his death. Payment of the amount authorized by this Act shall be conditioned upon a surrender of the money orders which are the basis of the claims discharged thereby. No part of the amount appropriated in this Act in excess of 20 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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.

Robert A.  
Ethridge.

Approved March 18, 1966.

## Private Law 89-231

April 4, 1966  
[H. R. 10403]

## AN ACT

For the relief of Edward F. Murzyn and Edward J. O'Brien.

Edward F.  
Murzyn and  
Edward J.  
O'Brien.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edward F. Murzyn, the sum of \$6,500, and to Edward J. O'Brien, the sum of \$6,500. The payment of such sums shall be in full settlement of all claims of the said Edward F. Murzyn and Edward J. O'Brien against the United States growing out of a fire on August 17, 1963, in a commercial warehouse located in Alexandria, Virginia, and operated by Columbia Van Lines and Meeks Transfer Company: *Provided,* That no part of the money appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 April 4, 1966.

## Private Law 89-232

April 14, 1966  
[H. R. 4599]

## AN ACT

To provide for the free entry of certain stained glass for the Congregation Emanuel, Denver, Colorado, and of certain chipped colored glass windows for Saint Ann's Church, Las Vegas, Nevada.

Congregation  
Emanuel and  
Saint Ann's  
Church.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) the Secretary of the Treasury is hereby directed to admit free of duty any stained glass or any prefabricated panels consisting of stained glass set in reinforced concrete with fastening devices which may have been imported before the date of the enactment of this Act for use in the construction of a new synagogue and auxiliary buildings for the Congregation Emanuel of Denver, Colorado.

(b) The Secretary of the Treasury is authorized and directed to admit free of duty the chipped colored glass windows set in cement imported before the enactment of this Act for the use of Saint Ann's Church, Las Vegas, Nevada.

(c) If the liquidation of the entry, or withdrawal from warehouse, for consumption of any article subject to the provisions of subsection (a) or (b) has become final, such entry or withdrawal may be reliquidated and the appropriate refund of duty may be made.

Approved April 14, 1966.

## Private Law 89-233

April 16, 1966  
[S. 1049]

## AN ACT

To provide relief for the heirs and devisees of Fly and Her Growth, deceased Lower Brule Indian allottees.

Fly and Her  
Growth, heirs.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized to pay, out of any money in the Treasury

not otherwise appropriated, to the estate of Her Growth, deceased Lower Brule Indian allottee, numbered 267, the sum of \$1,289.96 for distribution to the persons entitled thereto.

SEC. 2. The heirs and devisees, immediate and remote, of Fly, deceased Lower Brule Indian allottee, numbered 266, are hereby relieved of all liability to reimburse the United States for any payments erroneously made to them representing revenues from the allotment of Her Growth, deceased Lower Brule Indian allottee, numbered 267: *Provided*, That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 April 16, 1966.

Private Law 89-234

AN ACT

For the relief of Kock Kong Fong.

April 16, 1966  
[H. R. 2752]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, for the purposes of the Immigration and Nationality Act, Kock Kong Fong shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

Approved April 16, 1966.

Kock Kong  
Fong.  
66 Stat. 163.  
8 USC 1101  
note.

Private Law 89-235

AN ACT

For the relief of Przemyslaw Nowakowski.

April 16, 1966  
[H. R. 2938]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, in the administration of the Immigration and Nationality Act, as amended, Przemyslaw Nowakowski may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. Harry Nowakowski, a citizen and lawfully resident alien of the United States, respectively, pursuant to section 204 of the said Act, subject to all the conditions in that section relating to orphans.

Approved April 16, 1966.

Przemyslaw  
Nowakowski.  
79 Stat. 917.  
8 USC 1101.  
8 USC 1154.

## Private Law 89-236

April 16, 1966  
[H. R. 2939]

## AN ACT

For the relief of Manojlo Verzich.

Manojlo Verzich.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, as amended, Manojlo Verzich may be classified as a child within the meaning of section 101(b) (1) (F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. Merko Verzich, citizens of the United States, pursuant to section 204 of the said Act, subject to all the conditions in that section relating to orphans.

79 Stat. 917.  
8 USC 1101.  
8 USC 1154.

Approved April 16, 1966.

## Private Law 89-237

April 16, 1966  
[H. R. 3875]

## AN ACT

For the relief of Mrs. Panagiota Vastakis and Soteris Vastakis.

Mrs. Panagiota  
and Soteris Vastakis.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Mrs. Panagiota Vastakis and Soteris Vastakis, the widow and son, respectively, of a United States citizen, shall be deemed to be within the purview of section 101(a) (27) (A) of the Immigration and Nationality Act, and the provisions of section 204 of that Act shall not be applicable in their cases.

79 Stat. 916.  
8 USC 1101.  
8 USC 1154.

Approved April 16, 1966.

## Private Law 89-238

April 16, 1966  
[H. R. 4743]

## AN ACT

For the relief of Ralph Tigno Edquid.

Ralph T. Edquid.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, as amended, Ralph Tigno Edquid may be classified as a child within the meaning of section 101(b) (1) (F) of the Act, upon approval of a petition filed in his behalf by Lieutenant and Mrs. Arthur Edquid, a citizen and lawfully resident alien, respectively, of the United States, pursuant to section 204 of the Act, subject to all the conditions in that section relating to orphans.

79 Stat. 917.  
8 USC 1101.

8 USC 1154.

Approved April 16, 1966.

## Private Law 89-239

April 16, 1966  
[H. R. 6112]

## AN ACT

For the relief of David Glenn Barker (Jai Yul Sung) and Richard Paul Barker (Pil Su Park).

David G. and  
Richard P. Barker.  
66 Stat. 163.  
8 USC 1101  
note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, as amended, David Glenn Barker (Jai Yul Sung) and Richard Paul Barker (Pil Su

Park) may be classified as children within the meaning of section 101(b)(1)(F) of that Act, upon approval of a petition filed in their behalf by Sergeant First Class and Mrs. Allen N. Barker, citizens of the United States, pursuant to section 204 of the said Act, subject to all the conditions in that section relating to orphans. Section 204(c) of the Immigration and Nationality Act, as amended, relating to the number of petitions which may be approved, shall be inapplicable in these cases.

Approved April 16, 1966.

79 Stat. 917.  
8 USC 1101.  
8 USC 1154.

Private Law 89-240

AN ACT

For the relief of Ki Sook Jun.

April 16, 1966  
[H. R. 9442]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, as amended, a petition may be filed by Mr. and Mrs. Charles Hood in behalf of Ki Sook Jun, and the provisions of section 204(c) of that Act relating to the number of petitions which may be approved in behalf of children defined in section 101(b)(1)(F) of the said Act shall not be applicable in this case.

Approved April 16, 1966.

Ki Sook Jun.

79 Stat. 915.  
8 USC 1154.  
8 USC 1101.

Private Law 89-241

AN ACT

For the relief of the Troubadors Drum and Bugle Corps of Bridgeport, Connecticut.

April 18, 1966  
[H. R. 8647]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.* That the Secretary of the Treasury is authorized and directed to admit free of duty parade uniforms for the use of Troubadors Drum and Bugle Corps of the Explorer Scout Post Numbered 152, Bridgeport, Connecticut (care of Lawrence Mak) which have been imported before July 1, 1965.

SEC. 2. If the liquidation of the entry, or withdrawal from warehouse, for consumption of any article subject to the provisions of the first section of this Act has become final, such entry or withdrawal shall be reliquidated and the appropriate refund of duty shall be made.

Approved April 18, 1966.

Scouts' Drum  
and Bugle Corps,  
Bridgeport, Conn.

Private Law 89-242

AN ACT

For the relief of Mrs. Sadie Y. Simmons and James R. Simmons.

May 4, 1966  
[H. R. 1903]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Sadie Y. Simmons and James R. Simmons, of Ogallah, Kansas, the sum of \$1,236.66. The payment of such sum shall be in full settlement of all claims of

Mrs. Sadie Y. and  
James R. Simmons.

the said Mrs. Sadie Y. Simmons and James R. Simmons against the United States for hospital and medical costs incurred in connection with the last illness of Chester T. Simmons, as a result of an administrative error of the Veterans' Administration which prevented the hospitalization of the said Chester T. Simmons in a Veterans' Administration hospital. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 May 4, 1966.

Private Law 89-243

May 10, 1966  
[S. 518]

AN ACT

For the relief of Joanna K. Georgoulia.

Joanna K.  
Georgoulia.

79 Stat. 917.  
8 USC 1101.  
8 USC 1154.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, as amended, Joanna K. Georgoulia may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. George H. Jules, citizens of the United States, pursuant to section 204 of the Act.

Approved May 10, 1966.

Private Law 89-244

May 11, 1966  
[S. 943]

AN ACT

For the relief of Frantisek Vohryzka.

Frantisek  
Vohryzka.

66 Stat. 242.  
8 USC 1427.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the periods of time Frantisek Vohryzka has resided in the United States since his lawful admission for permanent residence on March 28, 1955, shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act.

Approved May 11, 1966.

Private Law 89-245

May 26, 1966  
[S. 1748]

AN ACT

For the relief of Virgilio Acosta-Martinez.

Virgilio Acosta-  
Martinez.  
66 Stat. 163.  
8 USC 1101  
note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Virgilio Acosta-Martinez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 22, 1960.

Approved May 26, 1966.

## Private Law 89-246

## AN ACT

For the relief of Abraham Ezekiel Cohen.

May 26, 1966  
[S. 2696]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the provisions of the Immigration and Nationality Act, the periods of time Abraham Ezekiel Cohen has resided and was physically present in the United States or any State since June 17, 1957, shall be held and considered as compliance with the residence and physical presence requirement of section 316 of said Act.

Approved May 26, 1966.

Abraham E.  
Cohen.66 Stat. 242.  
8 USC 1427.

## Private Law 89-247

## AN ACT

For the relief of Charlotte Schulz.

June 21, 1966  
[H. R. 2290]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, the periods of time Charlotte Schulz has resided in the United States since her lawful admission for permanent residence on July 20, 1955, shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act.

Approved June 21, 1966.

Charlotte Schulz.

66 Stat. 242.  
8 USC 1427.

## Private Law 89-248

## AN ACT

For the relief of William F. Kuhlman.

June 23, 1966  
[H. R. 3692]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That William F. Kuhlman of Fort Worth, Texas, is relieved of liability to the United States in the amount of \$3,732.95, representing an overpayment of compensation received by him from November 4, 1961, through January 26, 1963, while employed at the Fort Worth Army Depot, Fort Worth, Texas, which resulted from a failure to make the full withholding from his compensation required by section 13 of the Civil Service Retirement Act (5 U.S.C. 2263). In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said William F. Kuhlman an amount equal to the aggregate of the amounts paid by him or withheld from sums otherwise due him, in complete or partial satisfaction of the liability to the United States specified in the first section of this Act. No part of the amount appropriated in this Act 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 June 23, 1966.

William F. Kuhlman.

70 Stat. 757.

## Private Law 89-249

June 23, 1966  
[H. R. 5533]

## AN ACT

For the relief of Kuniki Nagano Zwiefelhofer.

Kuniki N.  
Zwiefelhofer.

79 Stat. 917.  
8 USC 1101.

8 USC 1154.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Kuniki Nagano Zwiefelhofer may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Chief Warrant Officer and Mrs. Robert L. Zwiefelhofer, citizens of the United States, pursuant to section 204 of the Act.*

Approved June 23, 1966.

## Private Law 89-250

June 23, 1966  
[H. R. 8219]

## AN ACT

For the relief of Cho Myung Soon and Cho Myung Hee.

Cho M. Soon  
and Cho M. Hee.

79 Stat. 917.  
8 USC 1101.

8 USC 1154.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Cho Myung Soon and Cho Myung Hee may be classified as children within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in their behalf by Mr. and Mrs. Alexander J. Stirling, citizens of the United States, pursuant to section 204 of the Act.*

Section 204(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

Approved June 23, 1966.

## Private Law 89-251

June 23, 1966  
[H. R. 8833]

## AN ACT

For the relief of Sarah Antoinette Cappadona.

Sarah A. Cappadona.

79 Stat. 917.  
8 USC 1101.

8 USC 1154.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, as amended, Sarah Antoinette Cappadona may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Stephen T. Cappadona, citizens of the United States, pursuant to section 204 of the Act.*

Approved June 23, 1966.

## Private Law 89-252

June 23, 1966  
[H. R. 9643]

## AN ACT

For the relief of Haider Raza and his wife, Irene Raza, and their children, Afzal Anthony and Haider Raymond Raza.

Haider and Irene  
Raza and children.  
66 Stat. 163.  
8 USC 1101  
note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Haider Raza and his*

wife, Irene Raza, and their children, Afzal Anthony and Haider Raymond Raza, shall be held and considered to have been admitted to the United States for permanent residence as of May 1, 1961.

Approved June 23, 1966.

Private Law 89-253

AN ACT  
For the relief of Fritz A. Frerichs.

June 23, 1966  
[H. R. 10133]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* Fritz A. Frerichs, United States Navy, retired (326984), of Pottstown, Pennsylvania, is hereby relieved of liability to the United States in the amount of \$1,507.12, the amount he received in violation of the Act of July 31, 1894 (5 U.S.C. 62), while employed by Valley Forge General Hospital in the period beginning June 16, 1958, and ending November 14, 1958, because of an administrative error. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for any amount for which liability is relieved by this Act.

Fritz A.  
Frerichs.

28 Stat. 205;  
78 Stat. 492.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to said Fritz A. Frerichs, an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, in complete or partial satisfaction of the liability to the United States specified in the first section. No part of the amount appropriated in this section shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 23, 1966.

Private Law 89-254

AN ACT  
For the relief of certain employees of the Post Office Department at Eau Gallie, Florida.

June 23, 1966  
[H. R. 10838]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* each individual named in section 3 of this Act is relieved of liability to pay to the United States the amount set forth opposite his name, which amount represents an erroneous payment of compensation received by him during the period April through October 1964, as an employee in the postal field service of the Post Office Department at Eau Gallie, Florida, and was erroneously paid to him due to administrative error.

Howard Meister  
and others.

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 individual named in section 3 of this Act, the sum certified to him by the Postmaster General as the aggregate of amounts paid by such individual to the United States, or withheld from amounts due him from the United States, on account of the liability for which relief is granted by the first section of this Act.

SEC. 3. The individuals referred to in the first section of this Act, and the amount of the liability of each of them, are as follows:

Name	Amount of Overpayment
Howard Meister	\$58.72
Edward C. Rose	112.00
Carl Leroy Hood	140.48
Donald E. Gould	156.61
Davis S. Bennett	93.20
Henry Andrew Ecker	136.24
Carl E. Hanna	74.40
Robert A. Harrigan	30.72
Anthony F. Maliszewski	40.08
Walter S. Park, Jr.	93.20
Richard D. Peck	246.90
Ray Plymale	71.28
Richard K. Quavillon	106.24
Glenn D. Rector	138.40
Dudley D. Seay	155.68
Joseph R. Upperman	70.24
Donald R. Wolff	32.56
William T. Barna	71.04
Edward G. Campbell	35.52
Charles R. Dwyer	78.24
Allen Bernard Haskins	40.80
Richard Howe	69.12
Robert Dale Howe	118.32
David K. Miller	111.36
Clifton J. Ziegler	35.52
George Wesley Baver	35.52
Clifford Hall	119.88
Stanley E. Mittlehner	30.24
Newman G. Watson	29.76
Thomas L. Carson	31.92
Victor Lee Johnson	95.04
V. E. Shimandie	102.64

SEC. 4. No part of the amount appropriated in this Act for the payment of any claim 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 section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 23, 1966.

Private Law 89-255

AN ACT

For the relief of Elton P. Johnson.

June 23, 1966  
[H. R. 12396]

Elton P. Johnson.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$727.10 to Elton P. Johnson, an employee of the Agricultural Research Service of the United States Department of Agriculture, in full satisfaction of a compromise settlement in a suit brought against him in the circuit court for Davidson County, Tennessee, as the result of injury received by Flournette Reynolds, a minor, by next friend Estella Reynolds, when she ran into the highway and into the side of the Government vehicle being driven by Elton P. Johnson, in the scope of his Federal employment: *Provided,* That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or at-

torney on account of services rendered in connection with this 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 June 23, 1966.

Private Law 89-256

AN ACT

For the relief of Lee Chung Woo.

June 24, 1966  
[H. R. 1233]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, Lee Chung Woo may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. Joshua Hyun, citizens of the United States, pursuant to section 204 of the Act.

Lee Chung Woo.

79 Stat. 917.  
8 USC 1101.

8 USC 1154.

Approved June 24, 1966.

Private Law 89-257

AN ACT

For the relief of Wanda Olszowa.

June 24, 1966  
[H. R. 3774]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, Wanda Olszowa may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Frank Ochab, citizens of the United States, pursuant to section 204 of the Act.

Wanda Olszowa.

79 Stat. 917.  
8 USC 1101.

8 USC 1154.

Approved June 24, 1966.

Private Law 89-258

AN ACT

For the relief of Evangelia G. Latsis.

June 24, 1966  
[H. R. 5003]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, the provisions of section 204(c) of that Act shall be inapplicable in the case of Evangelia G. Latsis.

Evangelia G.  
Latsis.

79 Stat. 915.  
8 USC 1154.

Approved June 24, 1966.

## Private Law 89-259

June 29, 1966  
[S. 2307]

## AN ACT

For the relief of certain civilian employees and former civilian employees of  
Region 1 of the Bureau of Reclamation.Harley G.  
Adams and others.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) each of the following employees, former employees, and estates of deceased employees of Region 1 of the Bureau of Reclamation who received the overpayment of compensation listed opposite his name for the period from August 6, 1950, through December 4, 1965, inclusive, or any portion or portions of such period, which overpayment resulted from administrative error, is hereby relieved of all liability to refund to the United States the amount of such overpayment:

## Columbia Basin Project, Washington

Name	Overpayment
Adams, Harley G	\$35.84
Atlee, William E	2,093.46
Avey, Clifford W	19.20
Baumann, Florence I	4.00
Bean, Jerome H	112.53
Bishop, Fae C	3.27
Carpenter, Doris N	180.89
Carter, Helen L	508.72
Click, Oliver L	18.40
Cole, Charles B., Jr	28.00
Culp, Mary A	8.00
Dennis, William E	12.63
Deurbrouck, Robert L	7.20
Dixon, Lloyd D	1,521.56
Drittenbass, Florence A	4.00
Dull, Leah K	4.00
Eaton, Joseph L	693.58
Edyvean, Frances G	491.60
Ernest, John L	683.57
Farwell, Ruth	102.65
Fees, John N	125.01
Ferguson, Roy	19.73
Fretwell, Lloyd G	120.00
Garder, Ray R	5.60
Gardner, Roy A	5.60
German, Gilbert A	705.60
Gilbert, Forrest J	41.60
Gimlin, Dorothy F	296.87
Greenwood, Walter P	1,201.29
Guffey, Clifford W	24.96
Hay, Bill N	67.20
Howe, Oran J	25.84
Indreland, Rasmus E	6.40
Kammeyer, Walter R	1,448.00
Kidston, George W	134.40
King, Everett L	41.60
Long, Cecil I	218.40
Mackey, Robert W	6.40
Mowery, Orville A	586.50
Myers, Esther G	129.80
Nelson, Vernal J	250.48
O'Brien, Harvey P	237.44
Oliver, Floyd E	19.20
Osborn, Betty F	8.00
Parker, Margie E	944.92
Paul, Edward T	284.80
Pearl, Dean D	20.00
Pontsler, Dean S	654.40
Pryor, Rick L	8.00
Robbins, Esther	334.47
Rohwein, Theodore P	6.40

Name	Overpayment
Romary, Charles E.....	\$34.48
Rorvik, Joseph.....	481.91
Rose, Anthony.....	1,094.65
Roudebush, Charles D.....	26.80
Schmidt, Alfred.....	4.00
Shay, Harold.....	\$01.55
Sheck, Ethel P.....	39.20
Smith, Russell D.....	11.20
Spencer, Jesse L.....	88.48
Stevens, Bob J.....	25.28
Straalsund, George H.....	908.80
Tellinghuisen, John W.....	620.28
White, Doris N.....	8.80
Williams, Glenn D.....	13.26
Winn, Charles L.....	5.60

## Regional Office, Boise, Idaho

Bushnell, Vernon C.....	389.69
Kern, Wilson S.....	.96
Leslie, Bernice.....	12.50
Wersen, Harold E.....	8.09
Walters, Raymond A.....	808.16

## Central Snake Projects Office, Boise, Idaho

Siebert, Vernon E.....	5.60
Marshall, Claude H.....	8.41

## Minidoka Project Office, Rupert, Idaho

Arent, Howard C.....	99.16
Craven, Junior P.....	24.80
Finley, Charles R.....	189.65
Pearson, Leroy A.....	63.32
Stefan, Edward A.....	290.19

## Upper Columbia Development Office, Spokane, Washington

Ehmer, George L.....	60.00
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## Snake River Development Office, Boise, Idaho

Magleby, Dan N.....	974.96
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## Baker Project Office, Baker, Oregon

Olson, Sidney E.....	326.40
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## The Dalles Project Office, The Dalles, Oregon

Nichols, Earle B.....	249.60
Skinner, Lois R.....	67.20

## McKay Field Station, Pendleton, Oregon

Venable, John S.....	879.20
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## Chief Joseph Dam Project Office, Oroville, Washington

Heldenbrand, Warren D.....	282.56
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## Spokane Valley Project Office, Spokane, Washington

Criswell, Albert O.....	409.08
Powell, Leo M.....	1,511.28
Herrboldt, Calvin R.....	647.86

## Yakima Project Office, Yakima, Washington

Hewitt, Glenn M.....	22.88
Jacobson, Arthur G.....	118.80

Each such employee or former employee who has at any time made any repayment to the United States on account of any such overpayments made to him (or, in the event of his death, the person who would be entitled thereto under the first section of the Act of August 3, 1950 (5 U.S.C. 61f)), shall be entitled to have an amount equal to all such repayments made by him refunded if application is made to the project manager, Columbia Basin project, within two years after the date of enactment of this Act.

(b) For purposes of the Civil Service Retirement Act and the Federal Employees' Group Life Insurance Act of 1954, each overpayment for which liability is relieved by subsection (a) of this section shall be deemed to have been a valid payment.

SEC. 2. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States full credit shall be given for any amounts for which liability is relieved by the first section of this Act.

Approved June 29, 1966.

64 Stat. 395.

70 Stat. 743,  
5 USC 2251  
note.  
68 Stat. 736,  
5 USC 2091  
note.

#### Private Law 89-260

July 4, 1966  
[H. R. 11227]

#### AN ACT

To authorize the Honorable Eugene J. Keogh, of New York, a Member of the House of Representatives, to accept the award of the Order of Isabella the Catholic.

Hon. Eugene J.  
Keogh.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Honorable Eugene J. Keogh, of New York, a Member of the House of Representatives, is authorized to accept the award of the Order of Isabella the Catholic tendered by the Government of Spain, together with any decorations and documents evidencing this award, and the consent of Congress is hereby expressly granted for this purpose as required under section 9 of article I of the Constitution. The Secretary of State is authorized to deliver to the Honorable Eugene J. Keogh the decorations and documents evidencing such award.

1 Stat. 14,  
USC, prec.  
title 1.

Approved July 4, 1966.

#### Private Law 89-261

July 8, 1966  
[H. R. 1240]

#### AN ACT

For the relief of Harry C. Engle.

Harry C. Engle.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Harry C. Engle, of Springfield, Ohio, is relieved of all liability to refund to the United States the sum of \$623.56, representing an overpayment of salary for the period December 30, 1962, through June 13, 1964, due to an administrative error by the United States Air Force. 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 amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Harry C. Engle, the sum of any amounts received or withheld from him on account of the payment referred to in the first section of this Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 July 8, 1966.

Private Law 89-262

AN ACT

For the relief of Joseph K. Bellek.

July 8, 1966  
[H. R. 5204]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joseph K. Bellek, of Roselle Park, New Jersey, the sum of \$300 in full settlement of his claims against the United States for reimbursement of that amount paid by him in satisfaction of a judgment entered against him on March 12, 1959, in the Union County District Court, Union County, New Jersey, as the result of a motor vehicle collision of January 28, 1958, between a privately owned vehicle of the Mel Anne Corporation and a post office truck operated by him within the scope of his employment with the Post Office Department. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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.

Joseph K. Bellek.

Approved July 8, 1966.

Private Law 89-263

AN ACT

For the relief of Arthur Hill.

July 8, 1966  
[H. R. 6590]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Arthur Hill of Hayward, California, is hereby relieved of liability to the United States in the amount of \$2,854.70, the amount of an overpayment of his salary as an employee of the Post Office Department for the period December 9, 1961 to January 1, 1965, because of an administrative error. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for any amount for which liability is relieved by this Act.

Arthur Hill.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to said Arthur Hill, an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, in complete or partial satisfaction of the liability to the United States specified in the first section. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 July 8, 1966.

## Private Law 89-264

July 8, 1966  
[H. R. 8793]

## AN ACT

For the relief of Eugene J. Bennett.

Eugene J.  
Bennett.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Eugene J. Bennett, DAC-USAAD-TF, APO 287, New York, New York, is hereby relieved of liability to refund to the United States the sum of \$1,418.26. Such sum represents the aggregate amount of salary overpayments made to him, through administrative error and without fault on his part, for various periods from May 12, 1957, to August 23, 1959, both dates inclusive, as a civilian employee of the United States. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Eugene J. Bennett, an amount equal to the aggregate of the amounts, if any, which have been paid by him, or which have been withheld from amounts otherwise due him, in complete or partial satisfaction of his liability to the United States: *Provided,* That no part of the amount (if any) appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 July 8, 1966.

## Private Law 89-265

July 8, 1966  
[H. R. 9302]

## AN ACT

For the relief of Lieutenant Charles W. Pittman, Junior, United States Navy.

Lt. Charles W.  
Pittman, Jr.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Lieutenant Charles W. Pittman, Junior, United States Navy, of Columbia, South Carolina, is relieved of liability to the United States in the amount of \$3,358.70, representing the total amount of overpayments of compensation made to him by the Department of the Navy during the period June 6, 1960, through June 30, 1964, as a result of the use of an erroneous pay entry base date. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this section.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Lieutenant Charles W. Pittman, Junior, an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, on account of the liability to the United States referred to in the first section of this Act. No part of the amount appropriated in this section shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 July 8, 1966.

## Private Law 89-266

## AN ACT

For the relief of Charles T. Davis, Junior, Sallie M. Davis, and Nora D. White.

July 8, 1966  
[H. R. 10994]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles T. Davis, Junior, Sallie M. Davis, and Nora D. White, of Eureka, North Carolina, the sum of \$14,398 in full settlement of their claims against the United States for damage to real property owned by them as the result of an air crash on January 23, 1961, of a United States Air Force aircraft. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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.

Charles T.  
Davis, Jr. et al.

Approved July 8, 1966.

## Private Law 89-267

## AN ACT

To authorize the Secretary of the Interior to convey certain public land in Wyoming to Clara Dozier Wire.

July 28, 1966  
[S. 822]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is authorized to issue a patent under the Small Tract Act (52 Stat. 609) as amended (43 U.S.C. 682a-682e), to Clara Dozier Wire for the public land described as lot 19, section 22, township 19 north, range 105 west, sixth principal meridian, Wyoming, containing approximately 3.67 acres.

Clara D. Wire.

SEC. 2. Such patent shall be issued only if, within one year after the date Clara Dozier Wire is notified by the Secretary of the amount of payment required, she pays to the Secretary the sum of (a) the fair market value of the land as of August 16, 1955, exclusive of any value resulting from the development or improvement of the land by Clara Dozier Wire or her family, and (b) the administrative costs of making the conveyance, as determined by the Secretary.

Approved July 28, 1966.

## Private Law 89-268

## AN ACT

For the relief of Leonardo Russo.

August 4, 1966  
[H. R. 1407]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the provision of section 212(a)(9) of the Immigration and Nationality Act, Leonardo Russo may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act.

Leonardo Russo.

56 Stat. 182.  
8 USC 1182.

Approved August 4, 1966.

## Private Law 89-269

August 4, 1966  
[H. R. 1414]

AN ACT

For the relief of Jacobo Temel.

Jacobo Temel.

70 Stat. 575.  
8 USC 1182.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212(a)(23) of the Immigration and Nationality Act, Jacobo Temel may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: Provided, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act.*

Approved August 4, 1966.

## Private Law 89-270

August 4, 1966  
[H. R. 4083]

AN ACT

For the relief of Mr. Leonardo Tusa.

Leonardo Tusa.

66 Stat. 183.  
8 USC 1182.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 212(a)(19) of the Immigration and Nationality Act, Leonardo Tusa may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: Provided, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act.*

Approved August 4, 1966.

## Private Law 89-271

August 4, 1966  
[H. R. 4437]

AN ACT

For the relief of Bryan George Simpson.

Bryan G.  
Simpson.  
66 Stat. 163.  
8 USC 1101  
note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Bryan George Simpson shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of enactment of this Act, upon payment of the required visa fee.*

Approved August 4, 1966.

## Private Law 89-272

## AN ACT

For the relief of Michel Fahim Daniel.

August 4, 1966  
[H. R. 4458]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, Michel Fahim Daniel may be classified as a child within the meaning of section 101 (b) (1) (F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. Joseph M. Daniel, citizens of the United States, pursuant to section 204 of the Act.

Michel F.  
Daniel.79 Stat. 917.  
8 USC 1101.

8 USC 1154.

Approved August 4, 1966.

## Private Law 89-273

## AN ACT

For the relief of Mrs. Anna Michalska Holoweckyj (formerly Mrs. Anna Zalewski).

August 4, 1966  
[H. R. 4584]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, the provisions of section 204(c) of that Act shall be inapplicable in the case of Mrs. Anna Michalska Holoweckyj (formerly Mrs. Anna Zalewski).

Anna M. Holo-  
weckyj.79 Stat. 915.  
8 USC 1154.

Approved August 4, 1966.

## Private Law 89-274

## AN ACT

For the relief of Major Donald W. Ottaway, United States Air Force.

August 4, 1966  
[H. R. 4602]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Major Donald W. Ottaway, United States Air Force (64856A), of Wichita, Kansas, is relieved of liability to the United States in the amount of \$2,522.46, representing the total amount of overpayments of compensation paid to him by the United States Air Force as the result of an administrative error in determining the amount of service that should be credited to him for pay purposes. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this Act.

Maj. Donald W.  
Ottaway.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Major Donald W. Ottaway an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, in complete or partial satisfaction of the liability to the United States specified in the first section of this Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 August 4, 1966.

## Private Law 89-275

August 4, 1966  
[H. R. 7508]

## AN ACT

For the relief of Guiseppe Bossio.

Guiseppe  
Bossio.

66 Stat. 183.  
8 USC 1182.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the provision of section 212(a)(19) of the Immigration and Nationality Act, Guiseppe Bossio may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act.

Approved August 4, 1966.

## Private Law 89-276

August 4, 1966  
[H. R. 8865]

## AN ACT

For the relief of Ronald Poirier, a minor.

Ronald Poirier.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Ronald Poirier, a minor, the sum of \$542.10 in full settlement of all claims of the said Ronald Poirier against the United States and Airman First Class Roger Blatchford, and in full and final payment of the judgment and costs docketed in the United States District Court for the District of Massachusetts, in favor of the said Ronald Poirier, a minor, in an action brought in his behalf by his father, Roland Poirier, as his father and next friend, against the said Airman First Class Roger Blatchford for damages for personal injuries growing out of an accident on May 31, 1957, in Springfield, Massachusetts, while said Airman First Class Roger Blatchford was operating an Air Force vehicle and was engaged in his duties as a member of the Air Force. No part of the money appropriated in this Act in excess of 20 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 August 4, 1966.

## Private Law 89-277

August 4, 1966  
[H. R. 11718]

## AN ACT

For the relief of Jack L. Philippot.

Jack L.  
Philippot.

Ante, p. 1322.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of paragraph (7) of section 301(a) of the Immigration and Nationality Act, Jack L. Philippot, a citizen of the United States, shall be held and considered to have been physically present in the United States during the time he was serving abroad in the employ of the United States.

Approved August 4, 1966.

## Private Law 89-278

## AN ACT

August 8, 1966  
[H. R. 12031]

To authorize the appointment of Colonel William W. Watkin, Junior, professor, of the United States Military Academy, in the grade of lieutenant colonel, Regular Army, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President may appoint Colonel William W. Watkin, Junior, O24664, professor, of the United States Military Academy, in the grade of lieutenant colonel, Regular Army, and enter his name on the Army promotion list in the place it would occupy had it not been removed from that list because of his appointment as a professor of the United States Military Academy on October 1, 1961. All service performed by Colonel Watkin as a professor of the United States Military Academy shall be deemed, for all purposes, to have been service as an Army promotion-list officer.*

Col. William W.  
Watkin, Jr.

Approved August 8, 1966.

## Private Law 89-279

## AN ACT

August 11, 1966  
[H. R. 10220]

For the relief of Abdul Wohabe.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Abdul Wohabe shall be held and considered to have been lawfully admitted to the United States for permanent residence as of May 8, 1963.*

Abdul Wohabe.  
66 Stat. 163.  
8 USC 1101  
note.

Approved August 11, 1966.

## Private Law 89-280

## AN ACT

August 25, 1966  
[S. 642]

For the relief of Chung K. Won.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 203(a)(1) and 204 of the Immigration and Nationality Act, Chung K. Won shall be held and considered to be the natural-born alien son of Mr. Won Wing, a citizen of the United States.*

Chung K. Won.

79 Stat. 912.  
8 USC 1153,  
1154.

Approved August 25, 1966.

## Private Law 89-281

## AN ACT

August 25, 1966  
[S. 2104]

For the relief of Harriet C. Chambers.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to quiet title to the following described tract of land situated within the boundaries of the Shoshone National Forests, Wyoming, and held and claimed by Harriet C. Chambers, of Lander, Wyoming, under a chain of title dating from March 29, 1902, the Secretary of Agricul-*

Harriet C.  
Chambers.

ture is authorized and directed to convey to the said Harriet C. Chambers by quitclaim deed all right, title, and interest of the United States in and to such tract of land, more particularly described as follows: The southeast quarter of the southeast quarter of section 34, township 31 north, range 100 west, sixth principal meridian, Fremont County, Wyoming, consisting of forty acres more or less.

SEC. 2. The conveyance authorized by the first section of this Act shall be made by the Secretary of Agriculture without consideration, but the said Harriet C. Chambers shall bear any expenses incident to the preparation of the legal documents necessary or appropriate to carry out the first section of this Act.

Approved August 25, 1966.

### Private Law 89-282

August 30, 1966  
[S. 2663]

#### AN ACT

For the relief of Dinesh Kumar Poddar and Girish Kumar Poddar.

Dinesh K. and  
Girish K. Poddar.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, Dinesh Kumar Poddar and Girish Kumar Poddar may be classified as children within the meaning of section 101(b)(1)(F) of the Act, upon approval of petitions filed in their behalf by Mr. and Mrs. Bhagwati P. K. Podar, a lawfully resident alien and a citizen of the United States, respectively, pursuant to section 204 of the Act.

79 Stat. 917.  
8 USC 1101.

8 USC 1154.

Approved August 30, 1966.

### Private Law 89-283

September 7, 1966  
[H. R. 3233]

#### AN ACT

For the relief of Emanuel G. Topakas.

Emanuel G.  
Topakas.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, the provisions of section 204(c) of that Act shall be inapplicable in the case of Emanuel G. Topakas.

79 Stat. 915.  
8 USC 1154.

Approved September 7, 1966.

### Private Law 89-284

September 7, 1966  
[H. R. 5552]

#### AN ACT

For the relief of David B. Glidden.

David B. Glid-  
den.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That David B. Glidden, a former member of the United States Army (service number RA11393462), is hereby relieved of liability to the United States in the amount of \$750, the amount of an overpayment to him of Army proficiency pay in the period beginning October 1, 1963, and ending July 31, 1964, because of an administrative error. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for any amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to said David B. Glidden, an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, in complete or partial satisfaction of the liability to the United States specified in the first section. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 7, 1966.

Private Law 89-285

AN ACT

For the relief of Norman Morris Rains.

September 7, 1966  
[H. R. 7354]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Norman Morris Rains, of San Diego, California, is hereby relieved of liability to the United States in the amount of \$4,782.09, the amount of salary paid to him in violation of section 2 of the Act of July 31, 1894 (5 U.S.C. 62), while he was an employee of the Navy Department in the period beginning October 21, 1955, and ending September 7, 1956, because of an administrative error. In the audit and settlement of accounts of any certifying or disbursing officer of the United States, credit shall be given for any amount for which liability is relieved by this Act.

Norman M. Rains.

28 Stat. 205,  
78 Stat. 492.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to said Norman Morris Rains, an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, in complete or partial satisfaction of the liability to the United States specified in the first section. No part of the amount appropriated in this Act 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 this 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 7, 1966.

Private Law 89-286

AN ACT

For the relief of Fred M. Osteen.

September 7, 1966  
[H. R. 11940]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the annual leave account of Fred M. Osteen, postal employee of Greenville, South Carolina, there shall be added a separate account of eighty-one hours of annual leave, in full settlement of all claims of the said Fred M. Osteen against the United States for

Fred M. Osteen.

compensation for the loss of such leave which was earned by him in the period January 1, 1958, through December 31, 1959, inclusive, while he was employed in the United States Post Office in Greenville, South Carolina, and which, through administrative error, was not credited to his leave account.

SEC. 2. Section 203(c) of the Annual and Sick Leave Act of 1951, as amended (65 Stat. 680, 67 Stat. 137; 5 U.S.C. 2062(c)), shall not apply with respect to the leave granted by this Act, and such leave likewise shall not affect the use or accumulation, pursuant to applicable law, of other annual leave earned by the said Fred M. Osteen. None of the leave granted by this Act shall be settled by means of a cash payment in the event such leave or part thereof remains unused at the time the said Fred M. Osteen is separated by death or otherwise from the Federal service.

Approved September 7, 1966.

Private Law 89-287

AN ACT

For the relief of Anthony A. Calloway.

September 7, 1966  
[H. R. 12315]

Anthony A.  
Calloway.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to McKinley Harris, Junior, the sum of \$1,000 in full settlement of all claims against the United States and against Anthony A. Calloway arising out of an accident which occurred in Chicago, Illinois, on May 3, 1960, when said Anthony A. Calloway was operating a Government motor vehicle in the course of his duties as an employee of the United States Post Office Department and in full satisfaction of the judgment and costs entered against the said Anthony A. Calloway in civil action numbered 64C531 in the United States District Court for the Northern District of Illinois, based upon said accident. No part of the amount appropriated in this Act in excess of 20 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, 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 7, 1966.

Private Law 89-288

AN ACT

For the relief of John R. Sylvia.

September 7, 1966  
[H. R. 12884]

John R. Sylvia.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John R. Sylvia, the sum of \$350 in full settlement of all claims of the said John R. Sylvia against the United States for reimbursement of the amount paid or to be paid in settlement of the judgment against him obtained in civil action numbered 64-116-C in the United States District Court for the

District of Massachusetts, as a result of a motor vehicle collision on January 22, 1962, in New Bedford, Massachusetts, between a privately owned vehicle and a vehicle being operated by him within the scope of his employment with the United States Post Office Department. The payment authorized by this Act shall be made on the condition that the amount so received shall be paid in settlement of such judgment or that the said John R. Sylvia has made payment in settlement of such judgment. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 7, 1966.

Private Law 89-289

AN ACT

For the relief of Won Loy Jung.

September 8, 1966  
[H. R. 1822]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the provision of section 212(a)(19) of the Immigration and Nationality Act, Won Loy Jung may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act.

Won Loy Jung.

66 Stat. 183.  
8 USC 1182.

Approved September 8, 1966.

Private Law 89-290

AN ACT

For the relief of Sidney S. Shapiro and Shirley Shapiro.

September 9, 1966  
[H. R. 2681]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$120,000 to Sidney S. Shapiro and Shirley Shapiro, of New York, New York, in full settlement of all claims against the United States based upon the injuries, expenses, disabilities, or other losses, or damages suffered as the result of an accident which occurred in Naples, Italy, on or about July 6, 1962, when a United States Navy mail truck driven by an intoxicated member of the Navy at an excessive speed went out of control and struck a parked car in which the said Shirley Shapiro was sitting. The operator of the Navy vehicle in that accident has been determined not to have been acting within the scope of his employment, and the claims based on the accident are not cognizable under the Federal Tort Claims Act provisions now set out in title 28 of the United States Code.

Sidney S. and  
Shirley Shapiro.

62 Stat. 982,  
1008.  
28 USC 2671-  
2680.

SEC. 2. No part of the amounts appropriated in this Act 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 the claims covered by this Act, 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 9, 1966.

Private Law 89-291

AN ACT

For the relief of the John V. Boland Construction Company.

September 10, 1966  
[H. R. 1483]

John V. Boland  
Construction Co.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding any statute of limitation or the exhaustion of administrative remedies, jurisdiction is conferred on the United States Court of Claims to hear, determine, and render judgment on the claim of Boland Construction Company against the United States based upon contract numbered DA-25-066-ENG-480, with the United States Army Corps of Engineers, relating to the construction of a radar station at Kirksville, Missouri. Such suit may be instituted at any time within six months after date of enactment of this Act: *Provided,* That proceedings for the determination of such claim and appeal from and payment thereon, shall be in the same manner as in the case of claims over which the Court of Claims has jurisdiction as now provided by law.

Approved September 10, 1966.

Private Law 89-292

AN ACT

For the relief of the Moapa Valley Water Company, of Logandale, Nevada.

September 12, 1966  
[H. R. 2270]

Moapa Valley  
Water Co.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Moapa Valley Water Company, of Logandale, Nevada, is hereby relieved of all liability to pay to the United States the sum of \$56,018.22 representing the interest accruing prior to January 1, 1965, on three loans made to the said water company by the Farmers Home Administration in the amounts of \$200,000, \$30,000, and \$20,000.

Approved September 12, 1966, 9:05 p.m.

Private Law 89-293

AN ACT

For the relief of Josephine Ann Bellizia.

September 14, 1966  
[H. R. 3671]

Josephine A.  
Bellizia.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, Josephine Ann Bellizia may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her

behalf by Mr. and Mrs. John J. Bellizia, citizens of the United States, pursuant to section 204 of the Act: *Provided*, That the brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

Approved September 14, 1966.

79 Stat. 915.  
8 USC 1154.

Private Law 89-294

AN ACT

For the relief of Kimberly Ann Yang.

September 14, 1966  
[H. R. 10656]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, in the administration of the Immigration and Nationality Act, Kimberly Ann Yang may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, and a petition filed in her behalf by Hattie Yang, a citizen of the United States, may be approved pursuant to section 204 of the Act.

Approved September 14, 1966.

Kimberly A.  
Yang.

79 Stat. 917.  
8 USC 1101.  
8 USC 1154.

Private Law 89-295

AN ACT

For the relief of Maria Anna Piotrowski, formerly Czeslawa Marek.

September 14, 1966  
[H. R. 11347]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, in the administration of the Immigration and Nationality Act, Maria Anna Piotrowski, formerly Czeslawa Marek, may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Chester and Eugenia Piotrowski, citizens of the United States, pursuant to section 204 of the Act.

Approved September 14, 1966.

Maria A.  
Piotrowski.

79 Stat. 917.  
8 USC 1101.  
8 USC 1154.

Private Law 89-296

AN ACT

For the relief of Robert Dean Ward.

September 16, 1966  
[H. R. 2349]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the limitations of time applicable to the filing of claims under subsection (f) of section 5 of the War Claims Act of 1948, as amended, are hereby waived in favor of Robert Dean Ward of Seaside, California, and his claim for benefits thereunder shall be acted upon, without regard to such time limitations, if he files such claim with the Bureau of Employees' Compensation, Department of Labor, within the six-month period beginning on the date of enactment of this Act: *Provided*, That no benefits except hospital and medical expenses actually incurred shall accrue for any period prior to the date of enactment of this Act.

Approved September 16, 1966.

Robert D. Ward.

62 Stat. 1243.  
50 USC app.  
2004.

## Private Law 89-297

September 16, 1966  
[H. R. 7671]

## AN ACT

For the relief of Sophia Soliwoda.

Sophia Soliwoda.

79 Stat. 917.  
8 USC 1101.

8 USC 1154.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, Sophia Soliwoda may be classified as a child within the meaning of section 101 (b) (1) (F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Stanley F. Soliwoda, citizens of the United States, pursuant to section 204 of the Act: *Provided*, That the brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

Approved September 16, 1966.

## Private Law 89-298

September 16, 1966  
[H. R. 11038]

## AN ACT

For the relief of Mrs. Edna S. Bettendorf.

Edna S. Bettendorf.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the limitation on the time within which applications for disability retirement are required to be filed under section 6 of the Civil Service Retirement Act as in effect on June 28, 1953 (5 U.S.C. 710 (1952 ed.)), is hereby waived in favor of Mrs. Edna S. Bettendorf, a former employee of the General Services Administration, and her claim for disability retirement under such Act shall be acted upon under the other applicable provisions of such Act as if her application had been timely filed, if she files application for such disability retirement within sixty days after the date of enactment of this Act. No benefits shall accrue by reason of the enactment of this Act for any period prior to the date of enactment of this Act.

5 USC 2267  
note.

SEC. 2. The provisions under the heading "Civil Service Retirement and Disability Fund" in title I of the Independent Offices Appropriation Act, 1959 (72 Stat. 1064; Public Law 85-844), shall not apply with respect to benefits resulting from the enactment of this Act.

Approved September 16, 1966.

## Private Law 89-299

September 16, 1966  
[H. R. 12950]

## AN ACT

For the relief of Kazimierz (Casimer) Krzykowski.

Kazimierz,  
Krzykowski.

66 Stat. 183.  
8 USC 1182.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the provision of section 212 (a) (19) of the Immigration and Nationality Act, Kazimierz (Casimer) Krzykowski may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act.

Approved September 16, 1966.

## Private Law 89-300

## AN ACT

For the relief of Lourdes S. (Delotavo) Matzke and Yusef Ali Chouman.

September 16, 1966  
[H. R. 3078]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of sections 203(a)(1) and 204 of the Immigration and Nationality Act, Lourdes S. (Delotavo) Matzke shall be held and considered to be the natural-born alien daughter of Dr. and Mrs. Howard Matzke, citizens of the United States: *Provided,* That the natural mother of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

SEC. 2. In the administration of the Immigration and Nationality Act, Yusef Ali Chouman may be classified as a child within the meaning of section 101(b)(1)(F) of the said Act, upon approval of a petition filed in his behalf by Mr. and Mrs. Mohamad Schuman, citizens of the United States, pursuant to section 204 of the said Act.

Approved September 16, 1966.

Lourdes S.  
Matzke and Yusef  
A. Chouman.  
79 Stat. 912.  
8 USC 1153,  
1154.

8 USC 1101.

## Private Law 89-301

## AN ACT

To direct the Secretary of the Interior to convey certain lands in Boulder County, Colorado, to W. F. Stover.

September 16, 1966  
[H. R. 4861]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is hereby authorized and directed to convey to W. F. Stover, Denver, Colorado, all right, title, and interest of the United States in and to a tract of land in the Grand Island Mining District, Boulder County, Colorado, more particularly described as follows:

Beginning at corner numbered 5, Mineral Survey Numbered 13874, Millsite;

thence north 48 degrees 23 minutes west, along line 5-6, Mineral Survey Numbered 13874, Climax Millsite 337.26 feet distant to the true point for corner numbered 6, Mineral Survey Numbered 13874 and at the intersection with line 5-6 Mineral Survey Numbered 12354, Happy Valley Placer;

thence south 51 degrees 43 minutes east, along line 5-6, Mineral Survey Numbered 12354, Happy Valley Placer 337.83 feet distant to a point;

thence south 41 degrees 37 minutes west, 19.61 feet distant to corner numbered 5, Mineral Survey Numbered 13874, Climax Millsite and place of beginning containing 0.15 acres.

SEC. 2. The conveyance authorized by this Act shall be made upon payment of the fair market value of the land as of the effective date of this Act as determined by the Secretary of the Interior plus such sum as may be fixed by the Secretary to reimburse the United States for the administrative costs of the conveyance.

Approved September 16, 1966.

W. F. Stover.

## Private Law 89-302

September 16, 1966  
[H. R. 6305]

## AN ACT

For the relief of lessees of a certain tract of land in Logtown, Mississippi.

Tract No. 1253-  
E, Logtown, Miss.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in addition to, but not in duplication of, any payments that may otherwise be authorized by law, the Administrator of the National Aeronautics and Space Administration, or his designee, is hereby authorized and directed to pay to each lessee of a portion of the Baxter tract (tract numbered 1253-E) Logtown, Mississippi, who is named and whose interest is described in the deed of easement from Roy Baxter, Junior, and Margot Gack to the United States dated July 23, 1964, and recorded in book Q-8, pages 471 to 480 of the land records of Hancock County, Mississippi, (1) the fair market value, as the said Administrator or his designee shall determine it, of any existing improvements owned by such lessee which have been or will be abandoned in place upon vacation of the leasehold because of the acquisition of the above easement: *Provided,* That in consideration for such payment each such lessee shall assign, transfer or release to the United States all his right, title, and interest in and to such improvements; or (2) the fair market value less salvage value, as the said Administrator or his designee shall determine, of any improvement owned by such lessee which upon vacation of the leasehold, the lessee, because of the acquisition of the above easement, has removed, sold, or otherwise disposed of. Such payments shall be made from funds available to the National Aeronautics and Space Administration for land acquisition, Mississippi Test Facility, Mississippi. The determination of the Administrator of the National Aeronautics and Space Administration, or his designee, shall be final and the provisions of this Act shall create no rights or liabilities not otherwise existing or available, nor affect the validity of any property acquisition by purchase or condemnation.

No part of an amount paid under the authority of this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 16, 1966.

## Private Law 89-303

September 16, 1966  
[H. R. 7141]

## AN ACT

For the relief of Ronald Whelan.

Ronald Whelan.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the limitations of paragraph (1) of subsection (b) of section 2733 of the United States Code or any other statute of limitations, the Secretary of the Army is hereby authorized and directed to receive, consider, and settle the claim of Ronald Whelan, a minor, in accordance with the otherwise applicable provisions of section 2733 of title 10 of the United States Code based upon the injuries and disabilities he suffered as the result of being struck by a United States Army

70A Stat. 153.

vehicle in Frankfurt, Germany, on or about September 26, 1960; and if found to be meritorious, the claim shall be paid in accordance with the procedures provided in that section. The claim authorized to be considered by this Act shall be filed within one year of the date of approval of this Act.

Approved September 16, 1966.

Private Law 89-304

AN ACT

For the relief of Major Alan DeYoung, United States Army.

September 16, 1966  
[H. R. 10990]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Major Alan DeYoung, United States Army (O69478), of Falls Church, Virginia, is relieved of liability to the United States in the amount of \$7,061.73, representing an overpayment of compensation made to him by the Department of the Army during the period November 1, 1950, through January 31, 1965, as a result of administrative error. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this section.

Approved September 16, 1966.

Maj. Alan  
DeYoung.

Private Law 89-305

AN ACT

For the relief of John F. Reagan, Junior.

September 17, 1966  
[H. R. 4075]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the limitation on the time within which applications for disability retirement are required to be filed under section 6 of the Civil Service Retirement Act of May 29, 1930, as amended, 5 U.S.C. (1946 Ed.) 710, is hereby waived in favor of John F. Reagan, Junior, former employee of the Norfolk Naval Station, Portsmouth, Virginia, and his claim for disability retirement under such Act shall be acted upon under the other applicable provisions of such Act as if his application had been timely filed, if he files application for such disability retirement within sixty days after the date of enactment of the Act. No benefits shall accrue by reason of the enactment of this Act for any period prior to the date on which application for disability benefits is filed in accordance with this Act by or in behalf of John F. Reagan, Junior: *Provided,* That, notwithstanding any other provision of law, benefits payable by reason of the enactment of this Act shall be paid from the civil service retirement and disability fund.

Approved September 17, 1966.

John F. Reagan,  
Jr.

62 Stat. 51.

Private Law 89-306

AN ACT

For the relief of Li Tsu (Nako) Chen.

September 17, 1966  
[H. R. 6606]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of sections 203(a)(1) and 204 of the Immigration and National-

Li Tsu Chen.

79 Stat. 912,  
8 USC 1153,  
1154.

ity Act, Li Tsu (Nako) Chen shall be held and considered to be the natural-born alien daughter of Mr. and Mrs. Roy H. McAndrew, citizens of the United States: *Provided*, That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

Approved September 17, 1966.

Private Law 89-307

AN ACT

September 17, 1966  
[H. R. 11271]

For the relief of certain individuals employed by the Department of Defense at the Granite City Defense Depot, Granite City, Illinois.

Cleveland  
Atkins and  
others.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That each individual named in section 3 of this Act is relieved of liability to pay to the United States the amount set forth opposite his name, which amount represents an erroneous payment of compensation received by him during the period from July 1964 through June 1965 as a civilian employee of the Department of Defense at the Granite City Defense Depot, in Granite City, Illinois, and was erroneously paid to him due to administrative error.

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 individual named in section 3 of this Act, the sum certified to him by the Secretary of Defense as the aggregate of amounts paid by such individual to the United States, or withheld from amounts due him from the United States, on account of the liability for which relief is granted by the first section of the Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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.

SEC. 3. The individuals referred to in the first section of this Act, and the amount of the liability of each of them, are as follows:

Name	Amount of overpayment
Atkins, Cleveland	\$106.22
Bobo, Ernest	157.14
Boyd, James W.	79.26
Brandon, Clifford	221.90
Brower, William B.	352.73
Burr, Richard A.	117.81
Carter, Robert H.	109.79
Chlopek, John J.	159.23
Clay, George F.	335.83
Enoch, Herbert W.	608.38
Fernandez, Manuel	170.20
Fitzmaurice, Thomas P.	458.45
Garrett, John	470.43
Hickman, Joe E.	87.52
Jackson, Troy	64.30
Jowers, Clarence E.	191.90
Kindell, Glen H.	60.67
King, Jesse L.	222.07

Name	Amount of overpayment
Meagher, James H.....	\$215.39
Miller, Lewis L.....	169.17
Sharpe, Vedral.....	138.78
Smith, George E.....	86.44
Still, Franklin P.....	309.58
Swindal, Raymond D.....	80.73
Thomas, Eddie.....	161.46
Upp, John E.....	641.94
Williams, Victor D.....	407.46
Yarber, Owen L.....	72.54

Approved September 17, 1966.

Private Law 89-308

AN ACT

September 17, 1966  
[H.R. 11844]

For the relief of Maria Giuseppina Innalfo Feole.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, Maria Giuseppina Innalfo Feole may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Joseph Feole, citizens of the United States, pursuant to section 204 of the Act: *Provided,* That the brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

Maria G. Innalfo Feole.

79 Stat. 917.  
8 USC 1101.

8 USC 1154.

Approved September 17, 1966.

Private Law 89-309

AN ACT

September 17, 1966  
[H. R. 14514]

For the relief of Vernon M. Nichols.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Comptroller General of the United States is authorized and directed to settle the claim of Vernon M. Nichols, 8208 Valewood Court, Orangevale, California, for salary covering the period April 13, 1965, to June 12, 1965, inclusive, and for reimbursement of travel expenses from McCook, Nebraska, to Carmichael, California, incident to employment by the Bureau of Reclamation in the Job Corps program, and to allow in full and final settlement of the claim the sum of \$1,752.36. Such amount shall be payable from the appropriation which otherwise would have been chargeable with the salary and travel expenses during the period in question. The Comptroller General of the United States is further authorized and directed to relieve Vernon M. Nichols from all liability to refund to the United States the sum of \$65 expended in his behalf for airplane travel on April 12, 1965, from Denver, Colorado, to Sacramento, California.

Vernon M. Nichols.

Approved September 17, 1966.

## Private Law 89-310

## AN ACT

September 19, 1966  
[S. 1684]

To direct the Secretary of the Interior to adjudicate a claim to certain land in Marengo County, Alabama.

B. A. Cogle.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is directed to adjudicate the claim of B. A. Cogle of Thomasville, Alabama, under the Color of Title Act of December 22, 1928 (45 Stat. 1069), as amended by the Act of July 28, 1953 (67 Stat. 227; 43 U.S.C. 1068-1068b), to the lands described in section 2 of this Act. If the Secretary shall determine that the said B. A. Cogle has otherwise satisfied the requirements of the Color of Title Act, he may issue a patent under such Act to such lands without regard to the acreage limitation imposed in such Act.

SEC. 2. The lands subject to this Act are the following-described tracts of land all situated in Marengo County, Alabama, and described with respect to St. Stephens meridian:

(1) the northwest quarter of the southeast quarter and the southeast quarter of the northeast quarter of section 3, township 13 north, range 2 east;

(2) the southwest quarter of the southwest quarter of section 26, township 13 north, range 3 east;

(3) the south half of the southeast quarter of section 35, township 13 north, range 3 east; and

(4) the northwest quarter of the northeast quarter of section 19, township 14 north, range 2 east.

Approved September 19, 1966.

## Private Law 89-311

## AN ACT

September 20, 1966  
[H. R. 11251]

For the relief of Hubert J. Kupper.

Hubert J. Kupper.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Hubert J. Kupper, United States Marine Corps (retired), of East Brunswick, New Jersey, is hereby relieved of all liability for repayment to the United States of the sum of \$5,052.83, representing the amount of overpayments of retired pay received by the said Hubert J. Kupper for the period from July 1, 1955, through July 31, 1965, as a result of administrative error in the computation of his retired pay. 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 amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Hubert J. Kupper, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act.

No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 20, 1966.

## Private Law 89-312

## AN ACT

For the relief of John R. McKinney.

September 20, 1966  
[H. R. 14379]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John R. McKinney, of Sylvania, Georgia, the sum of \$1,456.67. Such sum shall be in full settlement of all claims against the United States of the said John R. McKinney for amounts to which he was entitled as a holder of the Medal of Honor under the provisions of sections 560-562 of title 38, United States Code, for the period from October 13, 1964, to December 30, 1965 (both dates inclusive), but which the Administrator of Veterans' Affairs is unable to pay because of failure to receive a timely application therefor. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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.

John R.  
McKinney.

72 Stat. 1139.

Approved September 20, 1966.

## Private Law 89-313

## AN ACT

For the relief of Irene Snyder.

September 27, 1966  
[S. 2838]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, Irene Snyder may be classified as a child within the meaning of section 101(b)(1)(F) of the said Act, and a petition may be filed in behalf of the said Irene Snyder by Sergeant and Mrs. Robert Snyder, a citizen and lawful alien resident, respectively, of the United States, pursuant to section 204 of the said Act.

Irene Snyder.

79 Stat. 917.  
8 USC 1101.

8 USC 1154.

Approved September 27, 1966.

## Private Law 89-314

## AN ACT

For the relief of Antonio Jesus Senra (Rodriguez) and his wife, Mercedes M. Miranda de Senra.

October 3, 1966  
[S. 372]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Antonio Jesus Senra (Rodriguez) and his wife, Mercedes M. Miranda de Senra, may be naturalized upon compliance with all of the requirements of title III of the Immigration and Nationality Act, except that no period of residence or physical presence within the United States or any State shall be required, in addition to their residence and physical presence within the United States since August 13, 1959.

Antonio J.  
Senra and Mer-  
cedes M. Miranda  
de Senra.66 Stat. 235.  
8 USC 1401 et  
seq.

Approved October 3, 1966.

## Private Law 89-315

October 3, 1966  
[S. 993]

AN ACT

For the relief of Doctor Oscar Valdes Cruz.

Dr. Oscar  
Valdes Cruz.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the periods of time Doctor Oscar Valdes Cruz has resided in the United States since his lawful admission for permanent residence on December 19, 1961, shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act.

66 Stat. 242.  
8 USC 1427.

Approved October 3, 1966.

## Private Law 89-316

October 3, 1966  
[S. 1120]

AN ACT

For the relief of Doctor Ortelio Rodriguez Perez.

Dr. Ortelio  
Rodriguez Perez.  
66 Stat. 163.  
8 USC 1101  
note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Doctor Ortelio Rodriguez Perez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 13, 1960.

Approved October 3, 1966.

## Private Law 89-317

October 3, 1966  
[S. 2348]

AN ACT

For the relief of Doctor Jorge G. Echenique.

Dr. Jorge G.  
Echenique.  
66 Stat. 163.  
8 USC 1101  
note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Doctor Jorge G. Echenique shall be held and considered to have been lawfully admitted to the United States for permanent residence as of April 1, 1961.

Approved October 3, 1966.

## Private Law 89-318

October 3, 1966  
[S. 2376]

AN ACT

For the relief of Doctor Mario Presman.

Dr. Mario  
Presman.  
66 Stat. 163.  
8 USC 1101  
note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Doctor Mario Presman shall be held and considered to have been lawfully admitted to the United States for permanent residence as of January 7, 1961.

Approved October 3, 1966.

## Private Law 89-319

AN ACT  
For the relief of Doctor Arturo Victor Fajardo-Carpio.

October 3, 1966  
[S. 2447]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Arturo Victor Fajardo-Carpio shall be held and considered to have been lawfully admitted to the United States for permanent residence as of December 7, 1960.*

Dr. Arturo V.  
Fajardo-Carpio.  
66 Stat. 163.  
8 USC 1101  
note.

Approved October 3, 1966.

## Private Law 89-320

AN ACT  
For the relief of Doctor Felix Hurtado Perez.

October 3, 1966  
[S. 2529]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Felix Hurtado Perez shall be held and considered to have been lawfully admitted to the United States for permanent residence on January 22, 1961.*

Dr. Felix  
Hurtado Perez.  
66 Stat. 163.  
8 USC 1101  
note.

Approved October 3, 1966.

## Private Law 89-321

AN ACT  
For the relief of Doctor Alberto Oteiza.

October 3, 1966  
[S. 2789]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Alberto Oteiza shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 1, 1960.*

Dr. Alberto  
Oteiza.  
66 Stat. 163.  
8 USC 1101  
note.

Approved October 3, 1966.

## Private Law 89-322

AN ACT  
For the relief of Doctor Rafael Anrrich.

October 3, 1966  
[S. 2796]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Rafael Anrrich shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 3, 1961.*

Dr. Rafael  
Anrrich.  
66 Stat. 163.  
8 USC 1101  
note.

Approved October 3, 1966.

## Private Law 89-323

October 3, 1966  
[S. 2865]

## AN ACT

For the relief of Doctor Alfredo Hernandez.

Dr. Alfredo  
Hernandez.  
66 Stat. 163.  
8 USC 1101  
note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Alfredo Hernandez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 7, 1960.*

Approved October 3, 1966.

## Private Law 89-324

October 3, 1966  
[S. 2869]

## AN ACT

For the relief of Doctor Jose Enrique Diaz.

Dr. Jose E.  
Diaz.  
66 Stat. 163.  
8 USC 1101  
note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Jose Enrique Diaz shall be held and considered to have been lawfully admitted to the United States for permanent residence on June 28, 1961.*

Approved October 3, 1966.

## Private Law 89-325

October 3, 1966  
[S. 2945]

## AN ACT

For the relief of Doctor Jaime E. Condom Valera.

Dr. Jaime E.  
Condom.  
66 Stat. 163.  
8 USC 1101  
note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Jaime E. Condom Valera shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 24, 1960.*

Approved October 3, 1966.

## Private Law 89-326

October 3, 1966  
[S. 2946]

## AN ACT

For the relief of Doctor Mario v. Machado Espinosa.

Dr. Mario v.  
Machado Espinosa.  
66 Stat. 163.  
8 USC 1101 note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Mario v. Machado Espinosa shall be held and considered to have been lawfully admitted to the United States for permanent residence as of May 23, 1961.*

Approved October 3, 1966.

## Private Law 89-327

## AN ACT

For the relief of Doctor Alonso Portuondo.

October 3, 1966  
[S. 3189]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Doctor Alonso Portuondo shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 26, 1960.

Dr. Alonso Portuondo.  
66 Stat. 163.  
8 USC 1101 note.

Approved October 3, 1966.

## Private Law 89-328

## AN ACT

For the relief of Doctor Jacobo Albo Maya.

October 3, 1966  
[S. 3272]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Doctor Jacobo Albo Maya shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 19, 1961.

Dr. Jacobo Albo Maya.  
66 Stat. 163.  
8 USC 1101 note.

Approved October 3, 1966.

## Private Law 89-329

## AN ACT

For the relief of Doctor Argyrios A. Tsifutis.

October 3, 1966  
[S. 2626]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Doctor Argyrios A. Tsifutis shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 25, 1956, and the periods of time that the said Doctor Argyrios A. Tsifutis has resided in the United States since that time shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act.

Dr. Argyrios A. Tsifutis.

66 Stat. 242.  
8 USC 1427.

Approved October 3, 1966.

## Private Law 89-330

## AN ACT

For the relief of Delma S. Pozas.

October 4, 1966  
[S. 146]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, Delma S. Pozas may be classified as a child within the meaning of section 101(b) (1) (F) of that Act, and a petition may be filed in behalf of the said Delma S. Pozas by Mr. and Mrs. Luis Guevarra, citizens of the United States, pursuant to section 204 of the Immigration and Nationality Act subject to all the conditions in that section relating to orphans.

Delma S. Pozas.

79 Stat. 917.  
8 USC 1101.

8 USC 1154.

Approved October 4, 1966.

## Private Law 89-331

October 4, 1966  
[S. 153]

## AN ACT

For the relief of Matsusuke Tengan.

Matsusuke  
Tengan.

40 Stat. 411.  
50 USC app. 1.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Matsusuke Tengan the sum of \$2,013 in full satisfaction of all his claims against the United States as beneficiary of a life insurance policy (Numbered 1,650,373) of the Sun Life Assurance Company of Canada on the life of his son, Yoshio Tengan, a United States citizen, the proceeds of which were received by the Attorney General pursuant to Vesting Order Numbered 14,815, dated June 26, 1950, under the provisions of the Trading With the Enemy Act: *Provided,* That no part of the amount appropriated in this Act 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 this 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 October 4, 1966.

## Private Law 89-332

October 4, 1966  
[S. 766]

## AN ACT

For the relief of Lieutenant Samuel R. Rondberg, United States Army Reserve.

Lt. Samuel R.  
Rondberg.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Lieutenant Samuel R. Rondberg, United States Army Reserve, is hereby relieved of all liability for repayment to the United States of the sum of \$240.30, representing the amount of overpayments of subsistence allowance received by the said Lieutenant Samuel R. Rondberg for the period from September 27, 1957, through June 10, 1958, while he was in the Reserve Officers' Training Corps serving at Washington University in the State of Missouri, such overpayments having been made as a result of administrative error.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Lieutenant Samuel R. Rondberg, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act.

Approved October 4, 1966.

## Private Law 89-333

October 4, 1966  
[S. 1449]

## AN ACT

For the relief of Doctor Enrique Ramon Ducassi.

Dr. Enrique R.  
Ducassi.  
66 Stat. 163.  
8 USC 1101  
note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Doctor Enrique Ramon Ducassi shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 30, 1960.

Approved October 4, 1966.

## Private Law 89-334

## AN ACT

For the relief of Kermit Wager, of Lebanon, South Dakota.

October 4, 1966  
[S. 1571]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$258.94, to Kermit Wager, Lebanon, South Dakota, in full settlement of his claims against the United States for reimbursement of the amount of expenses and other losses and damages occurred in resettlement as a result of his displacement in connection with the acquisition of land (tracts L-1259-1-2-3) due to the construction of Oahe Dam and Reservoir project, South Dakota: *Provided,* That no part of the amount appropriated in this Act 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 this 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.

Kermit Wager.

Approved October 4, 1966.

## Private Law 89-335

## AN ACT

For the relief of Donald I. Abbott.

October 4, 1966  
[S. 2177]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Donald I. Abbott, Captain, United States Army, retired, is hereby relieved of all liability to repay to the United States the sum of \$5,466.84, representing overpayments of civilian compensation received by him for the period from May 5, 1963, through February 22, 1964, while he was employed by the Army Map Service, Corps of Engineers, in violation of section 2 of the Act of July 31, 1894, as amended (5 U.S.C. 62), which prohibited the employment of certain retired military officers in a civilian position, the said Donald I. Abbott having advised Government authorities of his retired status prior to his employment with the Army Map Service and been assured that such Act was not applicable to him. 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 amount for which liability is relieved by this Act.

Donald I.  
Abbott.28 Stat. 205.  
78 Stat. 492.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Donald I. Abbott, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 October 4, 1966.

## Private Law 89-336

October 4, 1966  
[S. 2265]

## AN ACT

For the relief of Konstadyna Byni Deliroglou and her minor child, Alexandros Deliroglou.

Konstadyna B.  
and Alexandros  
Deliroglou.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, Konstadyna Byni Deliroglou, the fiancée of Arthur B. Weaver, a citizen of the United States, and her minor child, Alexandros Deliroglou, shall be eligible for visas as nonimmigrant temporary visitors for a period of three months: *Provided,* That the administrative authorities find that the said Konstadyna Byni Deliroglou is coming to the United States with a bona fide intention of being married to the said Arthur B. Weaver and that she and her minor child, Alexandros Deliroglou are found to be otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within three months after the entry of the said Konstadyna Byni Deliroglou, and her minor child, Alexandros Deliroglou, they shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within three months after the entry of the said Konstadyna Byni Deliroglou, and her minor child, Alexandros Deliroglou, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Konstadyna Byni Deliroglou and her minor child, Alexandros Deliroglou, as of the date of the payment by them of the required visa fees.

66 Stat. 208.  
8 USC 1252,  
1253.

Approved October 4, 1966.

## Private Law 89-337

October 4, 1966  
[S. 2555]

## AN ACT

For the relief of Kim Kin Soon.

Kim Kin Soon.  
79 Stat. 915.  
8 USC 1154.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, section 204(c), relating to the number of petitions which may be approved in behalf of orphans, shall be inapplicable in the case of a petition filed in behalf of Kim Kin Soon by Mr. and Mrs. Thomas H. Johnstone, citizens of the United States.

Approved October 4, 1966.

## Private Law 89-338

October 4, 1966  
[S. 2800]

## AN ACT

For the relief of George Joseph Saad.

George J. Saad.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, as amended, George Joseph Saad, the widower of Mary Elizabeth Saad, a United States citizen, shall be held and considered to be within the purview of section 201(b) of the said Act, and the provisions of section 204 of the said Act shall not be applicable in this case.

79 Stat. 911.  
8 USC 1151,  
1154.

Approved October 4, 1966.

## Private Law 89-339

## AN ACT

For the relief of Doctor Gottfried R. Kaestner.

October 4, 1966  
[S. 2854]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the periods of time Doctor Gottfried R. Kaestner has resided in the United States since his lawful admission for permanent residence on July 17, 1959, shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act, as amended.

Dr. Gottfried R.  
Kaestner.66 Stat. 242.  
8 USC 1427.

Approved October 4, 1966.

## Private Law 89-340

## AN ACT

To permit Edward C. Bower to serve as a director of the Virgin Islands National Bank prior to his obtaining United States citizenship.

October 4, 1966  
[S. 2973]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the provisions of section 5146 of the Revised Statutes of the United States, as amended (12 U.S.C. 72), Edward C. Bower shall not, prior to January 1, 1971, be disabled by reason of his Canadian citizenship from serving as a director of the Virgin Islands National Bank.

Edward C.  
Bower.

Approved October 4, 1966.

## Private Law 89-341

## AN ACT

For the relief of Mule Creek Oil Company, Incorporated, a Delaware corporation.

October 4, 1966  
[H. R. 8699]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of section 31 of the Mineral Leasing Act of February 25, 1920, as amended, (30 U.S.C. 188), the Secretary of the Interior is authorized and directed to receive, consider, and act upon any petition of the Mule Creek Oil Company, Incorporated, a Delaware corporation, filed within one hundred and eighty days after the date of enactment of this Act, for reinstatement of United States oil and gas lease "Wyoming 070268(A)", as if such petition had been filed within the time provided in such section and such section had been applicable thereto.

Mule Creek Oil  
Co., Inc.

60 Stat. 956.

Approved October 4, 1966.

## Private Law 89-342

## AN ACT

To provide for the conveyance of certain real property of the United States situated in the State of Pennsylvania.

October 4, 1966  
[H. R. 11253]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Attorney General is authorized and directed to convey to the White Deer Baptist Church, Allenwood, Pennsylvania, all right, title, and interest

White Deer  
Baptist Church.

of the United States in and to that portion of the 4.32-acre tract of land described in section 2 of this Act and owned by the United States on the date of enactment of this Act (which portion consists of 2.73 acres more or less), upon payment to the United States by or on behalf of the White Deer Baptist Church of the fair market value of the United States portion (as determined by the Attorney General).

SEC. 2. The 4.32-acre tract of land referred to in the first section of this Act is described as follows: Beginning at a point in the centerline of L.R. 176 (old State Route 44), where township route 433 intersects with L.R. 176;

thence from said point north 43 degrees 35 minutes west a distance of 250.08 feet to a stake;

thence north 29 degrees 33 minutes east a distance of 328.04 feet to a stake;

thence north 51 degrees 24 minutes west a distance of 359.43 feet to a stake;

thence south 62 degrees 3 minutes west, a distance of 335.24 feet to a point marked with a button in the centerline of old route 44;

thence along the centerline of old route 44 south 48 degrees 9 minutes east a distance of 260.48 feet to a point marked with a button;

thence south 7 degrees 36 minutes west a distance of 181.21 feet to an iron pipe;

thence south 66 degrees 40 minutes east a distance of 405.53 feet to an iron pipe;

thence south 66 degrees 25 minutes east a distance of 49.19 feet to the centerline of L.R. 176 (old route 44), the place of beginning marked with a button. This property being completely surrounded by the Northeast United States Federal Prison Camp, containing 4.32 acres, more or less.

Approved October 4, 1966.

### Private Law 89-343

October 8, 1966  
[S. 196]

#### AN ACT

For the relief of Georges Fraise.

Georges Fraise.

66 Stat. 236;  
71 Stat. 644.  
8 USC 1401;  
1401b.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of section 301(b) of the Immigration and Nationality Act, and section 16 of the Act of September 11, 1957, Georges Fraise shall be held and considered to have retained his United States citizenship if he complies with the provisions thereof prior to attaining the age of thirty-two years.

Approved October 8, 1966.

### Private Law 89-344

October 8, 1966  
[S. 373]

#### AN ACT

For the relief of Doctor Victor M. Ubieta.

Dr. Victor M.  
Ubieta.  
66 Stat. 163.  
8 USC 1101  
note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Doctor Victor M. Ubieta shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 6, 1960.

Approved October 8, 1966.

Private Law 89-345

AN ACT

For the relief of Guiseppe Rubino.

October 8, 1966  
[S. 2295]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, as amended, Guiseppe Rubino may be classified as a child within the meaning of section 101(b) (1) (F) of the Act, and a petition may be filed in his behalf by Mr. and Mrs. Luigi Rubino, citizens of the United States, pursuant to section 204 of the Act: Provided, That the brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.*

Guiseppe Rubino.

79 Stat. 917.  
8 USC 1101.  
8 USC 1154.

Approved October 8, 1966.

Private Law 89-346

AN ACT

For the relief of Dorothy Eyre.

October 10, 1966  
[S. 1468]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of section 301(b) of the Immigration and Nationality Act, and section 16 of the Act of September 11, 1957, Dorothy Eyre shall be held and considered to have retained her United States citizenship if she complies with the provisions thereof prior to attaining the age of thirty-three years.*

Dorothy Eyre.

66 Stat. 236;  
71 Stat. 644.  
8 USC 1401;  
1401b.

Approved October 10, 1966.

Private Law 89-347

AN ACT

For the relief of Joaquin U. Villagomez.

October 10, 1966  
[S. 2091]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Joaquin U. Villagomez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper officer to deduct one number from the total number of immigrant visas and conditional entries which are made available to natives of the country of the alien's birth under paragraphs (1) through (8) of section 203(a) of the Immigration and Nationality Act.*

Joaquin U. Villagomez.

79 Stat. 912.  
8 USC 1153.

Approved October 10, 1966.

## Private Law 89-348

October 14, 1966  
[S. 3500]

## AN ACT

To authorize the President to advance Major General Robert Wesley Colglazier, Junior, to the grade of lieutenant general.

Maj. Gen. Robert  
W. Colglazier, Jr.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President is authorized to advance Major General Robert Wesley Colglazier, Junior (O223635), to the grade of lieutenant general on the retired list, effective on the date of the enactment of this Act, and Major General Colglazier shall be entitled to all the benefits of retirement in the grade of lieutenant general.

Approved October 14, 1966.

## Private Law 89-349

October 15, 1966  
[S. 405]

## AN ACT

For the relief of Gabriel A. Nahas and Vera Nahas.

Gabriel A. and  
Vera Nahas.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the periods of time Gabriel A. Nahas and Vera Nahas have resided in the United States since their lawful admission for permanent residence on March 2, 1960, shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act.

Approved October 15, 1966.

66 Stat. 242.  
8 USC 1427.

## Private Law 89-350

October 15, 1966  
[S. 1275]

## AN ACT

To authorize and direct the Secretary of the Treasury to cause the vessel Elva L., owned by Harold Bunker, of Matinicus, Maine, to be documented as a vessel of the United States with coastwise privileges.

Vessel Elva L.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the provisions of section 4132 of the Revised Statutes of the United States, as amended (46 U.S.C. 11), the Secretary of the Treasury shall cause the vessel Elva L., owned by Harold Bunker, of Matinicus, Maine, to be documented as a vessel of the United States, upon compliance with the usual requirements, with the privilege of engaging in the coastwise trade so long as such vessel is owned by a citizen of the United States.

Approved October 15, 1966.

## Private Law 89-351

## AN ACT

For the relief of Doctor Jose Joaquin Diaz Franquiz.

October 15, 1966  
[S. 2106]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Doctor Jose Joaquin Diaz Franquiz shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 7, 1961.

Approved October 15, 1966.

Dr. Jose J. D.  
Franquiz.  
66 Stat. 163.  
8 USC 1101  
note.

## Private Law 89-352

## AN ACT

For the relief of Jorge Ajbuszyc Volsky.

October 15, 1966  
[S. 2457]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Jorge Ajbuszyc Volsky shall be held and considered to have been lawfully admitted to the United States for permanent residence as of May 22, 1961.

Approved October 15, 1966.

Jorge A. Volsky.  
66 Stat. 163.  
8 USC 1101  
note.

## Private Law 89-353

## AN ACT

For the relief of Doctor Hilda W. Perez de Gonzalez.

October 15, 1966  
[S. 2587]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Doctor Hilda W. Perez de Gonzalez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of May 24, 1961.

Approved October 15, 1966.

Dr. Hilda W.  
Perez de  
Gonzalez.  
66 Stat. 163.  
8 USC 1101  
note.

## Private Law 89-354

## AN ACT

For the relief of Doctor Guillermo Rodriguez.

October 15, 1966  
[S. 2640]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Doctor Guillermo Rodriguez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 18, 1960.

Approved October 15, 1966.

Dr. Guillermo  
Rodriguez.  
66 Stat. 163.  
8 USC 1101  
note.

## Private Law 89-355

October 15, 1966  
[S. 2738]

## AN ACT

For the relief of Doctor Ezzat N. Asaad.

Dr. Ezzat N.  
Asaad.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Ezzat N. Asaad shall be held and considered to have been lawfully admitted to the United States for permanent residence as of March 11, 1958, and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act.*

Approved October 15, 1966.

66 Stat. 242.  
8 USC 1427.

## Private Law 89-356

October 15, 1966  
[S. 2739]

## AN ACT

For the relief of Doctor Blanche L. Asaad.

Dr. Blanche L.  
Asaad.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of the Immigration and Nationality Act, Doctor Blanche L. Asaad shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 16, 1958, and the periods of time she has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act.*

Approved October 15, 1966.

66 Stat. 242.  
8 USC 1427.

## Private Law 89-357

October 15, 1966  
[S. 2761]

## AN ACT

For the relief of Doctor Julio Sanguily, Junior.

Dr. Julio San-  
guily, Jr.  
66 Stat. 163.  
8 USC 1101 note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Julio Sanguily, Junior, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 13, 1961.*

Approved October 15, 1966.

## Private Law 89-358

October 15, 1966  
[S. 2771]

## AN ACT

For the relief of Hazel Louise Schuman Strunk.

Hazel L. S.  
Strunk.  
66 Stat. 163.  
8 USC 1101 note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Hazel Louise Schuman Strunk shall be held and considered to have been lawfully admitted to the United States for permanent residence as of December 1, 1923.*

Approved October 15, 1966.

## Private Law 89-359

## AN ACT

For the relief of Doctor Alberto L. Martinez.

October 15, 1966  
[S. 3106]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Doctor Alberto L. Martinez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 30, 1960.

Approved October 15, 1966.

Dr. Alberto L.  
Martinez.  
66 Stat. 163.  
8 USC 1101 note.

## Private Law 89-360

## AN ACT

For the relief of Miss Matsue Sato.

October 15, 1966  
[S. 3238]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, Miss Matsue Sato, the fiancée of Mr. Mark R. Edelberg, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of three months: *Provided,* That the administrative authorities find that the said Miss Matsue Sato is coming to the United States with a bona fide intention of being married to the said Mr. Mark H. Edelberg and that she is found otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within three months after the entry of the said Miss Matsue Sato, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within three months after the entry of the said Miss Matsue Sato, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Miss Matsue Sato as of the date of the payment by her of the required visa fee.

Approved October 15, 1966.

Matsue Sato.

66 Stat. 208.  
8 USC 1252,  
1253.

## Private Law 89-361

## AN ACT

To authorize the Secretary of the Interior to convey certain lands in Plumas County, California, to C. A. Lundy, and for other purposes.

October 15, 1966  
[H. R. 3104]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is hereby authorized and directed to convey to C. A. Lundy, Blairsdon, California, all right, title and interest of the United States in and to a tract of land in the Plumas National Forest, Plumas County, California, more particularly described as follows: Lots 45 and 46, situated in sections 21, 22, 27 and 28, township 22 north, range 11 east, Mount Diablo base and meridian, California, consisting of three hundred acres, more or less. Such conveyance shall only be made if C. A. Lundy makes application therefor and, within one year after the date of this Act, makes payment of the fair market value of the land as of the date of this Act, less any enhancement in value brought to the land by C. A. Lundy or his predecessors on the land,

C. A. Lundy.

as determined by the Secretary of the Interior. Such payment shall be considered as full satisfaction of all claims of the United States against C. A. Lundy for any acts by or on behalf of C. A. Lundy upon such land.

SEC. 2. In the event C. A. Lundy does not elect to apply for and obtain conveyance of the land as provided in section 1, all claims of the United States against C. A. Lundy for any acts by or on behalf of C. A. Lundy upon such land shall be deemed to be waived upon the relinquishment by C. A. Lundy of all claims to such land.

Approved October 15, 1966.

Private Law 89-362

AN ACT

For the relief of Winston Lloyd McKay.

October 15, 1966  
[H. R. 5213]

Winston L.  
McKay.  
66 Stat. 163.  
8 USC 1101 note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Winston Lloyd McKay shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee.*

Approved October 15, 1966.

Private Law 89-363

AN ACT

For the relief of the estates of certain former members of the United States Navy Band.

October 15, 1966  
[H. R. 5912]

William F. Albrecht and others.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of each of the former members of the United States Navy Band named below, the sum of \$25,000, representing the amount found by the United States Court of Claims (congressional numbered 11-60, decided December 11, 1964), pursuant to H. Res. 585, Eighty-sixth Congress, to be equitably due each such estate. The payment of such amount shall be in full settlement of all claims against the United States of the estates of the following named former members of the United States Navy Band:*

- William Frederick Albrecht;
- Elmer Leroy Armiger;
- Henry Bein;
- Milton George Bergey;
- Robert Lisle Clark;
- Anthony Mathew D'Amico;
- Albert John Desiderio, Junior;
- Reyes Soto Gaglio, Junior;
- Richard David Harl;
- Gerald Richard Meier;
- Raymond Hector Micallef;
- James Alan Mohs;
- Walter Michel Penland;
- Earl Weston Richey;
- Jerome Rosenthal;

Vincent Peter Tramontana;  
 Roger Bruce Wilklow;  
 Jefferson Bruce Young;

each sum to be paid as equitable relief in connection with the death of each such former member in the plane crash which occurred during a flight from Buenos Aires, Argentina, to Rio de Janeiro, Brazil, on February 25, 1960.

No part of the amount appropriated in this Act in excess of 20 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 October 15, 1966.

Private Law 89-364

AN ACT

October 15, 1966  
 [H. R. 9520]

To authorize the Secretary of the Interior to convey certain lands in Inyo County, California, to the personal representative of the estate of Gwilym L. Morris, Dolores G. Morris, George D. Ishmael, and Verna H. Ishmael.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is authorized and directed to issue, subject to the provisions of this Act to the persons named below, who have previously filed desert land entries on the lands involved, patents to the following described tracts of land in the county of Inyo, State of California:

Gwilym L. Morris  
 and others.

(1) Township 27 north, range 4 east, San Bernardino meridian, section 27: west half containing 320 acres to the personal representative of the Estate of Gwilym L. Morris.

(2) Township 27 north, range 4 east, San Bernardino meridian, section 28: east half containing 320 acres to Dolores G. Morris.

(3) Township 27 north, range 4 east, San Bernardino meridian, section 27: east half containing 320 acres to George D. Ishmael.

(4) Township 27 north, range 4 east, San Bernardino meridian, section 26: west half containing 320 acres to Verna H. Ishmael.

SEC. 2. Each patent authorized to be issued by section 1 of this Act may be issued only after payment, by the beneficiary of this Act to the United States, of the sum of (a) the fair market value of the lands as of the effective date of this Act less the value added to the land by the beneficiary, and (b) the administrative costs of making the conveyance, both as determined by the Secretary.

SEC. 3. Any patent issued under this Act shall contain a reservation to the United States of (a) any of the following named minerals for which the land is deemed by the Secretary of the Interior to be valuable or prospectively valuable as of the date of issuance of patent: coal, native asphalt, solid and semisolid bitumen, and bituminous rock (including oil-impregnated rock or sands, from which oil is recoverable only by special treatment after the deposit is mined or quarried), oil, gas, oil shale, phosphate, sodium, and potassium, and (b) the right of the United States, its lessees, permittees, or licensees to prospect for, mine, and remove them under applicable provisions of law.

SEC. 4. No conveyance to any beneficiary of this Act shall be made unless application for the conveyance is made to the Secretary of the Interior within one year after the effective date of this Act and payment is made to the Secretary of the Interior within the period allowed therefor by him.

Approved October 15, 1966.

## Private Law 89-365

October 15, 1966  
[H. R. 14754]

## AN ACT

To authorize the Secretary of the Interior to reinstate a certain oil and gas lease.

U.S. oil and gas  
lease, lessees.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior shall receive, consider, and act upon any petition of the lessees of the United States oil and gas lease (New Mexico 0291835), filed within one hundred and eighty days after the effective date of this Act, for reinstatement of said lease and may reinstate such lease in accordance with the provisions of section 31(c) of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 188(c)).

60 Stat. 956.

Approved October 15, 1966.

## Private Law 89-366

October 16, 1966  
[S. 1375]

## AN ACT

Providing a method for determining the amount of compensation to which certain individuals are entitled as reimbursement for damages sustained by them due to the cancellation of their grazing permits by the United States Air Force.

Claudius C.  
Toone and others.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Congress hereby finds and declares that Claudius C. Toone, of Morgan, Utah; W. E. and David Dearden, of Henefer, Utah; Robert Byram and Sons, of Ogden, Utah; Joseph O. Fawcett, of Henefer, Utah; and Richins Brothers, of Henefer, Utah, are equitably entitled to compensation for damages sustained by them because of the cancellation of their grazing permits by the United States Air Force as a result of a need for additional land for the Wendover bombing range.

SEC. 2. The Secretary of the Air Force is hereby authorized and directed to determine and pay the amount of compensation to which such persons are equitably entitled for damages because of the cancellation of their grazing permits. Such determination shall be made in accordance with criteria established in the usual cases where grazing permits are canceled as the result of withdrawals by a Federal department or agency.

Approved October 16, 1966.

## Private Law 89-367

November 2, 1966  
[H. R. 1269]

## AN ACT

For the relief of H. Foster Hunter.

H. Foster  
Hunter.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That H. Foster Hunter, of Washington, District of Columbia, is hereby relieved of liability to the United States in the amount of \$4,964.66, the amount owed by him to the United States on account of erroneous class E allotment payments received by his former wife without his knowledge between March 1, 1943, and August 31, 1948. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for any amount for which liability is relieved by this Act.

Approved November 2, 1966.

Private Law 89-368

## AN ACT

For the relief of Glenn D. Humes.

November 2, 1966  
[H. R. 1328]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Glenn D. Humes (lieutenant, United States Navy, retired), of Altamonte Springs, Florida, is hereby relieved of liability to refund to the United States the sum of \$5,706.71, representing the amount of compensation received by him in his employment as a temporary rural carrier at the United States post office, Maitland, Florida, from October 29, 1960, to November 24, 1961, in violation of section 2 of the Act of July 31, 1894, as amended (5 U.S.C. 62), prohibiting the holding of civilian offices by certain retired individuals. In the audit and settlement of accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

Glenn D. Humes.

28 Stat. 205;  
78 Stat. 492.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Glenn D. Humes, an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, in complete or partial satisfaction of the claim of the United States for refund of the amount specified in the first section of this Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 November 2, 1966.

Private Law 89-369

## AN ACT

For the relief of Major Ralph D. Caldwell.

November 2, 1966  
[H. R. 1388]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Major Ralph D. Caldwell, United States Army, retired, service number O264373, is hereby relieved of liability to the United States in the amount of \$9,750.37, the amount of overpayments of retirement pay made to him between September 22, 1943, and August 31, 1960. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for any amount for which liability is relieved by this Act.

Maj. Ralph D.  
Caldwell.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to said Major Ralph D. Caldwell, an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, in complete or partial satisfaction of the liability to the United States specified in the first section. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 November 2, 1966.

## Private Law 89-370

November 2, 1966  
[H. R. 2129]

## AN ACT

For the relief of Maria Rossi.

Maria Rossi.

79 Stat. 912.  
8 USC 1153,  
1154.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of sections 203(a) (1) and 204 of the Immigration and Nationality Act, Maria Rossi shall be held and considered to be the natural-born alien daughter of Mr. and Mrs. Eugenio Carlo Moruzzi, citizens of the United States: *Provided,* That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

Approved November 2, 1966.

## Private Law 89-371

November 2, 1966  
[H. R. 3500]

## AN ACT

For the relief of Mrs. Emilie Boulay.

Emilie Boulay.

53 Stat. 1362.  
42 USC 401 et  
seq.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for purposes of determining the entitlement of Mrs. Emilie Boulay, of Berlin, New Hampshire, to benefits under title II of the Social Security Act for months after November 1960 on the basis of the wages and self-employment income of the late Napoleon Boulay (social security account Numbered 001-12-7112), if the said Mrs. Emilie Boulay files application for such benefits within six months after the date of the enactment of this Act, the marriage entered into by the said Mrs. Emilie Boulay and Napoleon Boulay on May 15, 1905, shall be held and considered to have been a valid marriage under the laws of the State in which the said Napoleon Boulay was domiciled at the time of his death.

Approved November 2, 1966.

## Private Law 89-372

November 2, 1966  
[H. R. 3526]

## AN ACT

For the relief of Doctor Eric J. Lazaro.

Dr. Eric J.  
Lazaro.

66 Stat. 242.  
8 USC 1427.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, Doctor Eric J. Lazaro shall be held and considered to have complied with the provisions of section 316 of that Act as they relate to residence and physical presence.

Approved November 2, 1966.

## Private Law 89-373

## AN ACT

For the relief of Doctor Miguel Angel Martinez y Corpas.

November 2, 1966  
[H. R. 3530]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Miguel Angel Martinez y Corpas shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 25, 1960.*

Approved November 2, 1966.

Dr. Miguel A.  
Martinez y Corpas.  
66 Stat. 163.  
8 USC 1427.

## Private Law 89-374

## AN ACT

For the relief of Doctor Julio Cesar Muñiz y Sotolongo.

November 2, 1966  
[H. R. 3531]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Julio Cesar Muñiz y Sotolongo shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 7, 1960.*

Approved November 2, 1966.

Dr. Julio C.  
Muñiz y Sotolongo.  
66 Stat. 163.  
8 USC 1101 note.

## Private Law 89-375

## AN ACT

For the relief of George R. Lore.

November 2, 1966  
[H. R. 3536]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George R. Lore, of Baudette, Minnesota, the sum of \$6,889 in full settlement of all his claims against the United States for loss of or damage to his aircraft N4688A, an approved facility of the United States Coast Guard Auxiliary, Flotilla 28-05, while on a search and rescue mission. Due to emergency and holiday conditions, the mission had to be undertaken before orders authorizing it could be obtained: *Provided*, That no part of the amount appropriated in this Act 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 this 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 November 2, 1966.

George R. Lore.

## Private Law 89-376

November 2, 1966  
[H. R. 3689]

## AN ACT

For the relief of Juanita Cereguine de Burgh.

Juanita Cereguine de Burgh.  
66 Stat. 163.  
8 USC 1101 note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Juanita Cereguine de Burgh shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fee.

Approved November 2, 1966.

## Private Law 89-377

November 2, 1966  
[H. R. 3756]

## AN ACT

For the relief of James S. Kahrman.

James S. Kahrman.  
79 Stat. 912.  
8 USC 1153,  
1154.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of sections 203(a)(1) and 204 of the Immigration and Nationality Act, James S. Kahrman shall be held and considered to be the natural-born alien son of Mr. and Mrs. Spiros Kahrman, citizens of the United States: *Provided,* That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

Approved November 2, 1966.

## Private Law 89-378

November 2, 1966  
[H. R. 3879]

## AN ACT

For the relief of Ernest Buillet.

Ernest Buillet.

79 Stat. 917.  
8 USC 1101.  
8 USC 1154.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, Ernest Buillet may be classified as a child within the meaning of section 101(b)(1)(F) of the Act upon approval of a petition filed in his behalf by Mr. and Mrs. Paul Grisel, citizens of the United States, pursuant to section 204 of the Act: *Provided,* That the brothers and sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

Approved November 2, 1966.

## Private Law 89-379

November 2, 1966  
[H. R. 4077]

## AN ACT

For the relief of Jean A. Quaintance.

Jean A. Quaintance.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Jean A. Quaintance of Tacoma, Washington, is hereby relieved of all liability for repayment to the United States of the sum of \$3,255.94 representing the amount of overpayments of salary for the period August 7, 1958, to

December 7, 1961, and September 10, 1962, through March 30, 1963, because of administrative error. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for any amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Jean A. Quaintance an amount equal to the aggregate of the amounts paid by her, or withheld from sums otherwise due her, in complete or partial satisfaction of the liability to the United States referred to in section 1 of this Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 November 2, 1966.

Private Law 89-380

AN ACT

For the relief of Herman Feldman.

November 2, 1966  
[H. R. 4454]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Herman Feldman, of Gary, Indiana, the sum of \$880. The payment of such sum shall be in full settlement of all claims of the said Herman Feldman against the United States for amounts withheld from his pay as an enlisted man in the Army for payment as a portion of a monthly family allowance for the period from June 1, 1942, through September 30, 1945. Such payments were never made because of the fact that the said Herman Feldman's wife (the proposed recipient of such payments) was residing in Czechoslovakia and died before such payments could be made. No part of the amount appropriated in this Act 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 this 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.

Herman Feldman.

Approved November 2, 1966.

Private Law 89-381

AN ACT

For the relief of Doctor Jorge Ignacio Miquel Franca.

November 2, 1966  
[H. R. 5622]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Doctor Jorge Ignacio Miquel Franca shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 23, 1961.

Dr. Jorge I. M. Franca.  
66 Stat. 163.  
8 USC 1101note.

Approved November 2, 1966.

## Private Law 89-382

November 2, 1966  
[H. R. 5969]

## AN ACT

For the relief of Doctor Raul R. Morffi.

Dr. Raul R.  
Morffi.  
66 Stat. 163.  
8 USC 1101note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Doctor Raul R. Morffi shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 29, 1961.

Approved November 2, 1966.

## Private Law 89-383

November 2, 1966  
[H. R. 6035]

## AN ACT

For the relief of the estate of Major John W. Roy, and for other purposes.

Maj. John W.  
Roy.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the estate of the late Major John W. Roy (Army serial number O201008) is relieved of liability to the United States of all amounts erroneously paid to him as retired pay for the period from September 1, 1950, through October 31, 1958, through administrative error of the Department of the Army. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this section.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the widow of the said late Major John W. Roy an amount equal to the aggregate of the amounts paid by him, his widow, or his estate, or withheld from sums otherwise due any of them, in complete or partial satisfaction of the liability to the United States specified in the first section of this Act. No part of the amount appropriated in this Act 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 this 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 November 2, 1966.

## Private Law 89-384

November 2, 1966  
[H. R. 6115]

## AN ACT

For the relief of Doctor Jose A. G. Mendoza.

Dr. Jose A. G.  
Mendoza.  
66 Stat. 163.  
8 USC 1101note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Doctor Jose A. G. Mendoza shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 2, 1960.

Approved November 2, 1966.

## Private Law 89-385

## AN ACT

For the relief of Doctor Bienvenido Benach Carreras.

November 2, 1966  
[H. R. 6226]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Doctor Bienvenido Benach Carreras shall be held and considered to have been admitted to the United States for permanent residence as of August 26, 1961.

Approved November 2, 1966.

Dr. Bienvenido  
B. Carreras.  
66 Stat. 163.  
8 USC 1101 note.

## Private Law 89-386

## AN ACT

For the relief of Doctor Antonio U. Catasus.

November 2, 1966  
[H. R. 6443]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Doctor Antonio U. Catasus shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 3, 1959.

Approved November 2, 1966.

Dr. Antonio U.  
Catasus.  
66 Stat. 163.  
8 USC 1101 note.

## Private Law 89-387

## AN ACT

For the relief of Doctor Myriam de la Caridad Ares y Fernandez de Bosch.

November 2, 1966  
[H. R. 6899]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Doctor Myriam de la Caridad Ares y Fernandez de Bosch shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 28, 1960.

Approved November 2, 1966.

Dr. Myriam  
Bosch.  
66 Stat. 163.  
8 USC 1101 note.

## Private Law 89-388

## AN ACT

For the relief of Nathan Levine.

November 2, 1966  
[H. R. 7026]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Nathan Levine, of New York, New York, is hereby relieved of liability to the United States in the amount of \$2,287.80, the amount of an overpayment to him of salary retention payments in the period beginning July 1, 1962, and ending in November 1964, because of an administrative error. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for any amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to said Nathan Levine, an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him,

Nathan Levine.

in complete or partial satisfaction of the liability to the United States specified in the first section. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 November 2, 1966.

### Private Law 89-389

November 2, 1966  
[H. R. 7341]

#### AN ACT

For the relief of Doctor Ricardo R. Fuste.

Dr. Ricardo R.  
Fuste.  
66 Stat. 163.  
8 USC 1101 note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Doctor Ricardo R. Fuste shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 12, 1961.

Approved November 2, 1966.

### Private Law 89-390

November 2, 1966  
[H. R. 8614]

#### AN ACT

For the relief of Miss Rajka Soda.

Rajka Soda.  
  
79 Stat. 912.  
8 USC 1153,  
1154.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of sections 203(a)(2) and 204 of the Immigration and Nationality Act, Miss Rajka Soda shall be held and considered to be the natural-born alien daughter of Mrs. Barbara Colich, an alien lawfully admitted to the United States for permanent residence: *Provided,* That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege or status under the Immigration and Nationality Act.

Approved November 2, 1966.

### Private Law 89-391

November 2, 1966  
[H. R. 8937]

#### AN ACT

For the relief of Charles A. Turner.

Charles A.  
Turner.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles A. Turner, the sum of \$2,551.18 in full settlement of all his claims against the United States incurred as the result of his being required to remain outside the United States after completion of service with the United States Government, and in excess of that time period during which he would have received settlement of such claim, because of the debilitating and terminal illness of his wife which resulted in her death outside of the United States.

SEC. 2. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 November 2, 1966.

Private Law 89-392

AN ACT

For the relief of William A. Buzbee.

November 2, 1966  
[H. R. 9213]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That William A. Buzbee, of Smiths, Alabama, a civilian employee of the Department of the Army at Fort Benning, Georgia, is hereby relieved of liability to the United States in the amount of \$3,496.18, the amount by which he was overpaid, as a result of administrative error, during the period from July 7, 1957, to February 21, 1965. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for any amount for which liability is relieved by this Act.

William A.  
Buzbee.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William A. Buzbee, of Smiths, Alabama, an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, in complete or partial satisfaction of the liability to the United States specified in the first section: *Provided*, That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 November 2, 1966.

Private Law 89-393

AN ACT

For the relief of certain civilian employees of the Department of the Army at Fort Sam Houston, Texas.

November 2, 1966  
[H. R. 9217]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That each civilian employee and former civilian employee of the Department of the Army at the Brooke Army Medical Center, Fort Sam Houston, Texas, named in section 2 of this Act, is relieved of liability to pay to the United States the amount set forth opposite his name, which amount represents an overpayment of compensation made to him as a result of administrative error during the period June 17, 1956, through September 5, 1959. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this section.

Lena Barthel  
and others.

SEC. 2. The employees referred to in the first section of this Act, and the amount of liability of each of them, are as follows:

Lena Barthel	\$274.72
Ruby M. Borders	291.60
La Nora Farguhar	9.81
Edna O. Jameson	89.60
Louis L. Norcross	9.81
Alice E. Teas	84.11
Muriel Whary (now Meyer)	420.14
Maude S. Yarborough	214.44
Helen Engel	83.69
Gwendelyn G. Harmer	77.85
Margaret N. Hinton	28.80
Marjorie M. Mallory	60.80
Lily Martinez	60.80
Julia A. McAskill	6.54
Frances M. Seaver	300.49
Juanite Stewart	115.36
Marjorie K. Stinnett	241.67
Robert M. Baty (deceased)	196.00
Vera H. S. Estes	80.28
Kelly C. Gatlin	84.46
Hortense McDaniel	294.63
Louis H. Baldini	469.78
Alice E. Benson	222.40
Iris E. Blume	310.45
Helen P. Boyd	283.55
Leslie E. Brigance	207.74
Ila M. Brown	145.60
Rudolph O. Castillas	80.00
Edwin Centeno	81.28
Mildred Chamberlain	48.00
Hazel L. Colombe	72.80
Freerick R. Dodge	387.75
Leo K. Edwards	78.96
Lee Enderle	461.24
Maria B. Esparza	275.58
Idella Fields	98.89
Jack R. Fletcher	386.54
Georgia A. Flowers	83.20
Bessie Fowles	9.81
Bertha K. Gale	83.20
Bobbie A. Greathouse	265.12
Elizabeth L. Hahn	343.80
Mary H. Hamilton	457.96
Gloria Handley	145.60
Beulah G. Heath	83.20
Mariam W. Hiester	374.40
Marry Ellen Inghram	88.27
Lois A. Jost	83.20
Mary Beth Kile	\$83.96
Wilburn M. Kitchen	158.40
Ann A. M. Lange	84.67
Mary L. Manning	9.81
Marshall L. Marks	55.16
Albert E. Marotta	375.74
Marjorie M. McCoy	126.63
Florence T. McIlhenny	239.20
Ignacia A. Menchaca	28.24
Dennis L. Miller	145.60
Jewell A. Patrick	219.44
Kathryn M. Patterson	44.80
Santa E. Pena	85.02
James B. Pullum	175.69
Eileen M. Rafferty	247.44
Ethel P. Rothe	57.60
Ruben A. Sanchez	163.40
Goldie R. Smith	378.54
James W. Tabor	200.55
Leo Tatum	85.02

Viola Tatom.....	83.55
Helen W. Vaughan.....	277.20
Emeterio Villarreal.....	298.17
Ben Wadlington.....	163.20
Margaret W. Wear.....	208.32
Ethel B. Winchester.....	432.50

SEC. 3. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each individual named in section 2 of this Act, the sum certified to him by the Secretary of the Army as the aggregate of amounts paid by such individual to the United States, or withheld from amounts due him from the United States, on account of the liability for which relief is granted by the first section of the Act. No part of the amount appropriated in this Act shall be paid or delivered to any agent or attorney on account of services rendered in connection with this 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 November 2, 1966.

Private Law 89-394

AN ACT

For the relief of Captain Harold G. Wilmarth.

November 2, 1966  
[H. R. 9348]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Harold G. Wilmarth, captain, United States Air Force (AN 3112602), is hereby relieved of liability to the United States in the amount of \$3,610.98, the amount of an overpayment of his pay as an officer in the United States Air Force in the period beginning March 10, 1961, and ending March 10, 1964, inclusive, because of an administrative error. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for any amount for which liability is relieved by this Act.

Capt. Harold G.  
Wilmarth.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to said Harold G. Wilmarth, an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, in complete or partial satisfaction of the liability to the United States specified in the first section. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 November 2, 1966.

## Private Law 89-395

November 2, 1966  
[H. R. 10249]

## AN ACT

For the relief of Mrs. Elisabeth Manninen.

Elisabeth  
Manninen.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Elisabeth Manninen, of Kingsford, Michigan, the sum of \$3,208.40. The payment of such sum shall be in full settlement of all claims of the said Mrs. Elisabeth Manninen for the portion of the accrued benefits payable because of an error in determining the rate of veteran's compensation applicable in the case of her deceased husband, Edwin E. Manninen, for the period from December 1, 1959, to the date of his death from service-connected disabilities on April 3, 1964, which the Veterans' Administration is precluded from paying because of lapse of time under the provisions of section 3021 of title 38, United States Code. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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.

72 Stat. 1228.

Approved November 2, 1966.

## Private Law 89-396

November 2, 1966  
[H. R. 10253]

## AN ACT

For the relief of Doctor Luis E. Bencomo.

Dr. Luis E.  
Bencomo.  
66 Stat. 163.  
8 USC 1101 note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Doctor Luis E. Bencomo shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 5, 1961.

Approved November 2, 1966.

## Private Law 89-397

November 2, 1966  
[H. R. 10259]

## AN ACT

For the relief of Doctor Allan Bauml.

Dr. Allan  
Bauml.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Doctor Allan Bauml shall be held and considered to have complied with the provisions of section 316 of that Act as they relate to residence and physical presence.

66 Stat. 242.  
8 USC 1427.

Approved November 2, 1966.

## Private Law 89-398

## AN ACT

For the relief of Doctor Antonio B. Santillano.

November 2, 1966  
[H. R. 10288]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.* That, for the purposes of the Immigration and Nationality Act, Doctor Antonio B. Santillano shall be held and considered to have been lawfully admitted to the United States for permanent residence on December 3, 1957, and the periods of time he has resided in this country since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of the said Act.

Dr. Antonio B.  
Santillano.66 Stat. 242.  
8 USC 1427.

Approved November 2, 1966.

## Private Law 89-399

## AN ACT

For the relief of Leonard J. Dalton.

November 2, 1966  
[H. R. 10662]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.* That Leonard J. Dalton, of San Diego, California, is hereby relieved of all liability to the United States in the amount of \$9,588.72 based upon the compensation paid him for services rendered to the United States as an employee of the Treasury Department in the period from July 1, 1963, through November 30, 1964, inclusive, based upon a subsequent determination that his civilian employment was subject to the restrictions of the Dual Employment Act of 1894 (5 U.S.C. 62) and the Dual Compensation Act of 1932 (5 U.S.C. 59a) due to his retired status as a chief warrant officer.

Leonard J.  
Dalton.28 USC 205;  
78 Stat. 492.  
47 Stat. 406;  
78 Stat. 494.

Sec. 2. That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Leonard J. Dalton the aggregate of any amounts repaid or withheld from amounts otherwise due him by reason of the liability referred to in section 1 of this Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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.

Sec. 3. For the purpose of the application and administration of the civil service laws, the service of the said Leonard J. Dalton in the period referred to in section 1 of this Act shall be held and considered to have been proper under applicable law, and to have been creditable service for the purpose of leave, seniority, and retirement credit.

Approved November 2, 1966.

## Private Law 89-400

November 2, 1966  
[H. R. 10832]

## AN ACT

For the relief of Gloria Alesna Relampagos.

Gloria A.  
Relampagos.79 Stat. 917.  
8 USC 1101.  
8 USC 1154.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, Gloria Alesna Relampagos may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Francisco Relampagos, citizens of the United States, pursuant to section 204 of the Act: *Provided,* That the brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

Approved November 2, 1966.

## Private Law 89-401

November 2, 1966  
[H. R. 10846]

## AN ACT

For the relief of Katherine Nabokoff and Emil Homoceanu.

Katherine  
Nabokoff and  
Emil Homoceanu.

70 Stat. 743.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Katherine Nabokoff, the sum of \$40,182.50, and to Emil Homoceanu, the sum of \$17,228.23, as gratuities for sacrifices they sustained as the result of imprisonment by a foreign government as the result of their employment by the United States. In each case the period of imprisonment may be considered for the purposes of all other employee benefits to be a period of employment by the United States and shall be determined to be creditable service for the purposes of the Civil Service Retirement Act (5 U.S.C. 2251, et seq.): *Provided,* That the individual makes the required employee contribution.

SEC. 2. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 November 2, 1966.

## Private Law 89-402

November 2, 1966  
[H. R. 10876]

## AN ACT

To authorize and direct the Administrator of the Farmers Home Administration to quitclaim certain property in Jackson County, Alabama, to Skyline Churches Cemetery, a corporation.

Skyline  
Churches Ceme-  
tery.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, upon the written consent of the Alabama Rural Rehabilitation Corporation, the Administrator of the Farmers Home Administration of the United States Department of Agriculture, is authorized and directed to convey

by quitclaim deed to the Skyline Churches Cemetery, a nonprofit membership corporation organized and existing under and pursuant to title 10, section 150, Code of Alabama, 1940, and unto its successors and assigns, all of the right, title, and interest held by the United States of America in and to the following described property:

A tract of land in section 5, township 3 south, range 5 east, Jackson County, Alabama, in Skyline Farms project of Farm Security Administration, United States Department of Agriculture, described as follows:

Beginning at the southeast corner of section 5, township 3 south, range 5 east, said corner being in the centerline of spur numbered 1 off Winchester Road; thence running south 86 degrees 20 minutes west, 20.00 feet to west right-of-way line of said road; thence with the west right-of-way of said road, north 01 degree 17 minutes east, 95.70 feet, north 02 degrees 12 minutes east, 269.70 feet; north 02 degrees 20 minutes east, 297.60 feet, north 09 degrees 26 minutes west 60.74 feet, north 00 degrees 28 minutes east, 1,640.20 feet to the southeast corner of the tract and beginning point of the survey; thence continuing with the west right-of-way of said road north 00 degrees 28 minutes east, 217.50 feet; thence leaving the road north 61 degrees 52 minutes west, 452.45 feet, north 61 degrees 49 minutes west, 941.45 feet; north 89 degrees 21 minutes 30 seconds west, 385.68 feet, south 05 degrees 08 minutes west, 260.23 feet, south 84 degrees 56 minutes east, 526.69 feet, south 62 degrees 40 minutes east, 1,250.45 feet to the point of beginning and containing 9.06 acres, more or less, and being in the south half of the northeast quarter and the northeast quarter of the southeast quarter of section 5, township 3 south, range 5 east, and being shown on a plat of said Skyline Farms in plat book A, at page 207, in the probate office for Jackson County, at Scottsboro, Alabama.

Approved November 2, 1966.

### Private Law 89-403

#### AN ACT

For the relief of Doctor Pedro Raphael.

November 2, 1966  
[H. R. 11224]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Pedro Raphael shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 17, 1961.*

Approved November 2, 1966.

Dr. Pedro  
Raphael.  
66 Stat. 163.  
8 USC 1101 note.

### Private Law 89-404

#### AN ACT

For the relief of Julieta Gloria Bersamin.

November 2, 1966  
[H. R. 11254]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Julieta Gloria Bersamin may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Alejandro B. Bersamin, citizens of the United*

Julieta G.  
Bersamin.

79 Stat. 917.  
8 USC 1101.

79 Stat. 915.  
8 USC 1154.

States, pursuant to section 204 of the Act: *Provided*, That the brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

Approved November 2, 1966.

### Private Law 89-405

November 2, 1966  
[H. R. 11467]

#### AN ACT

For the relief of Chief Warrant Officer Joseph J. McGavin.

CWO Joseph J.  
McGavin.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That Chief Warrant Officer Joseph J. McGavin, United States Air Force, retired, of Monroe, New York, is relieved of liability to the United States in the amount of \$1,220.65, representing the net amount of compensation received by him while employed as a civilian by the Department of the Air Force during the period September 8, 1964, through November 30, 1964, in violation of section 2 of the Act of July 31, 1894 (5 U.S.C. 62). In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this section.

28 USC 205;  
78 Stat. 492.

SEC. 2. For the purposes of all laws, rules, and regulations conferring rights and benefits on Federal employees, including civil service status, retirement, and retention rights, the service performed by Joseph J. McGavin from September 8, 1964, through November 30, 1964, as a civilian employee of the Department of the Air Force, shall be held and considered to be creditable Federal service.

Approved November 2, 1966.

### Private Law 89-406

November 2, 1966  
[H. R. 11570]

#### AN ACT

For the relief of James R. Kemp.

James R. Kemp.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That James F. Kemp, of Juneau, Alaska, is hereby relieved of all liability for repayment to the United States of the sum of \$5,142.81, representing overpayments of salary which he received as a civilian employee of the Alaska communications system, Department of the Air Force, for the period from April 22, 1962, through June 26, 1965, as a result of administrative error in establishing his basic salary at the rate of GS-12, step 6, plus cost-of-living allowance, when he was released from a wage board position at Ketchikan, Alaska, in order to accept a position under the Classification Act of 1949 at Juneau, Alaska, effective April 22, 1962, the said James R. Kemp having consulted officials of the Alaska communications system prior to his change of position and been erroneously assured that his basic salary would be established at such rate, plus such cost-of-living allowance. 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 amount for which liability is relieved by this Act.

63 Stat. 954.  
5 USC 1071 note.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated,

to the said James R. Kemp the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 November 2, 1966.

Private Law 89-407

AN ACT

For the relief of Doctor Jacinta Llorens.

November 2, 1966  
[H. R. 11590]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Jacinta Llorens shall be held and considered to have been lawfully admitted for permanent residence as of June 13, 1960.*

Dr. Jacinta  
Llorens.  
66 Stat. 163.  
8 USC 1101 note.

Approved November 2, 1966.

Private Law 89-408

AN ACT

For the relief of Jun Becky.

November 2, 1966  
[H. R. 11617]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Jun Becky may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Richard Allen Ginther, citizens of the United States, pursuant to section 204 of the Act. Section 204(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.*

Jun Becky.

79 Stat. 719.  
8 USC 1101.  
8 USC 1154.

Approved November 2, 1966.

Private Law 89-409

AN ACT

For the relief of Doctor Juan Antonio Dumois.

November 2, 1966  
[H. R. 11640]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Juan Antonio Dumois shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 19, 1961.*

Dr. Juan A.  
Dumois.  
66 Stat. 163.  
8 USC 1101 note.

Approved November 2, 1966.

## Private Law 89-410

November 2, 1966  
[H. R. 11676]

## AN ACT

For the relief of Johnny R. Bradley and others.

Johnny R.  
Bradley and others.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That each individual named in section 2 of this Act is relieved of liability to pay to the United States the amount set forth opposite his name, which amount represents an overpayment of compensation received by him from July 12, 1964, through September 25, 1965, both dates inclusive, while employed at Tinker Air Force Base, Oklahoma. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States credit shall be given for amounts for which liability is relieved by this Act.

SEC. 2. The individuals referred to in the first section of this Act and the amount of the liability of each of them, are as follows:

Name	Amount
Bradley, Johnny R.....	\$288. 00
Derrick, Cecil K.....	268. 80
Dillon, Robert D.....	288. 00
Gorham, Charles R.....	276. 00
Medley, Billy L.....	259. 20
Miller, Larry C.....	268. 80
Mollman, Theodore C.....	297. 60
Ross, James W., Junior.....	268. 80
Wilkins, Maurice L.....	268. 80

SEC. 3. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each individual listed in section 2 of this Act an amount equal to the aggregate amount paid by him, or withheld from sums otherwise due him, in complete or partial satisfaction of the liability to the United States specified in the first section of this Act. No part of the amount appropriated in this section for the payment of any one claim 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 section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved November 2, 1966.

## Private Law 89-411

November 2, 1966  
[H. R. 11952]

## AN ACT

For the relief of Maria Karidakis.

Maria Karidakis.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, Maria Karidakis may be classified as a child within the meaning of section 101(b)(1)(F) of that Act, upon approval of a petition filed in her behalf by Mr. and Mrs. George N. Karidakis, citizens of the United States, pursuant to section 204 of that Act, subject to all the conditions in that section relating to petitions in behalf of a child as defined in section 101(b)(1)(F).

Approved November 2, 1966.

79 Stat 719.  
8 USC 1101.

8 USC 1154.

## Private Law 89-412

## AN ACT

For the relief of Muriel Williams.

November 2, 1966  
[H. R. 11957]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of section 201(g) of the Nationality Act of 1940, Muriel Williams shall be held and considered to have been residing in the United States for a period of five years after attaining the age of sixteen years.

Approved November 2, 1966.

Muriel Williams.  
54 Stat. 1139.  
8 USC 601.

## Private Law 89-413

## AN ACT

For the relief of Doctor Augusto J. Fernandez-Conde.

November 2, 1966  
[H. R. 12317]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Doctor Augusto J. Fernandez-Conde shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 10, 1961.

Approved November 2, 1966.

Dr. A. J.  
Fernandez-Conde.  
66 Stat. 163.  
8 USC 1101 note.

## Private Law 89-414

## AN ACT

For the relief of Carl V. Elliott.

November 2, 1966  
[H. R. 12512]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Carl V. Elliott of Brewster, Washington, is hereby relieved of liability to the United States in the amount of \$1,498.07, the amount of an overpayment of his salary as an employee of the Post Office Department for the period November 1, 1949, to August 23, 1958, because of an administrative error. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for any amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to said Carl V. Elliott an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, in complete or partial satisfaction of the liability to the United States specified in the first section. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 November 2, 1966.

Carl V. Elliott.

## Private Law 89-415

November 2, 1966  
[H. R. 12781]

## AN ACT

For the relief of Doctor Mario Orlando Santos-Estevez.

Dr. M. O. Santos-  
Estevez.  
66 Stat. 163.  
8 USC 1101 note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Doctor Mario Orlando Santos-Estevez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 21, 1961.

Approved November 2, 1966.

## Private Law 89-416

November 2, 1966  
[H. R. 12826]

## AN ACT

For the relief of Kim Kap Yung.

Kim Kap Yung.

79 Stat. 719.  
8 USC 1101.  
8 USC 1154.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, Kim Kap Yung may be classified as a child within the meaning of section 101(b)(1)(F) of that Act, upon approval of a petition filed in his behalf by Mr. and Mrs. Raymond J. McCreight, citizens of the United States, pursuant to section 204 of that Act. Section 204(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

Approved November 2, 1966.

## Private Law 89-417

November 2, 1966  
[H. R. 12920]

## AN ACT

For the relief of Alexander Francis Saker, doctor of medicine.

Dr. Alexander F.  
Saker.  
66 Stat. 163.  
8 USC 1101 note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Alexander Francis Saker, doctor of medicine, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 10, 1961.

Approved November 2, 1966.

## Private Law 89-418

November 2, 1966  
[H. R. 13101]

## AN ACT

For the relief of Mario P. Navarro, doctor of medicine.

Dr. Mario P.  
Navarro.  
66 Stat. 163.  
8 USC 1101 note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Mario P. Navarro, doctor of medicine, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 28, 1961.

Approved November 2, 1966.

## Private Law 89-419

## AN ACT

For the relief of Nermin Demirbag Lavapies.

November 2, 1966  
[H. R. 13192]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Nermin Demirbag Lavapies shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 26, 1957.*

Approved November 2, 1966.

Nermin D.  
Lavapies.  
66 Stat. 163.  
8 USC 1101 note.

## Private Law 89-420

## AN ACT

For the relief of Donald E. Auseon.

November 2, 1966  
[H. R. 13682]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Donald E. Auseon, of Canton, Ohio, is hereby relieved of liability to the United States in the amount of \$831.46 representing an overpayment between April 12, 1965, and August 27, 1965, for overtime and night differential pay paid to him by the United States Post Office Department through administrative error. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this Act.*

Donald E. Auseon.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Donald E. Auseon an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, in complete or partial satisfaction of the liability to the United States specified in the first section.

SEC. 3. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 November 2, 1966.

## Private Law 89-421

## AN ACT

For the relief of Robert A. Ivins.

November 2, 1966  
[H. R. 13683]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Robert A. Ivins, of Canton, Ohio, is hereby relieved of liability to the United States in the amount of \$1,192.98, representing an overpayment between March 29, 1965, and August 27, 1965, for overtime and night differential pay paid to him by the United States Post Office Department through administrative error. In the audit and settlement of the*

Robert A. Ivins.

accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Robert A. Ivins an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, in complete or partial satisfaction of the liability to the United States specified in the first section.

SEC. 3. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 November 2, 1966.

Private Law 89-422

AN ACT

November 2, 1966

[H. R. 13800]

For the relief of Specialist Fifth Class Ronald J. Olson, United States Army, retired.

Sp5c. Ronald J.  
Olson.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Specialist Fifth Class Ronald J. Olson, United States Army, retired (RA55676271), is relieved of liability to pay to the United States the sum of \$170, representing the balance due on the total amount which, by reason of administrative error, the Department of the Army failed to deduct from his pay for the months of December 1964, and January 1965, in support of allotments from his pay. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for the amount for which liability is relieved by this section.

SEC. 2. The Secretary of the Treasury shall pay, out of any money in the Treasury not otherwise appropriated, to Specialist Five Ronald J. Olson, United States Army, retired, an amount equal to the sum certified to the Secretary of the Treasury by the Secretary of the Army as the aggregate of amounts paid to the United States by Ronald J. Olson, or withheld by the United States from amounts otherwise due him, on account of the liability referred to in the first section of this Act. No part of the amount appropriated in this section shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved November 2, 1966.

## Private Law 89-423

## AN ACT

For the relief of Antonio Barquet Chediak.

November 2, 1966  
[H. R. 14173]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Antonio Barquet Chediak shall be held and considered to be lawfully admitted to the United States for permanent residence as of May 26, 1961.*

Approved November 2, 1966.

Antonio B.  
Chediak.  
66 Stat. 163.  
8 USC 1101 note.

## Private Law 89-424

## AN ACT

For the relief of Esteban Fernández Noda.

November 2, 1966  
[H. R. 14174]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Esteban Fernández Noda shall be held and considered to be lawfully admitted to the United States for permanent residence as of October 13, 1960.*

Approved November 2, 1966.

Esteban F.  
Noda.  
66 Stat. 163.  
8 USC 1101 note.

## Private Law 89-425

## AN ACT

For the relief of Beatriz Diaz.

November 2, 1966  
[H. R. 14233]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Beatriz Diaz shall be held and considered to have been lawfully admitted to the United States for permanent residence as of May 17, 1951.*

Approved November 2, 1966.

Beatriz Diaz.  
66 Stat. 163.  
8 USC 1101 note.

## Private Law 89-426

## AN ACT

To amend Private Law 86-203 to permit the use of the vessel John F. Drews in the coastwise trade while it is owned by a citizen of the United States.

November 2, 1966  
[H. R. 14517]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Private Law 86-203, approved September 21, 1959 (73 Stat. A89), is amended by inserting immediately before the period at the end thereof the following: "or by any other citizen of the United States within the meaning of section 2 of the Shipping Act, 1916 (46 U.S.C. 802)".*

Approved November 2, 1966.

Vessel John F.  
Drews.

39 Stat. 729.

## Private Law 89-427

November 2, 1966  
[H. R. 14525]

## AN ACT

For the relief of Thomas C. Macpherson, Junior.

Thomas C.  
Macpherson, Jr.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the annual leave account of Thomas C. Macpherson, Junior, postal employee of Peekskill, New York, there shall be added a separate account of ninety-six hours of annual leave, in full settlement of all claims of the said Thomas C. Macpherson, Junior, against the United States for loss of ninety-six hours of annual leave to which he was entitled but which he forfeited in accordance with law as a result of administrative error in crediting him with such leave: *Provided*, That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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.

SEC. 2. Section 203(c) of the Annual and Sick Leave Act of 1951, as amended (65 Stat. 680, 67 Stat. 137; 5 U.S.C. 2062(c)), shall not apply with respect to the leave granted by this Act, and such leave likewise shall not affect the use or accumulation, pursuant to applicable law, of other annual leave earned by the said Thomas C. Macpherson, Junior. None of the leave granted by this Act shall be settled by means of a cash payment in the event such leave or part thereof remains unused at the time the said Thomas C. Macpherson, Junior, is separated by death or otherwise from the Federal service.

Approved November 2, 1966.

## Private Law 89-428

November 2, 1966  
[H. R. 14819]

## AN ACT

For the relief of Mr. and Mrs. William Nussbaum.

Mr. and Mrs.  
William Nussbaum.

76 Stat. 511.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the limitation of time contained in section 2680 of title 10 of the United States Code (which relates to reimbursement of owners of property acquired for public works projects for moving expenses), the application of Mr. and Mrs. William Nussbaum, of Bedford Hills, New York, for resettlement reimbursement in the amount of \$1,457.65, filed with the Department of the Army on or about January 25, 1965 in connection with the acquisition from them by the United States of tract numbered 408 of the Littleville Dam and Reservoir project, Massachusetts, shall be considered on its merits and disposed of in accordance with the remaining provisions of such section 2680.

Approved November 2, 1966.

## Private Law 89-429

## AN ACT

## For the relief of certain individuals.

November 2, 1966  
[H. R. 14864]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That each individual or estate named in section 2 of this Act is relieved of liability to pay to the United States the amount set forth opposite his name in such section. Such amounts represent overpayments of compensation made as a result of administrative error to such individuals while they were employed at the Charleston Naval Shipyard, Charleston, South Carolina. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this section.

Welbourn T.  
Parrish and others.

SEC. 2. The names of each individual or estate referred to in the first section of this Act, the amount of overpayment made to each individual, and the period during which the overpayments were made, are as follows:

Employee	Period of overpayments		Amounts overpaid
	From—	Through—	
Welbourn T. Parrish.....	November 18, 1956.	February 15, 1964.	\$2, 269. 25
William F. Bendt.....	November 18, 1956.	November 24, 1962.	1, 133. 44
Julian B. Couturier.....	November 18, 1956.	February 22, 1959.	474. 40
George E. Brandt.....	November 18, 1956.	September 19, 1959.	518. 96
Sidney J. Cooper.....	November 18, 1956.	February 4, 1961.	1, 057. 92
Ernest D. Holtslander....	December 28, 1958.	March 21, 1959....	42. 98
Joseph V. Vlach.....	December 28, 1958.	March 18, 1961....	124. 52
John K. Johnson.....	December 28, 1958.	March 18, 1961....	130. 08
Thomas L. Cobb.....	December 28, 1958.	September 2, 1961.	184. 74
Henry C. Shelley.....	December 28, 1958.	March 16, 1962....	171. 44
Sidney L. Walker.....	December 28, 1958.	March 18, 1961....	116. 68
Carl B. Grayson.....	February 11, 1962.	February 26, 1966.	1, 395. 20
Norman B. Keenan.....	November 18, 1956.	March 9, 1957.....	-----
	May 18, 1958.....	September 6, 1958.	-----
	November 15, 1959.	March 5, 1960.....	-----
	May 14, 1961.....	September 2, 1961.	-----
	May 12, 1963.....	August 31, 1963....	-----
	May 9, 1965.....	August 28, 1965....	473. 60
John T. Hart.....	September 3, 1963.	February 26, 1966.	1, 350. 96
Frances E. McAlhany....	May 19, 1957.....	July 3, 1965.....	747. 46
John M. Dalton.....	July 21, 1963.....	November 9, 1963.	-----
	July 18, 1965.....	November 6, 1965.	148. 53
Charles E. Collins.....	November 18, 1956.	June 25, 1960.....	828. 96
Edward R. LaTorre.....	July 9, 1963.....	February 26, 1966.	1, 531. 91
David H. Sandifer.....	December 18, 1955.	October 6, 1956....	-----
	December 16, 1956.	October 5, 1957....	-----
	December 15, 1957.	April 30, 1960.....	793. 10
Frederick C. Nolte, Jr. ....	November 18, 1956.	November 10, 1957.	183. 60
James W. Grooms.....	November 18, 1956.	April 27, 1963.....	1, 578. 16

Employee	Period of overpayments		Amounts overpaid
	From—	Through—	
Paul G. LaRoche-----	November 18, 1956.	June 26, 1960-----	\$854. 86
Joseph S. Hart-----	December 28, 1958.	March 19, 1961---	126. 56
Estate of John B. Priester, Jr., deceased.	March 23, 1958---	March 17, 1963---	715. 66
Walter H. Stello-----	December 28, 1958.	April 18, 1959-----	67. 20
James C. Stuart-----	August 26, 1956---	October 4, 1959---	41. 19
Russell E. Perkins-----	May 25, 1952-----	May 18, 1958-----	789. 69
U. Singletary-----	March 28, 1958---	March 18, 1963---	728. 60
James O. Ivey-----	January 21, 1962---	September 25, 1965.	1, 497. 06
Charles R. Hiser-----	April 26, 1964-----	October 10, 1965---	456. 86
William G. Strozier-----	June 17, 1956-----	October 4, 1958---	134. 40
Carlos L. Faught-----	September 28, 1952.	May 23, 1953-----	80. 22
Melvin K. Church-----	December 28, 1958.	March 18, 1960---	83. 68
Aaron H. Miller-----	February 14, 1954---	February 23, 1957---	39. 00
Jesse E. McCoy-----	December 7, 1952---	March 12, 1955---	276. 13
Wilmot E. Young-----	December 10, 1956.	December 13, 1957.	224. 56
William O. McCue-----	August 25, 1957---	September 8, 1957---	42. 00
Albert L. Freeman-----	June 3, 1956-----	October 5, 1957---	61. 07
James C. Brown-----	December 10, 1956---	December 13, 1959---	224. 92
John J. Dodds, Jr-----	September 26, 1955.	April 3, 1960-----	592. 23
Frank P. Kanapaux, Jr-----	July 15, 1956-----	July 14, 1959-----	62. 28
Daniel L. Jenkins, Jr-----	March 27, 1955---	March 24, 1957---	295. 83
Rita W. Kent-----	June 2, 1957-----	October 3, 1959---	122. 64
Eugene O. Moore, Sr-----	May 20, 1956-----	October 5, 1957---	103. 86
Harold J. Seabrook-----	December 2, 1956---	November 29, 1959.	590. 73
James T. Jolly-----	April 11, 1965-----	October 9, 1965---	72. 80
George F. Groves-----	April 15, 1951-----	November 20, 1954.	1, 551. 45
Marion L. Hanagriff-----	July 31, 1955-----	October 4, 1958---	30. 40
Fred J. Meade-----	September 15, 1965.	November 20, 1965.	56. 16
James H. Sims-----	June 9, 1963-----	February 26, 1966---	326. 40

SEC. 3. (a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each individual listed in section 2 of this Act an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, with respect to his indebtedness to the United States specified in section 2 of this Act.

(b) No part of the amount appropriated in subsection (a) of this section 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 this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved November 2, 1966.

## Private Law 89-430

## AN ACT

For the relief of Marie del Carmen Bermudez.

November 2, 1966  
[H. R. 14920]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Marie del Carmen Bermudez may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Arsenio Bermudez, citizens of the United States, pursuant to section 204 of the Act: Provided, That the natural brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.*

Approved November 2, 1966.

Marie del  
Carmen Bermudez.79 Stat. 719.  
8 USC 1101.

8 USC 1154.

## Private Law 89-431

## AN ACT

For the relief of Renato Camacho Castro.

November 2, 1966  
[H. R. 14984]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Renato Camacho Castro shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 20, 1958.*

Approved November 2, 1966.

Renato C.  
Castro.  
66 Stat. 163.  
8 USC 1101 note.

## Private Law 89-432

## AN ACT

For the relief of Henry P. Leonhardy.

November 2, 1966  
[H. R. 15014]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the limitations contained in Section 33 of the Trading with the Enemy Act as amended (50 U.S.C. App. 33) with respect to the filing of claims for the return of property pursuant to Section 32 of such Act (50 U.S.C. App. 32), any notice of claim filed under such Act by Henry P. Leonhardy of Garmisch-Partenkirchen, Federal Republic of Germany, within one month of the enactment of this Act shall be deemed to be timely filed.*

Approved November 2, 1966.

Henry P.  
Leonhardy.

60 Stat. 925.

60 Stat. 50.

## Private Law 89-433

## AN ACT

For the relief of Walter W. Taylor.

November 2, 1966  
[H. R. 15251]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Walter W. Taylor, of Leachville, Arkansas, is relieved of liability to the United States in the amount of \$391.68, representing the amount of an overpayment of his salary as an employee of the Post Office Department*

Walter W. Taylor.

as a result of an administrative error. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this section.

SEC. 2. (a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Walter W. Taylor an amount equal to the aggregate of the amounts paid by him or withheld from sums otherwise due him, with respect to the indebtedness to the United States specified in the first section of this Act.

(b) No part of the amount appropriated in subsection (a) of this section shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved November 2, 1966.

#### Private Law 89-434

November 2, 1966  
[H. R. 15297]

#### AN ACT

For the relief of Leonard G. Duffy, lieutenant, United States Navy.

Lt. Leonard G.  
Duffy.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.* That the Secretary of the Navy is authorized and directed to pay, out of current appropriations available for the payment of severance pay, to Leonard G. Duffy, lieutenant, United States Navy, who was discharged from the United States Navy on June 8, 1966, an amount equal to the difference between (a) the amount of lump-sum severance pay which would have been paid to him upon his discharge from the United States Navy if the computation of such severance pay had been based upon his actual commissioned service in the United States Navy, and (b) the amount of severance pay actually to be paid him.

SEC. 2. No part of the payment made under the first section of this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved November 2, 1966.

#### Private Law 89-435

November 2, 1966  
[H. R. 15488]

#### AN ACT

For the relief of Doctor Ali Haji-Morad.

Dr. Ali Haji-  
Morad.  
66 Stat. 163.  
8 USC 1101 note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.* That, for the purposes of the Immigration and Nationality Act, Doctor Ali Haji-Morad shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 28, 1956, and the periods of time he has resided in the United States since that date

shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act.

Approved November 2, 1966.

66 Stat. 242.  
8 USC 1427.

Private Law 89-436

AN ACT

For the relief of Vicente Fernandez Marino.

November 2, 1966  
[H. R. 16522]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, Vicente Fernandez Marino shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 7, 1961.

Approved November 2, 1966.

Vicente F. Marino.  
66 Stat. 163.  
8 USC 1101 note.

Private Law 89-437

AN ACT

For the relief of Doctor Antonio Rondon Delgado.

November 2, 1966  
[H. R. 16610]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Doctor Antonio Rondon Delgado shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 4, 1957.

Approved November 2, 1966.

Dr. Antonio R. Delgado.  
66 Stat. 163.  
8 USC 1101 note.

Private Law 89-438

AN ACT

For the relief of Eugene G. Peterson, Harry E. Byers, and Russell W. Jordan.

November 2, 1966  
[H. R. 16977]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Eugene G. Peterson, the sum of \$405.40; to Harry E. Byers, the sum of \$195; and to Russell W. Jordan, the sum of \$102. The payment of such sums shall be in full settlement of all claims of the said Eugene G. Peterson, Harry E. Byers, and Russell W. Jordan against the United States for reimbursement of expenses and other losses incurred in 1963 in connection with the cancellation of certain duty assignments scheduled by the Federal Aviation Agency: *Provided,* That no part of the money appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 November 2, 1966.

Eugene G. Peterson and others.

## Private Law 89-439

November 2, 1966  
[H. R. 17260]

AN ACT

For the relief of Robert A. Jellison.

Robert A.  
Jellison.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Robert A. Jellison the sum of \$128.96 in full satisfaction of his claim against the United States for damage to certain household effects while being unloaded at his United States Information Service post in Oberammergau, Germany: *Provided,* That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provision 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 November 2, 1966.

## Private Law 89-440

November 2, 1966  
[H. R. 17261]

AN ACT

For the relief of Augustus J. Theodore.

Augustus J.  
Theodore.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Augustus J. Theodore the sum of \$572.50 in full satisfaction of his claim against the United States for the loss of certain personal property after delivery to an authorized transfer and storage company for shipment to Katmandu, Nepal, his official post of duty, prior to his departure therefor from Washington, District of Columbia, for service as United States Information Service information officer: *Provided,* That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 November 2, 1966.

## Private Law 89-441

November 2, 1966  
[H. R. 18033]

AN ACT

For the relief of Doctor Fidel Rodriguez-Cubas.

Dr. F. Rod-  
riguez-Cubas.  
66 Stat. 163.  
8 USC 1101 note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Doctor Fidel Rodriguez-Cubas shall be held and considered to have been lawfully admitted to the United States for permanent residence as of January

15, 1958, and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act.

Approved November 2, 1966.

66 Stat. 242.  
8 USC 1427.

Private Law 89-442

AN ACT

For the relief of the Milan Compress Company.

November 5, 1966  
[H. R. 8358]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Milan Compress Company, of Milan, Tennessee, the sum of \$29,221.96 in full settlement of all its claims against the United States arising out of the termination by the Department of the Army, effective August 10, 1962, of a lease (lease contract numbered DA-40-058-Eng-3996) held by that company on two buildings situated within the confines of Milan Arsenal, Milan, Tennessee, which resulted in a sprinkler system, fence, and new roof, installed by that company, becoming the property of the United States without reimbursement to that company for the cost of installation. No part of the amount appropriated in this Act 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 this 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.

Milan Compress  
Co.

Approved November 5, 1966.

Private Law 89-443

AN ACT

For the relief of Tri-States Construction Company, Incorporated.

November 5, 1966  
[H. R. 12237]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$42,400 to the Tri-States Construction Company, Incorporated, a Florida corporation, which sum was determined by the Court of Claims in Congressional Case numbered 3-59, decided December 17, 1965, to be the amount equitably due that corporation as reimbursement for a 15 per centum overrun in the amount of trees and brush cleared under a lump sum contract. No part of the amount appropriated in this Act in excess of 20 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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.

Tri-States Con-  
struction Co., Inc.

Approved November 5, 1966.

## Private Law 89-444

## AN ACT

November 5, 1966  
[H. R. 14990]

For the relief of Herman Adams, doing business as the Adams Manufacturing Company.

Herman Adams.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Herman Adams, of Charleston, Arkansas, doing business as Adams Manufacturing Company, the amount fixed by the United States Court of Claims (in its decision of April 15, 1966, in congressional reference case numbered 5-59) as the amount which that company is equitably entitled to recover in full settlement of all its claims against the United States for the losses it sustained in the performance of its contract with the United States (contract numbered DA-11-009-QM-23755, awarded on December 30, 1953) for the production of wood tent pins. The amount referred to in the preceding sentence is \$42,952.04 less the amount due the United States on its counterclaims for unpaid excise taxes (including interest thereon) imposed under the Federal Unemployment Tax Act.

68A Stat. 439.  
26 USC 3301-  
3309.

SEC. 2. No part of the amount appropriated in the first section of this Act 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 this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved November 5, 1966.

## Private Law 89-445

## AN ACT

November 5, 1966  
[S. 690]

For the relief of Norman J. Pitman.

Norman J.  
Pitman.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Norman J. Pitman of Forsyth, Georgia, is hereby relieved of all liability for repayment to the United States of the sum of \$427.91, representing overpayments of salary which he received as an employee of the Department of the Air Force at Warner Robins Air Force Base, Georgia, for the period from June 17, 1962, through June 30, 1963, such overpayments having been made as a result of administrative error when he was erroneously given a step increase, effective June 17, 1962. 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 amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Norman J. Pitman, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act.

Approved November 5, 1966.

## Private Law 89-446

## AN ACT

For the relief of Doctor Marshall Ku.

November 5, 1966  
[S. 769]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Doctor Marshall Ku shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 30, 1951.

Approved November 5, 1966

Dr. Marshall Ku.  
66 Stat. 163.  
8 USC 1101 note.

## Private Law 89-447

## AN ACT

For the relief of Fred E. Starr.

November 5, 1966  
[S. 1068]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding any other provision of law, the Secretary of the Air Force is authorized and directed to provide for the transportation of the household goods and personal effects of Fred E. Starr, a former employee of the Department of the Air Force assigned to Headquarters, Pacific Air Force, Hawaii, from his last oversea duty station, Honolulu, Hawaii, to his permanent residence in Menomonee Falls, Wisconsin, and to pay, out of any funds available for the payment of transporting household goods, any unpaid storage charges which may be due on such household goods and personal effects at the time of shipment.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Fred E. Starr, the sum of \$1,095.28 in full satisfaction of all his claims against the United States for expenses incurred by the said Fred E. Starr in storing the household goods and personal effects referred to in section 1 of this Act prior to the shipment thereof authorized by this Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 November 5, 1966.

Fred E. Starr.

## Private Law 89-448

## AN ACT

To provide for the conveyance of certain mineral interests of the United States in seventy-nine and one-hundred-and-eighty-four one-thousandths acres located near Orangeburg, South Carolina, to Allen E. Dominick, the owner of such property.

November 5, 1966  
[S. 1101]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior shall convey to Allen E. Dominick, of Orangeburg, South Carolina, all right, title, and interest reserved to the United States in and to seventy-nine and one-hundred-and-eighty-four one-thousandths acres located near Orangeburg, South Carolina, and more

Allen E.  
Dominick.

particularly described in a deed, dated January 30, 1964, and recorded in the office of the clerk of the court of common pleas and general sessions of Orangeburg County, South Carolina, in deed book 260, page 500, upon payment to the United States by or on behalf of the said Allen E. Dominick of the fair market value thereof, if any, as determined by the Secretary, as of the time the conveyance is made and the administrative costs of making the conveyance. No conveyance shall be made unless such payment is made within one year after the Secretary notifies him of the total amount to be paid.

Approved November 5, 1966.

Private Law 89-449

November 5, 1966  
[S. 1137]

AN ACT

For the relief of Doctor Rafael Pedro Martinez Torres.

Dr. Rafael P. M.  
Torres.  
66 Stat. 163.  
8 USC 1101 note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Doctor Rafael Pedro Martinez Torres shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 25, 1961.

Approved November 5, 1966.

Private Law 89-450

November 5, 1966  
[S. 1572]

AN ACT

For the relief of Merritt A. Seefeldt and August C. Seefeldt.

Merritt A. and  
August C. See-  
feldt.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Merritt A. Seefeldt and August C. Seefeldt of Clark, South Dakota, are hereby relieved of all liability to pay to the United States the sum of \$539.73, representing the amount assessed against them for alleged quality deficiencies in wheat which was delivered by the said Merritt A. and August C. Seefeldt in settlement of the price support loan (number 47-013-173A) made to them by the Commodity Credit Corporation in carrying out the 1962 price support program for wheat.

Approved November 5, 1966.

Private Law 89-451

November 6, 1966  
[S. 2010]

AN ACT

For the relief of Fun Wat Hoy.

Fun Wat Hoy.  
66 Stat. 163.  
8 USC 1101 note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Fun Wat Hoy shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

Approved November 6, 1966.

## Private Law 89-452

## AN ACT

For the relief of Doctor Dean H. Gosselin.

November 6, 1966  
[S. 2040]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby finds that Doctor Dean H. Gosselin, a commissioned officer in the United States Public Health Service, was separated from active duty on July 6, 1964, that within three months of such date he was found to have a brain tumor which has totally disabled him, that the condition which has resulted in this disability was initially incurred while he was on active duty, and that the Public Health Service is now precluded by law from considering him for disability retirement.*

Dr. Dean H.  
Gosselin.

SEC. 2. Notwithstanding any other provision of law, the Public Health Service may consider Doctor Gosselin for disability retirement in accordance with chapter 61, title 10, United States Code, and section 221(a)(2) of the Public Health Service Act, as amended (42 U.S.C. 213a(a)(2)), based upon those disabilities, and the degree thereof, which existed at the time he was separated from active duty and which are determined to have been incurred in line of duty. If Doctor Gosselin is found eligible for disability retirement, his retirement and retired pay shall be effective from and after July 7, 1964.

70A Stat. 91.  
10 USC 1201 et  
seq.  
70A Stat. 619;  
72 Stat. 1547;  
73 Stat. 359.

Approved November 6, 1966.

## Private Law 89-453

## AN ACT

For the relief of Doctor Olibio S. Rodriguez-Eiras.

November 6, 1966  
[S. 2109]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Olibio S. Rodriguez-Eiras shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 6, 1961.*

Dr. O. S. Rod-  
riguez-Eiras.  
66 Stat. 163.  
8 USC 1101 note.

Approved November 6, 1966.

## Private Law 89-454

## AN ACT

For the relief of Susan Jeanne Clynes.

November 6, 1966  
[S. 2222]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for purposes of any application for child's insurance benefits under section 202(d) of the Social Security Act filed after the date of enactment of this Act by or on behalf of Susan Jeanne Clynes, of Webster Springs, West Virginia, on the basis of the wages and self-employment income of the late George I. Clynes (social security account numbered 114-30-3984), the said Susan Jeanne Clynes shall be held and considered to be the child of the said George I. Clynes and to have been dependent upon him at the time of his death.*

Susan J. Clynes.

64 Stat. 483.  
42 USC 402.

Approved November 6, 1966.

## Private Law 89-455

November 6, 1966  
[S. 2451]

## AN ACT

For the relief of Che Yim Loh.

Che Yim Loh.

79 Stat. 719.  
8 USC 1101.  
8 USC 1154.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, Che Yim Loh may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, and a petition filed in behalf of the said Che Yim Loh by Margaret Lee Weil, a citizen of the United States, may be approved pursuant to section 204 of the Act.

Approved November 6, 1966.

## Private Law 89-456

November 6, 1966  
[S. 2491]

## AN ACT

For the relief of Doctor Juan Federico Antonio Lamas y Parra.

Dr. Juan F. A.  
Lamas y Parra.  
66 Stat. 163.  
8 USC 1101 note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Doctor Juan Federico Antonio Lamas y Parra shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 22, 1961.

Approved November 6, 1966.

## Private Law 89-457

November 6, 1966  
[S. 2500]

## AN ACT

For the relief of James A. Todd, Junior.

James A. Todd,  
Jr.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.* That James A. Todd, Junior, of Byron, Georgia, is hereby relieved of all liability for repayment to the United States of the sum of \$812.80, representing overpayments of salary which he received as an employee of the Department of the Air Force at Warner Robins Air Force Base, Georgia, for the period from February 9, 1958, through February 3, 1963, such overpayments having been made as a result of administrative error in determining the rate of basic compensation to which the said James A. Todd, Junior, was entitled when he was promoted from grade GS-10 to grade GS-11, effective February 9, 1958. 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 amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay out of any money in the Treasury not otherwise appropriated, to the said James A. Todd, Junior, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this 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 November 6, 1966.

Private Law 89-458

AN ACT

For the relief of Ioannis A. Vasilopoulos and Chester (Abramczyk) Hill.

November 6, 1966  
[S. 2621]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of sections 203 (a) (1) and 204 of the Immigration and Nationality Act, Ioannis A. Vasilopoulos shall be held and considered to be the natural-born alien son of Mr. and Mrs. Paul Vasselus, citizens of the United States.

Ioannis A.  
Vasilopoulos and  
Chester Hill.  
79 Stat. 912.  
8 USC 1153,  
1154.

SEC. 2. In the administration of the Immigration and Nationality Act, Chester (Abramczyk) Hill may be classified as a child within the meaning of section 101(b) (1) (F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. Gilbert L. Hill, citizens of the United States, pursuant to section 204 of the Act.

8 USC 1101.

SEC. 3. The natural parents or brothers or sisters of the beneficiaries of this Act shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

Approved November 6, 1966.

Private Law 89-459

AN ACT

For the relief of You I Souk.

November 6, 1966  
[S. 2750]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, as amended, section 204(c) relating to the number of petitions which may be approved in behalf of orphans, shall be inapplicable in the case of a petition filed in behalf of You I Souk by Mr. and Mrs. Charles Busalacchi, citizens of the United States.

You I Souk.

79 Stat. 915.  
8 USC 1154.

Approved November 6, 1966.

Private Law 89-460

AN ACT

For the relief of David R. Slemon.

November 6, 1966  
[S. 2751]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, David R. Slemon shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 21, 1957.

David R. Slemon.  
66 Stat. 163.  
8 USC 1101 note.

Approved November 6, 1966.

## Private Law 89-461

November 6, 1966  
[S. 2763]

## AN ACT

For the relief of Doctor Marcial Alfredo Marti Prieto (Alfredo Marti).

Dr. Marcial A. M.  
Prieto.  
66 Stat. 163.  
8 USC 1101 note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Doctor Marcial Alfredo Marti Prieto (Alfredo Marti) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 15, 1961.

Approved November 6, 1966.

## Private Law 89-462

November 6, 1966  
[S. 2798]

## AN ACT

For the relief of Chief Warrant Officer Glen Zeigler, United States Navy (retired).

CWO Glen  
Zeigler.

78 Stat. 492.  
5 USC 62.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Chief Warrant Officer Glen Zeigler, United States Navy (retired), of Bremerton, Washington, is hereby relieved of all liability to repay to the United States the sum of \$8,111.42, representing the amount paid him as salary for the period from September 9, 1963, through November 30, 1964, while he was employed at the United States Naval Torpedo Station, Keyport, Washington, in violation of section 2 of the Act of July 31, 1894 (28 Stat. 205), which prohibited the employment of certain retired military officers in Federal civilian positions, the said Glen Zeigler having been advised by Government personnel that his employment was legal. In the audit and settlement of the accounts of any certifying or disbursing officers of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Glen Zeigler, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act.

SEC. 3. For pay purposes, including retirement and leave, the period from September 9, 1963, through November 30, 1964, shall be deemed to be creditable service.

Approved November 6, 1966.

## Private Law 89-463

November 6, 1966  
[S. 2801]

## AN ACT

For the relief of Helena Gilbert Maddagiri and Heather Gilbert Maddagiri.

Helena G. and  
Heather G. Madda-  
giri.  
79 Stat. 912.  
8 USC 1153,  
1154.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of sections 203(a)(1) and 204 of the Immigration and Nationality Act Helena Gilbert Maddagiri shall be held and considered to be the natural-born alien daughter of Mr. and Mrs. Aswath Maddagiri, a lawfully resident alien and a citizen of the United States, respectively.

SEC. 2. In the administration of the Immigration and Nationality Act, Heather Gilbert Maddagiri may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Aswath Maddagiri, a lawfully resident alien and a citizen of the United States, respectively.

79 Stat. 917.  
8 USC 1101.

SEC. 3. The natural parents or brothers or sisters of the beneficiaries shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

Approved November 6, 1966.

Private Law 89-464

AN ACT

For the relief of Zofia Zych.

November 6, 1966  
[S. 3209]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, as amended Zofia Zych may be classified as a child within the meaning of section 101(b)(1)(F) of the said Act, upon approval of a petition filed in her behalf by Mr. and Mrs. John Jadack, citizens of the United States, pursuant to section 204 of the said Act.

Zofia Zych.

79 Stat. 917.  
8 USC 1101.

8 USC 1154.

Approved November 6, 1966.

Private Law 89-465

AN ACT

For the relief of Dusko Doder.

November 6, 1966  
[S. 3222]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Dusko Doder shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 1, 1960.

Approved November 6, 1966.

Dusko Doder.

66 Stat. 163.  
8 USC 1101 note.

Private Law 89-466

AN ACT

For the relief of Deniz Hikmet Sen Manes.

November 6, 1966  
[S. 3258]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, as amended, Deniz Hikmet Sen Manes may be classified as a child within the meaning of section 101(b)(1)(F) of that Act upon approval of a petition filed in her behalf by Staff Sergeant and Mrs. Ralph M. Manes, citizens of the United States, pursuant to section 204 of the said Act.

Deniz H. S.  
Manes.

79 Stat. 917.  
8 USC 1101.

8 USC 1154.

Approved November 6, 1966.

## Private Law 89-467

AN ACT

For the relief of Yung Mi Kim.

November 6, 1966  
[S. 3318]

Yung Mi Kim.

79 Stat. 915.  
8 USC 1154.  
8 USC 1101.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, as amended, a petition may be filed by Mr. and Mrs. Charles G. Hood in behalf of Yung Mi Kim, and the provisions of section 204(c) of that Act relating to the number of petitions which may be approved in behalf of children defined in section 101(b)(1)(F) of the said Act shall not be applicable in this case.

Approved November 6, 1966.

## Private Law 89-468

AN ACT

For the relief of Theodora Bezates.

November 6, 1966  
[S. 3358]Theodora  
Bezates.79 Stat. 917.  
8 USC 1101.  
8 USC 1154.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, as amended, Theodora Bezates may be classified as a child within the meaning of section 101(b)(1)(F) of that Act, and a petition may be filed in her behalf by Mr. and Mrs. Gus Bezates, citizens of the United States, pursuant to section 204 of the Act.

Approved November 6, 1966.

## Private Law 89-469

AN ACT

For the relief of J. M. Pendarvis, Junior.

November 6, 1966  
[H. R. 9036]J. M. Pendarvis,  
Jr.

62 Stat. 985.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$15,000 to J. M. Pendarvis, Junior, of Edgefield, South Carolina, in full settlement of his claims against the United States based upon the injuries and disabilities he suffered as the result of an assault by members of the United States Army on August 6, 1963, at the time of the Army maneuvers designated Swift Strike Operation. This claim is not cognizable under the tort claims provisions of title 28 of the United States Code by reason of the exception provided in subsection (h) of section 2680 of that title. No part of the amount appropriated in this Act 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 this 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 November 6, 1966.

## Private Law 89-470

## AN ACT

For the relief of Katherine M. Perakis.

November 6, 1966  
[H. R. 14749]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for purposes of determining the entitlement of Katherine M. Perakis to child's insurance benefits under section 202(d) of the Social Security Act on the basis of the wages and self-employment income of George Perakis (Social Security Account Number 011-16-8534), of Peabody, Massachusetts, the said Katherine M. Perakis shall be deemed to have been the legally adopted child of the said George Perakis, and to have been dependent upon him, at the time of his death on August 20, 1962.

Approved November 6, 1966.

Katherine M.  
Perakis.64 Stat. 483.  
42 USC 402.

## Private Law 89-471

## AN ACT

For the relief of Doctor Luis Crespo.

November 9, 1966  
[H. R. 10151]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Doctor Luis Crespo shall be held and considered to have been lawfully admitted to the United States for permanent residence as of March 17, 1961.

Approved November 9, 1966.

Dr. Luis Crespo.  
66 Stat. 163.  
8 USC 1101 note.

## Private Law 89-472

## AN ACT

For the relief of Sunnyside Seed Farms.

November 10, 1966  
[S. 195]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money not otherwise appropriated, to the Sunnyside Seed Farms, of Middleton, Wisconsin, the sum of \$10,200, in full satisfaction of all its claims against the United States for storage charges for the failure to use certain facilities of such firm for a two-year period from November 1, 1951, through November 1, 1953, pursuant to the storage guarantee agreement (alpm (FX)24721) : *Provided,* That no part of the amount appropriated in this Act 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 this 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 November 10, 1966.

Sunnyside Seed  
Farms.

Private Law 89-473

November 10, 1966  
[S. 1661]

AN ACT

For the relief of Samuel C. Neiburg.

Samuel C.  
Neiburg.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Samuel C. Neiburg, of Saint Albans, Vermont, the sum of \$4,150.96, in full settlement of all his claims against the United States for compensation for the overtime hours he performed as a member of the customs patrol of the Department of the Treasury, during the period from September 28, 1931, through August 31, 1938, while he was serving as a United States customs inspector at the Alburg, Vermont, office: *Provided,* That no part of the amount appropriated in this Act 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 this 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 November 10, 1966.

# CONCURRENT RESOLUTIONS



## CONCURRENT RESOLUTIONS

### SECOND SESSION, EIGHTY-NINTH CONGRESS

#### JOINT MEETING

*Resolved by the House of Representatives (the Senate concurring),*  
That the two Houses of Congress assemble in the Hall of the House of Representatives on Wednesday, January 12, 1966, at 9 o'clock p.m., for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

Passed January 12, 1966.

January 12, 1966  
[H. Con. Res. 529]

#### JOINT COMMITTEE ON THE ORGANIZATION OF THE CONGRESS

*Resolved by the Senate (the House of Representatives concurring),*  
That the Joint Committee on the Organization of the Congress, established by Senate Concurrent Resolution 2, Eighty-ninth Congress, agreed to March 11, 1965, is hereby authorized, from February 1, 1966, through December 31, 1966, to expend not to exceed \$140,000 from the contingent fund of the Senate upon vouchers approved by the chairman of the joint committee.

Agreed to January 27, 1966.

January 27, 1966  
[S. Con. Res. 69]

Expenses.

April 4, 1966  
[S. Con. Res. 71]

UTAH; SELECTION FOR 1972 WINTER OLYMPIC GAMES

Whereas Utah has been chosen by the United States Olympic Committee as the United States nominee for site of the 1972 winter Olympic games; and

Whereas broadened participation in winter Olympics by nearly all nations as well as the increasing attendance at winter Olympics by sports lovers from all over the world is serving to further international good will; and

Whereas Utah's spectacular natural and manmade winter sports facilities uniquely qualify it as the location of the winter Olympic games; and

Whereas Salt Lake City is both a national and international transportation hub; and

Whereas Salt Lake City also offers ample excellent hotel and motel accommodations only half an hour's drive on all-weather roads to several winter sports sites: Therefore be it

*Resolved by the Senate (the House of Representatives concurring),* That the Congress hereby expresses its approval of the selection of the United States Olympic Committee and supports its recommendation to the International Olympic Committee meeting in April of this year in Italy, that the State of Utah be designated as the site for the 1972 winter Olympic games.

Agreed to April 4, 1966.

April 6, 1966  
[H. Con. Res. 625]

ADJOURNMENT

*Resolved by the House of Representatives (the Senate concurring),* That when the House adjourns on Thursday, April 7, 1966, it stand adjourned until 12 o'clock meridian, Monday, April 18, 1966, and that when the Senate adjourns on Thursday, April 7, 1966, it stand adjourned until 12 o'clock meridian, Wednesday, April 13, 1966.

Passed April 6, 1966.

May 19, 1966  
[H. Con. Res. 587]

WATERLOO, N.Y., BIRTHPLACE OF MEMORIAL DAY

Presidential  
proclamation.

*Resolved by the House of Representatives (the Senate concurring),* That the Congress of the United States, in recognition of the patriotic tradition set in motion one hundred years ago in the village of Waterloo, New York, does hereby officially recognize Waterloo, New York, as the birthplace of Memorial Day, and authorizes and requests the President to issue, prior to May 30, 1966, an appropriate proclamation calling the attention of all citizens to the centennial anniversary of the first observance of Memorial Day in Waterloo, New York.

Passed May 19, 1966.

“DISTRICT OF COLUMBIA HOME RULE,  
DELEGATE TO HOUSE OF REPRESENTATIVES”

June 2, 1966  
[S. Con. Res. 76]

*Resolved by the Senate (the House of Representatives concurring),* That there be printed for the use of the Senate Committee on the District of Columbia two thousand five hundred additional copies of its hearings of the Eighty-ninth Congress, first session, entitled “District of Columbia Home Rule, Delegate to House of Representatives” (S. 268, S. 1118).

Printing of additional copies.

Agreed to June 2, 1966.

“RECENT FEDERAL RESERVE ACTIONS  
AND ECONOMIC POLICY COORDINATION”

June 2, 1966  
[S. Con. Res. 79]

*Resolved by the Senate (the House of Representatives concurring),* That there be printed for the use of the Joint Economic Committee five thousand additional copies of parts 1 and 2 of its hearings of the Eighty-ninth Congress, first session, entitled “Recent Federal Reserve Actions and Economic Policy Coordination”.

Printing of additional copies.

Agreed to June 2, 1966.

“CATALOG OF FEDERAL AIDS TO STATE AND LOCAL  
GOVERNMENTS—SECOND SUPPLEMENT, JANUARY 10, 1966”

June 2, 1966  
[S. Con. Res. 84]

*Resolved by the Senate (the House of Representatives concurring),* That there be printed one hundred thousand additional copies of the committee print entitled “Catalog of Federal Aids to State and Local Governments—Second Supplement, January 10, 1966”, Eighty-ninth Congress, second session, prepared by the Legislative Reference Service, Library of Congress, for the Senate Committee on Government Operations, of which forty-four thousand copies shall be for the use of the House of Representatives and fifty-six thousand copies shall be for the use of the Senate Committee on Government Operations.

Printing of additional copies.

Agreed to June 2, 1966.

“TWENTIETH ANNIVERSARY OF THE  
EMPLOYMENT ACT OF 1946 AN ECONOMIC SYMPOSIUM”

June 2, 1966  
[S. Con. Res. 86]

*Resolved by the Senate (the House of Representatives concurring),* That there be printed for the use of the Joint Economic Committee five thousand additional copies of its hearings of the Eighty-ninth Congress, second session, entitled “Twentieth Anniversary of the Employment Act of 1946, an Economic Symposium”.

Printing of additional copies.

Agreed to June 2, 1966.

“UNITED STATES POLICY  
WITH RESPECT TO MAINLAND CHINA”

June 2, 1966  
[S. Con. Res. 91]

*Resolved by the Senate (the House of Representatives concurring),* That there be printed for the use of the Committee on Foreign Relations five thousand additional copies of its hearings on “United States Policy With Respect to Mainland China”, of the Eighty-ninth Congress, second session.

Printing of additional copies.

Agreed to June 2, 1966.

June 6, 1966  
[S. Con. Res. 70]

Procurement and  
placement.

MARBLE BUST OF CONSTANTINO BRUMIDI

*Resolved by the Senate (the House of Representatives concurring),* That the Joint Committee on the Library is authorized and directed to procure a marble bust of Constantino Brumidi, and to cause such bust to be placed in the corridor, known as the Brumidi corridor, on the first floor of the Senate wing of the Capitol.

SEC. 2. Expenses incurred by the Joint Committee on the Library in carrying out this concurrent resolution, which shall not exceed \$2,500, shall be paid out of the contingent fund of the Senate on vouchers approved by the chairman of the Joint Committee.

Agreed to June 6, 1966.

June 13, 1966  
[H. Con. Res. 597]

CENTENNIAL YEAR 1966 OF PROSPECT PARK, NEW YORK CITY

*Resolved by the House of Representatives (the Senate concurring),* That the Congress of the United States recognizes on the occasion of the Centennial Year 1966 of Prospect Park of the city of New York, Borough of Brooklyn, the historic importance of this Nation's oldest urban recreation area and sends its greetings to the citizens of the city of New York in commemorating this event.

Passed June 13, 1966.

June 30, 1966  
[H. Con. Res. 804]

ADJOURNMENT

*Resolved by the House of Representatives (the Senate concurring),* That when the two Houses adjourn on Thursday, June 30, 1966, they stand adjourned until 12 o'clock noon on Monday, July 11, 1966.

Passed June 30, 1966.

June 30, 1966  
[H. Con. Res. 805]

SIGNING OF ENROLLED BILLS AND JOINT RESOLUTIONS

*Resolved by the House of Representatives (the Senate concurring),* That notwithstanding any adjournment of the two Houses until July 11, 1966, the Speaker of the House of Representatives and the President of the Senate be, and they are hereby, authorized to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

Passed June 30, 1966.

August 11, 1966  
[S. Con. Res. 98]

"OUR CAPITOL"

Printing as Senate  
document; addi-  
tional copies.

*Resolved by the Senate (the House of Representatives concurring),* That there be printed as a Senate document, with illustrations, the pamphlet entitled "Our Capitol"; and that one hundred and sixty-one thousand two hundred and fifty additional copies shall be printed, of which fifty-one thousand five hundred copies shall be for the use of the Senate and one hundred and nine thousand seven hundred and fifty copies for the use of the House of Representatives.

SEC. 2. The additional copies of such document shall be prorated to Members of the Senate and House of Representatives for a period of sixty days, after which the unused balances shall be distributed as directed by the Joint Committee on Printing.

## VETERANS' BENEFITS CALCULATOR

August 18, 1966  
[H. Con. Res. 52]

*Resolved by the House of Representatives (the Senate concurring),* That after the conclusion of the second session of the Eighty-ninth Congress there shall be printed fifty thousand two hundred and forty copies of a Veterans' Benefits Calculator prepared by the Veterans' Affairs Committee of which two thousand copies shall be for the use of the Veterans' Affairs Committee, two thousand copies for the use of the Committee on Finance, thirty-seven thousand four hundred and eighty-five copies for the use of the House of Representatives, and eight thousand seven hundred and fifty-five copies for the use of the Senate.

Printing of additional copies.

Passed August 18, 1966.

REPORT OF JOINT COMMITTEE  
ON ARRANGEMENTS TO COMMEMORATE THE  
ONE HUNDREDTH ANNIVERSARY OF THE  
SECOND INAUGURAL OF ABRAHAM LINCOLN

August 18, 1966  
[H. Con. Res. 373]

*Resolved by the House of Representatives (the Senate concurring),* That there shall be printed as a House document the report of the Joint Committee on Arrangements To Commemorate the One Hundredth Anniversary of the Second Inaugural of Abraham Lincoln and that said report may include such illustrations as the joint committee may include. The preparation of material for printing and the selection of an appropriate binding shall be under the supervision of the subcommittee of the joint committee on arrangements for the commemorative ceremony.

Printing as House document.

Passed August 18, 1966.

REPORTS RELATING TO STATE  
TAXATION OF INTERSTATE COMMERCE

August 18, 1966  
[H. Con. Res. 532]

*Resolved by the House of Representatives (the Senate concurring),* That there be printed for the use of the Committee on the Judiciary of the House of Representatives five hundred additional copies each of the House Report Numbered 565, dated June 30, 1965, containing Part III—Sales and Use Taxes, Part IV—Capital Stock Taxes, and Part V—Gross Receipts Taxes, and House Report Numbered 952, dated September 2, 1965, containing Part VI—Recommendations.

Printing of additional copies.

Passed August 18, 1966.

REPORT ON RIVER AND HARBOR, BEACH EROSION,  
FLOOD CONTROL PROJECTS, AND WATER SUPPLY

August 18, 1966  
[H. Con. Res. 579]

*Resolved by the House of Representatives (the Senate concurring),* That there be printed for the use of the Committee on Public Works, House of Representatives, one thousand additional copies of House Report Numbered 973 by that committee on S. 2300, River and Harbor, Beach Erosion, Flood Control Projects, and Water Supply.

Printing of additional copies.

Passed August 18, 1966.

August 18, 1966  
[H. Con. Res. 580]

Printing of additional copies.

HEARINGS ON H. R. 6991, THE

PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT OF 1965

*Resolved by the House of Representatives (the Senate concurring),* That there be printed for the use of the Committee on Public Works, House of Representatives, one thousand additional copies of the hearings of that committee on H.R. 6991, the Public Works and Economic Development Act of 1965.

Passed August 18, 1966.

August 18, 1966  
[H. Con. Res. 599]

Printing as House document; additional copies.

CONSTITUTION OF THE UNITED STATES

*Resolved by the House of Representatives (the Senate concurring),* That there is authorized to be printed as a House document the Constitution of the United States, with an analytical index and ancillaries regarding proposed amendments, prepared by Representative Emanuel Celler, of New York; and that one hundred thousand additional copies be printed, of which fifteen thousand shall be for the use of the House Committee on the Judiciary and the balance prorated to the Members of the House of Representatives.

Passed August 18, 1966.

August 18, 1966  
[H. Con. Res. 600]

Printing as House document; additional copies.

“OUR FLAG”

*Resolved by the House of Representatives (the Senate concurring),* That the publication entitled “Our Flag”, published by the Office of the Armed Services Information and Education, Department of Defense, be printed with illustrations as a House document; and that one hundred sixty-one thousand two hundred and fifty additional copies be printed, of which one hundred nine thousand seven hundred and fifty shall be for the use of the House of Representatives, and fifty-one thousand five hundred shall be for the use of the Senate.

Passed August 18, 1966.

August 18, 1966  
[H. Con. Res. 619]

Printing of additional copies.

“CONFLICTS BETWEEN THE FEDERAL RESEARCH

PROGRAMS AND THE NATION'S GOALS FOR HIGHER EDUCATION”

*Resolved by the House of Representatives (the Senate concurring),* That there be printed for the use of the Committee on Government Operations one thousand additional copies of part 2 of the committee print entitled “Conflicts Between the Federal Research Programs and the Nation's Goals for Higher Education”, of the Eighty-ninth Congress, first session.

Passed August 18, 1966.

August 18, 1966  
[H. Con. Res. 630]

Printing of additional copies.

HOUSE DOCUMENT 190,

THE CONSTITUTION OF THE UNITED STATES

*Resolved by the House of Representatives (the Senate concurring),* That there shall be printed an additional fifty-four thousand two hundred copies of House Document Numbered 190 of the Eighty-ninth Congress in the style and format directed by the Joint Com-

mittee on Printing. Not more than one hundred of such copies shall be delivered to each Member of Congress and to the Resident Commissioner of Puerto Rico.

Passed August 18, 1966.

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“SUMMARY OF VETERANS  
LEGISLATION REPORTED, EIGHTY-NINTH CONGRESS”

August 18, 1966  
[H. Con. Res. 634]

*Resolved by the House of Representatives (the Senate concurring),* That there shall be printed for the use of the Committee on Veterans' Affairs of the House of Representatives eighty-six thousand one hundred copies of a publication entitled “Summary of Veterans Legislation Reported, Eighty-ninth Congress”, with an additional forty-three thousand nine hundred copies for the use of the Members of the House of Representatives.

Printing of additional copies.

Passed August 18, 1966.

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“A STUDY OF FEDERAL CREDIT PROGRAMS”

August 18, 1966  
[H. Con. Res. 666]

*Resolved by the House of Representatives (the Senate concurring),* That there be printed for the use of the Committee on Banking and Currency, House of Representatives, two thousand additional copies of the committee print entitled “A Study of Federal Credit Programs”, prepared by that committee during the Eighty-eighth Congress.

Printing of additional copies.

Passed August 18, 1966.

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“UNITED STATES POLICY TOWARD ASIA”

August 18, 1966  
[H. Con. Res. 791]

*Resolved by the House of Representatives (the Senate concurring),* That the document entitled “United States Policy Toward Asia”, a report by the Subcommittee on the Far East and the Pacific of the Committee on Foreign Affairs, House of Representatives, together with hearings thereon held by that subcommittee, dated May 19, 1966, be printed as a House document and that an additional three thousand copies be printed for the use of the Committee on Foreign Affairs of the House of Representatives.

Printing as House document; additional copies.

Passed August 18, 1966.

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“ISTHMIAN CANAL POLICY QUESTIONS,  
CANAL ZONE—PANAMA CANAL SOVEREIGNTY,  
PANAMA CANAL MODERNIZATION, NEW CANAL”

August 18, 1966  
[H. Con. Res. 925]

*Resolved by the House of Representatives (the Senate concurring),* That the document entitled “Isthmian Canal Policy Questions, Canal Zone—Panama Canal Sovereignty, Panama Canal Modernization, New Canal”, a compilation of addresses and remarks by Congressman Daniel J. Flood, be printed as a House document, and that an additional ten thousand five hundred copies be printed of which seven thousand five hundred copies shall be for the use of the House of Representatives and two thousand five hundred copies shall be for the use of the Senate.

Printing as House document; additional copies.

Passed August 18, 1966.

August 24, 1966  
[S. Con. Res. 90]

Printing of additional copies.

REPORT ON RECREATIONAL  
OPPORTUNITIES IN THE STATE OF WASHINGTON

*Resolved by the Senate (the House of Representatives concurring),* That there be printed for the use of the Senate Interior and Insular Affairs Committee two thousand five hundred additional copies of the Senate hearings of the Study Team Report on the Recreational Opportunities in the State of Washington, held in the Eighty-ninth Congress, second session.

Agreed to August 24, 1966.

August 26, 1966  
[H. Con. Res. 990]

CORRECTION IN ENROLLMENT OF BILL (S. 3105)

*Resolved by the House of Representatives (the Senate concurring),* That in the enrollment of the bill (S. 3105) to authorize certain construction at military installations, and for other purposes, the Secretary of the Senate is authorized and directed to make the following correction:

Ante, p. 756.

In section 612, strike out "\$50,000" and insert "\$150,000".  
Passed August 26, 1966.

August 31, 1966  
[S. Con. Res. 82]

Printing as Senate document.

HEARINGS HELD BY U.S.-PUERTO RICO COMMISSION

*Resolved by the Senate (the House of Representatives concurring),* That there be printed as Senate documents, in separate volumes, the transcripts of the bilingual public hearings held by the United States-Puerto Rico Commission on the Status of Puerto Rico on (1) legal constitutional matters, (2) social-cultural matters, and (3) economic matters held in San Juan, Puerto Rico, on May 14-18, July 28-August 2, and November 27-December 1, 1965, respectively.

Additional copies.

SEC. 2. In addition to the usual number, there shall be printed four thousand five hundred copies of such Senate document for the use of the United States-Puerto Rico Commission on the Status of Puerto Rico.

SEC. 3. The Public Printer is authorized to accept from the United States-Puerto Rico Commission on the Status of Puerto Rico an amount equal to one-half of the total cost of printing incurred under this concurrent resolution.

Agreed to August 31, 1966.

September 12, 1966  
[S. Con. Res. 77]

Printing of additional copies.

HEARINGS ON SUPPLEMENTAL  
FOREIGN ASSISTANCE, FISCAL YEAR 1966-VIETNAM

*Resolved by the Senate (the House of Representatives concurring),* That there be printed for the use of the Committee on Foreign Relations ten thousand additional copies of its hearings on supplemental foreign assistance, fiscal year 1966-Vietnam, of the Eighty-ninth Congress, second session.

Agreed to September 12, 1966.

## CORRECTION IN ENROLLMENT OF BILL (S. 3467)

October 5, 1966  
[H. Con. Res. 1028]

*Resolved by the House of Representatives (the Senate concurring),*  
That in the enrollment of the bill (S. 3467) to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children, the Secretary of the Senate be, and he is hereby, authorized and directed to correct the title so as to read: "An Act to strengthen and expand food service programs for children."

Ante, p. 885.

Passed October 5, 1966.

## CORRECTION IN ENROLLMENT OF BILL (S. 1310)

October 11, 1966  
[S. Con. Res. 112]

*Resolved by the Senate (the House of Representatives concurring),*  
That in the enrollment of the bill (S. 1310) relating to the National Museum of the Smithsonian Institution, the Secretary of the Senate is authorized and directed to make section 1 read: "That this Act may be cited as the 'National Museum Act of 1966'."

Ante, p. 953.

Agreed to October 11, 1966.

## CORRECTION IN ENROLLMENT OF BILL (H. R. 698)

October 13, 1966  
[S. Con. Res. 113]

*Resolved by the Senate (the House of Representatives concurring),*  
That the Clerk of the House of Representatives of the United States be authorized to correct an enrolling error in H.R. 698, to provide for the establishment of the Guadalupe Mountains National Park in the State of Texas, and for other purposes, and that section 3(a) of H.R. 698, shall when corrected read as follows:

Ante, p. 920.

"When title to all privately owned land within the boundary of the park, subject to such outstanding interests, rights, and easements as the Secretary determines are not objectionable, with the exception of approximately 4,574 acres which are planned to be acquired by exchange, is vested in the United States and after the State of Texas has donated or agreed to donate to the United States whatever rights and interests in minerals underlying the lands within the boundaries of the park it may have and other owners of such rights and interests have donated or agreed to donate the same to the United States, notice thereof and notice of the establishment of the Guadalupe Mountains National Park shall be published in the Federal Register. Thereafter, the Secretary may continue to acquire the remaining land and interests in land within the boundaries of the park. The Secretary is authorized, pending establishment of the park, to negotiate and acquire options for the purchase of lands and interests in land within the boundaries of the park. He is further authorized to execute contracts for the purchase of such lands and interests, but the liability of the United States under any such contract shall be contingent on the availability of appropriated or donated funds to fulfill the same."

Agreed to October 13, 1966.

October 17, 1966  
[S. Con. Res. 115]

REQUEST FOR RETURN OF ENROLLED BILL (S. 3488)

*Resolved by the Senate (the House of Representatives concurring),* That the President of the United States be, and he is hereby, requested to return to the Senate the enrolled bill (S. 3488) entitled "An Act to grant the consent of Congress for the States of Virginia and Maryland and the District of Columbia to amend the Washington Metropolitan Area Transit Regulation Compact to establish an organization empowered to provide transit facilities in the National Capital Region and for other purposes and to enact said amendment for the District of Columbia"; that upon its return, the action of the Speaker of the House of Representatives and the President pro tempore of the Senate in signing the said bill be deemed to be rescinded; and that in the reenrollment of said bill, the Secretary of the Senate be, and he is hereby, authorized and directed to make the following change, viz.: In section 3 of the engrossed bill, change subsection (a) to read: "To assure uninterrupted progress in the development of the facilities authorized by the National Capital Transportation Act of 1965, the transfer of the functions and duties of the National Capital Transportation Agency (herein referred to as the Agency) to the Washington Metropolitan Area Transit Authority (herein referred to as the Authority) as required by Section 301(b) of the National Capital Transportation Act of 1960 shall take place on September 30, 1967."

Ante, p. 1352.

Agreed to October 17, 1966.

October 17, 1966  
[H. Con. Res. 1007]

"INTERNATIONAL EDUCATION:

PAST, PRESENT, PROBLEMS AND PROSPECTS"

Printing as  
House document;  
additional copies.

*Resolved by the House of Representatives (the Senate concurring),* That the document entitled "International Education: Past, Present, Problems and Prospects," a report by the Task Force on International Education of the Committee on Education and Labor, House of Representatives, be printed as a House document and that an additional seven thousand copies be printed for the use of the Committee on Education and Labor of the House of Representatives.

Passed October 17, 1966.

October 17, 1966  
[H. Con. Res. 1017]

HEARINGS AND COMMITTEE PRINT  
RELATING TO "WORLD WAR ON HUNGER"

Printing of ad-  
ditional copies.

*Resolved by the House of Representatives (the Senate concurring),* That there shall be printed an additional one thousand copies of the hearings of the Committee on Agriculture entitled "World War on Hunger" parts 1, 2, and 3, together with a committee print entitled "World War on Hunger—Staff Summary of Testimony Presented by Public Witnesses at Hearings on World Food and Population Problems." All of such copies shall be for the use of said committee.

Passed October 17, 1966.

## "OUR AMERICAN GOVERNMENT.

## WHAT IS IT? HOW DOES IT FUNCTION?"

October 17, 1966  
[H. Con. Res. 1022]

*Resolved by the House of Representatives (the Senate concurring),* That, (a) with the permission of the copyright owner of the book "Our American Government—1001 Questions on How It Works", with answers by Wright Patman, published by Scholastic Magazines, Incorporated, there shall be printed as a House document, with emendations, the pamphlet entitled "Our American Government. What Is It? How Does It Function?"; and that there shall be printed one million eighty-four thousand additional copies of such document, of which two hundred and six thousand copies shall be for the use of the Senate, and eight hundred and seventy-eight thousand copies shall be for the use of the House of Representatives.

Printing as  
House document;  
additional copies.

SEC. 2. Copies of such document shall be prorated to Members of the Senate and House of Representatives for a period of sixty days, after which the unused balance shall revert to the respective Senate and House document rooms.

Passed October 17, 1966.

## CORRECTION IN ENROLLMENT OF BILL (H. R. 15857)

October 18, 1966  
[H. Con. Res. 1039]

*Resolved by the House of Representatives (the Senate concurring),* That the Clerk of the House of Representatives in the enrollment of the bill (H.R. 15857) to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries of officers and members of the Metropolitan Police force and the Fire Department, and for other purposes, is authorized and directed to make the following corrections in the salary schedule for teachers, school officers, and certain other employees of the District of Columbia Board of Education, which is provided in section 202(1) of the bill:

Ante, p. 1594.

(1) In class 3, step 2, strike out "\$16,856" and insert in lieu thereof "\$16,865".

(2) In class 3, step 6, strike out "18,115" and insert in lieu thereof "18,105".

(3) In class 6, group C, principal level III, step 5, strike out "14,905" and insert "14,095".

Passed October 18, 1966.

SENATE; HEARINGS OF  
SUBCOMMITTEE ON ANTITRUST AND MONOPOLYOctober 19, 1966  
[S. Con. Res. 109]

*Resolved by the Senate (the House of Representatives concurring),* That there be printed for the use of the Senate Committee on the Judiciary one thousand additional copies each of the hearings held by its Subcommittee on Antitrust and Monopoly on physician ownership in pharmacies and drug companies (Eighty-eighth Congress, second session), price discrimination legislation (Eighty-ninth Congress, first session) and distribution problems affecting small business (Eighty-ninth Congress, first session).

Printing of ad-  
ditional copies.

Agreed to October 19, 1966.

October 19, 1966  
[S. Con. Res. 110]

Printing of additional copies.

“DETECTION AND PREVENTION OF CHRONIC DISEASE  
UTILIZING MULTIPHASIC HEALTH SCREENING TECHNIQUES”

*Resolved by the Senate (the House of Representatives concurring),* That there be printed for the use of the Special Committee on Aging four thousand additional copies of hearings held September 20, 21, and 22, 1966, in Washington, District of Columbia, titled “Detection and Prevention of Chronic Disease Utilizing Multiphasic Health Screening Techniques.”

Agreed to October 19, 1966.

October 20, 1966  
[H. Con. Res. 1034]

Printing of additional copies.

“SINO-SOVIET CONFLICT AND ITS IMPLICATIONS”

*Resolved by the House of Representatives (the Senate concurring),* That an additional three thousand copies of House Document 237, Eighty-ninth Congress, first session, entitled “Sino-Soviet Conflict and Its Implications”, be printed for the use of the Committee on Foreign Affairs of the House of Representatives.

Passed October 20, 1966.

October 21, 1966  
[S. Con. Res. 99]

DEPORTATION SUSPENSIONS

*Resolved by the Senate (the House of Representatives concurring),* That the Congress favors the suspension of deportation in the case of each alien hereinafter named, in which case the Attorney General has suspended deportation pursuant to the provisions of section 244 (a) (2) of the Immigration and Nationality Act, as amended (66 Stat. 204; 8 U.S.C. 1251) :

- A-4839402, Goldberg, Meyer.
- A-6741048, Cassar, Lewis.
- A-13696909, Lee, Hing Nom.
- A-13525402, Young, Bok Jim.
- A-8862836, Pollock, Benjamin.
- A-4419302, Estes, Leon Morris.
- A-13710436, Gee, Kim Heung.
- A-11425282, Gee, Loy Sun.
- A-5433779, Alesi, Anthony Angelo.
- A-3977065, Diamond, George.
- A-7077231, Mielzynski, Felix Christopher.
- A-1465952, Villegas-Arrellano, Fidel.
- A-2710178, Chee, Tong.
- A-13702123, Ow, Hoy Kee.

Agreed to October 21, 1966.

October 22, 1966  
[H. Con. Res. 416]

BALTIC PEOPLES OF ESTONIA, LATVIA, AND LITHUANIA

Whereas the subjection of peoples to alien subjugation, domination, and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations, and is an impediment to the promotion of world peace and cooperation; and  
Whereas all peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social, cultural, and religious development; and

Whereas the Baltic peoples of Estonia, Latvia, and Lithuania have been forcibly deprived of these rights by the Government of the Soviet Union; and

Whereas the Government of the Soviet Union, through a program of deportations and resettlement of peoples, continues in its effort to change the ethnic character of the populations of the Baltic States; and

Whereas it has been the firm and consistent policy of the Government of the United States to support the aspirations of Baltic peoples for self-determination and national independence; and

Whereas there exist many historical, cultural, and family ties between the peoples of the Baltic States and the American people: Be it

*Resolved by the House of Representatives (the Senate concurring),* That the House of Representatives of the United States urge the President of the United States—

(a) to direct the attention of world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and

(b) to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples.

Passed October 22, 1966.

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#### ADJOURNMENT SINE DIE

October 22, 1966  
[H. Con. Res. 1048]

*Resolved by the House of Representatives (the Senate concurring),* That the two Houses of Congress shall adjourn on Saturday, October 22, 1966, and that when they adjourn on said day, they stand adjourned sine die.

Passed October 22, 1966.

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#### SIGNING OF ENROLLED BILLS AND JOINT RESOLUTIONS

October 22, 1966  
[H. Con. Res. 1049]

*Resolved by the House of Representatives (the Senate concurring),* That notwithstanding the sine die adjournment of the two Houses, the Speaker of the House of Representatives and the President of the Senate be, and they are hereby, authorized to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

Passed October 22, 1966.



# PROCLAMATIONS



# PROCLAMATIONS

## Proclamation 3685

WRIGHT BROTHERS DAY, 1965

By the President of the United States of America

November 1, 1965

### A Proclamation

WHEREAS Orville and Wilbur Wright invented and built the first successful airplane and on December 17, 1903, made the first flight in a power-driven, heavier-than-air machine, near Kitty Hawk, North Carolina; and

WHEREAS this historic flight, a symbol of American ingenuity and resourcefulness, has opened new frontiers of technology, thereby adding an exciting dimension to man's knowledge; and

WHEREAS the airplane has wrought a communications miracle which has brought the people of the world closer together; and

WHEREAS this development has opened new territories to international trade and commerce, has expanded domestic prosperity, and has strengthened the security of our Nation; and

WHEREAS the Congress, by a joint resolution approved December 17, 1963 (77 Stat. 402), designated the seventeenth day of December of each year as Wright Brothers Day and requested the President to issue annually a proclamation inviting the people of the United States to observe that day with appropriate ceremonies and activities:

36 USC 169.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby call upon the people of this Nation, and their local and national government officials, to observe Wright Brothers Day, December 17, 1965, with appropriate ceremonies and activities, both to recall the accomplishments of the Wright brothers and to provide a stimulus to aviation in this country and throughout the world.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this first day of November in the year of our Lord nineteen hundred and sixty-five, and of [SEAL] the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

**Proclamation 3686****DEFENSE OF SOUTH VIET-NAM****By the President of the United States of America****A Proclamation**November 6, 1965

WHEREAS, in assisting the people of South Viet-Nam to resist unprovoked aggression, the United States and other nations are carrying on the honored tradition of defending a people's right to freedom; and

WHEREAS the purpose of the United States in Viet-Nam is to help to open the way for social justice in place of unprovoked aggression and peace instead of war; and

WHEREAS there can be no social justice or economic progress without security from external attack and from terror in the night; and

WHEREAS the Government of the United States remains ready without condition for the international discussions that can lead to lasting peace; and

WHEREAS it is the sense of the Congress in S. Res. 159 and H. Res. 626 that it would be fitting for the President to set aside a national day of remembrance dedicated to those Americans who are committing their lives, blood and energies in the defense of world peace.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate Sunday, November 28, 1965, as a day of dedication and prayer, honoring the men and women of South Viet-Nam, of the United States, and of all other countries, who are risking their lives to bring about a just peace in South Viet-Nam.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this sixth day of November in the year of our Lord nineteen hundred and sixty-five, and [SEAL] of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

**Proclamation 3687****THANKSGIVING DAY, 1965****By the President of the United States of America****A Proclamation**November 10, 1965

For all the blessings that have been bestowed upon our nation during the past 12 months, it is a small thing to give thanks to Almighty God.

When the Pilgrims first observed Thanksgiving nearly 350 years ago, life was harsh and unrelenting. Cold and sickness had dimin-

ished their ranks. Their shelter was crude. Their future was uncertain. Yet when their harvest was abundant, they considered themselves blessed—and their hearts were filled with gratitude.

Today we have much more than an abundant harvest. Our nation is rich and strong and united in the cause of liberty and justice. Our physical comforts are unmatched anywhere in the world. Our medicine has conquered ancient diseases.

In the past year we have added greatly to that national legacy. We have guaranteed the right to vote to all our citizens. We have pledged dignity to our elderly—even in sickness. We have added new dimensions to the education of our youth. We have broadened the horizons of opportunity for our poor. And all the while, we have enjoyed the greatest prosperity in history.

But our real blessings lie not in our bounty. They lie in those steadfast principles that the early Pilgrims forged for all generations to come: the belief in the essential dignity of man; the restless search for a better world for all; and the courage—as shown by our sons in Viet-Nam today—to defend the cause of freedom wherever on earth it is threatened.

These are the eternal blessings of America. They are the blessings which make us grateful even when the future is uncertain. They are the blessings which give us the strength to complete the unfinished tasks that remain before us.

For these blessings should we thank God most of all.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, in consonance with the joint resolution of the Congress approved December 26, 1941, 55 Stat. 862 (5 U.S.C. 87b), designating the fourth Thursday of November in each year as Thanksgiving Day, do hereby proclaim Thursday, November 25, 1965, as a day of national Thanksgiving.

On that day, let us gather in our homes and in our places of worship to thank God for His generosity. Let us make ourselves worthy of that generosity by pledging to Him our everlasting devotion. And let us pray to Him that the forces of violence, indifference and intolerance may soon vanish from the face of the earth so that peace and understanding and love may reign supreme.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this tenth day of November in the year of our Lord nineteen hundred and sixty-five, and [SEAL] of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,

*Secretary of State.*

**Proclamation 3688****WATER CONSERVATION MONTH****By the President of the United States of America****A Proclamation**

Of all the natural resources with which our Nation has been so richly blessed, none is more important than water.

Both urban and rural citizens rely on our water resources to satisfy human needs, to maintain farm and industrial production, and to provide electric power. Our rivers, lakes, and similar bodies of water constitute a vital segment of our transportation and communication system, and provide recreational facilities that enhance our use of leisure time.

The good health of the people of this Nation is in no small measure dependent upon both the quantity and quality of our water.

But none of our resources has been more grossly abused by waste and pollution. Concern as to the quantity and quality of our supply of water is being expressed in all quarters of the Nation. The problem, in many places, is not a need to find new sources of water, but, instead, is a need to develop sound conservation practices and to make more effective use of water resources now available.

We must be farsighted and bold in managing and using our water. What must be done—and done as soon as possible—is to reverse the trends of waste and man-made pollution and contamination which have assumed such massive and lethal proportions as to threaten the health, economy, and natural beauty of the Nation.

The first session of the Eighty-ninth Congress made a number of significant contributions to the strengthening of the Federal Government's role in water resources management. Accordingly, it is particularly fitting that the Congress has enacted House Joint Resolution 671 of November 7, 1965, which calls upon the President to issue a proclamation designating the month of November 1965 as Water Conservation Month.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate the month of November 1965 as Water Conservation Month, and I call upon citizens throughout the Nation to participate in observance of that month.

I direct the Secretary of the Interior, the Secretary of Health, Education, and Welfare, the Secretary of Agriculture, and the Secretary of the Army to cooperate with other national, State, and private agencies and organizations in suitable observances of Water Conservation Month, including public meetings, exhibits, and news-media features. I urge that these observances specially emphasize the need for immediate private and public participation in the nationwide effort to cleanse our rivers, lakes, estuaries, shore water, and water underground so that they may serve us and our children and our children's children better.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

November 10, 1965

79 Stat. 1217.

DONE at the City of Washington this tenth day of November in the year of our Lord nineteen hundred and sixty-five, and [SEAL] of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

### Proclamation 3689

#### INTERNATIONAL EXPOSITION OF 1968

By the President of the United States of America

November 11, 1965

#### A Proclamation

WHEREAS HEMISFAIR 1968, an international exposition with the theme, "The Confluence of Civilizations in the Americas," will be held in San Antonio, Texas, during the six months beginning April 6, 1968, and

WHEREAS this international exposition is designed to reaffirm common ties among the Americas as well as with the continents and countries from which our forefathers came; to increase mutual understanding; to strengthen the foundations of peace and to share our cultures, our knowledge and our skills for a more promising future, and

WHEREAS the exposition will provide a dramatic medium for the peoples of our hemisphere to exhibit the symbols of ancient cultures and contemporary life, and to demonstrate the relationships between their arts, religions, and social development; and

WHEREAS the exposition will encourage travel and stimulate technical, trade and cultural exchange between the Old and New Worlds, and

WHEREAS such an event is appropriate to commemorate the two hundred and fiftieth anniversary of the founding of the bilingual City of San Antonio, Texas, "The Gateway of Latin America," and

WHEREAS the Congress by an Act approved October 22, 1965 (Public Law No. 89-284) authorized and requested the President to issue a Proclamation calling upon the several States of the Union and foreign countries to take part in the exposition, and

79 Stat. 1026.

WHEREAS the Governor of the State of Texas has agreed to serve as Commissioner General of the exposition and to invite the several States of the Union to participate therein:

NOW, THEREFORE, I, Lyndon B. Johnson, President of the United States of America, do hereby authorize and direct the Secretary of State to invite, on my behalf, such foreign countries as he may consider appropriate to participate in this international exposition.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE AT the City of Washington this eleventh day of November in the year of our Lord, 1965, and of the independence of [SEAL] the United States of America, the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

### Proclamation 3690

#### CRUSADE FOR SAFETY DAY

By the President of the United States of America

#### A Proclamation

WHEREAS traffic accidents constitute one of the Nation's most urgent domestic problems, involving a continuous toll of death, injury, and financial loss; and

WHEREAS the benefits of our vastly improved highways can be fully realized only if we are able to travel them without excessive risk of accidents; and

WHEREAS public officials concerned with traffic safety cannot win the fight against traffic accidents without the active cooperation of private citizens; and

WHEREAS the Congress, by House Concurrent Resolution 448, agreed to October 22, 1965, has requested the President to issue a proclamation designating November 26, 1965, as Crusade for Safety Day:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby proclaim November 26, 1965, as Crusade for Safety Day. I urge that private citizens throughout the country join public officials in their efforts to improve highway safety through the application of measures designed to prevent traffic accidents.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 16th day of November in the year of our Lord nineteen hundred and sixty-five, and of [SEAL] the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

GEORGE W. BALL,  
*Acting Secretary of State.*

**Proclamation 3691**  
**BILL OF RIGHTS DAY**  
**HUMAN RIGHTS DAY**

**By the President of the United States of America**

December 2, 1965

**A Proclamation**

WHEREAS December 10, 1965, is the 17th anniversary of the Universal Declaration of Human Rights, which voices the aspirations of all mankind, and December 15, 1965, is the 174th anniversary of the first ten Amendments to the Constitution of the United States, which we honor as our Bill of Rights; and

WHEREAS the Universal Declaration is a further recognition of the great principles of freedom of speech, press, and assembly, of freedom of religion and conscience, of assurance of fair trial, and of the right to participate in government—all rights which are guaranteed by the Constitution of the United States; and

WHEREAS people everywhere in the world find common cause in the demand for more effective recognition—in law and in practice—of the inalienable right of every person to equal dignity and equal opportunity; and

WHEREAS our American heritage has found further expression in our own country through the adoption of new legislation for the protection of civil rights, for the guarantee of voting rights, and for the extension of economic opportunity to those who have not shared equally in the prosperity and promise of our time:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby proclaim December 10, 1965, as Human Rights Day and December 15, 1965, as Bill of Rights Day, and call upon the people of the United States to observe the week of December 10–17 as Human Rights Week.

Let us never forget the words cast on the big bell at Independence Hall, "Proclaim Liberty throughout the land and unto all the inhabitants thereof."

The Congress of the United States, our Executive Departments, the Courts, and men and women of good will throughout the land are daily demonstrating their determination that no one shall be denied enjoyment of his rights or equal opportunity to rise as far as his abilities will take him.

During this Human Rights Week, let us pause to reaffirm the ideals and principles which have been at the foundation of our country's growth and greatness—ideals which have stirred the minds and hearts of men from time immemorial, and which take on new power and promise for all peoples in this splendid age of scientific and cultural achievement.

Let each of us, in daily life, do what he can to make this a truly just and compassionate nation, remembering that as we work for freedom here—freedom from discrimination, freedom from ignorance, from poverty, from all that makes for fear and prejudice—we work not only for ourselves but for all mankind.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this second day of December in the year of our Lord nineteen hundred and sixty-five, and of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

## Proclamation 3692

LAW DAY, U.S.A., 1966

By the President of the United States of America

### A Proclamation

"Liberty lies in the hearts of men and women; when it dies there, no constitution, no law, no court can save it; no constitution, no law, no court can even do much to help it. \* \* \* the spirit of liberty is the spirit of Him who, near two thousand years ago, taught mankind that lesson it has never learned, but has never quite forgotten; that there may be a kingdom where the least shall be heard and considered side by side with the greatest."

These words of a great American jurist, the late Judge Learned Hand, are especially appropriate this year as the United States of America celebrates the one hundred and seventy-fifth anniversary of the Bill of Rights, and the one hundred and ninetieth anniversary of the independence of our Nation. Both occasions are notable milestones in the life of our republic and in man's quest for freedom and justice under law.

These two significant events in American history serve to remind us that the great individual rights we value so highly carry with them corresponding obligations of citizenship: to obey the law—recognize the rights of others—resolve grievances by lawful means—support law enforcement agencies—encourage law obedience by others—practice and teach patriotism—and defend our country.

The fostering of greater respect for the rule of law, and of deeper understanding of our great heritage of individual liberty, will immeasurably aid the United States in its war on crime and juvenile delinquency.

The Congress by joint resolution has wisely designated the first day of May of each year as Law Day, U.S.A., to remind us of the fundamental truth that our liberty, our rights to pursue our individual destinies, and our very lives are dependent upon our system of law and independent courts. Only under the rule of law, and obedience thereto, can we rightfully claim our heritage of individual freedom.

The observance of Law Day, U.S.A., on May 1, 1966, with the theme, "Respect the Law—It Respects You," will serve to focus attention on the need for every individual to do his part to help strengthen our national commitment to the rule of law.

December 8, 1965

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby request the observance of Sunday, May 1, 1966, as Law Day in the United States of America.

I urge clergymen of all faiths to bring to public attention through sermons and appropriate programs the indissoluble links that exist between religion and the law and America's heritage of religious and individual freedom under law resulting from this bond.

I urge also that Law Day, U.S.A. be observed with suitable programs and ceremonies; and that schools, civic and service organizations, public bodies, courts, the legal profession, and the media of information and entertainment participate in this educational and patriotic undertaking. I call upon public officials to display the Nation's flag on public buildings on that day as requested by the Congress.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this eighth day of December in the year of our Lord nineteen hundred and sixty-five, and [SEAL] of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

### Proclamation 3693

#### MODIFYING PROCLAMATION 3279 ADJUSTING IMPORTS OF PETROLEUM AND PETROLEUM PRODUCTS

By the President of the United States of America

December 10, 1965

#### A Proclamation

WHEREAS, pursuant to section 2 of the act of July 1, 1954, as amended (72 Stat. 678), and section 232 of the Trade Expansion Act of 1962 (Public Law 87-794), findings and determinations have been made that adjustments in the imports of crude oil, unfinished oils, and finished products were necessary so that such imports would not threaten to impair the national security, such adjustments have been made by Proclamation 3279 (24 F.R. 1781) and modified by Proclamation 3290 (24 F.R. 3527), Proclamation 3328 (24 F.R. 10133), Proclamation 3386 (25 F.R. 13945), Proclamation 3389 (26 F.R. 507, 811), Proclamation 3509 (27 F.R. 11985), Proclamation 3531 (28 F.R. 4077), and Proclamation 3541 (28 F.R. 5931); and

76 Stat. 877.  
19 USC 1352a,  
1862.

73 Stat. c25;  
Post, pp. 1742-  
1744.

73 Stat. c39;  
74 Stat. c31.  
75 Stat. 1005,  
1018.

77 Stat. 963,  
999, 1010.

WHEREAS, I find and determine that, in order to prevent total imports from impairing accomplishment of the purposes of Proclamation 3279, as amended, it is necessary to impose restrictions on the movement of crude oil, unfinished oils, and finished products into foreign trade zones; and

WHEREAS, I find and determine that for reasons of equity and competitive capability, there should be authority to include petrochemical plants within the system of allocation of imports; and

WHEREAS, it appears that, as represented by the Government of the Commonwealth of Puerto Rico, the development of a petrochemical industry in Puerto Rico will provide a substantial and much needed increase in opportunities for employment of its citizens, I find and determine that provisions should be made permitting the development, without impairment of the objectives of Proclamation 3279, as amended, of such an industry in Puerto Rico:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, acting under and by virtue of the authority vested in me by the Constitution and the statutes, including section 232 of the Trade Expansion Act of 1962, do hereby proclaim that:

1. Paragraph (a) of section 1 of Proclamation 3279, as amended, is amended to read as follows:

(a) In Districts I-IV, in District V, and in Puerto Rico, no crude oil, unfinished oils, or finished products may be entered for consumption or withdrawn from warehouse for consumption, and no foreign crude oil, unfinished oils, or finished products may be brought into a foreign trade zone in Districts I-IV or in District V for processing within the zone, except (1) by or for the account of a person to whom a license has been issued by the Secretary of the Interior pursuant to an allocation made to such person by the Secretary in accordance with regulations issued by the Secretary, and such entries, withdrawals, and shipments into foreign trade zones may be made only in accordance with the terms of such license, or (2) as authorized by the Secretary pursuant to paragraph (b) of this section, or (3) as to finished products, by or for the account of a department, establishment, or agency of the United States, which shall not be required to have such a license but which shall be subject to the provisions of paragraph (c) of this section, or (4) crude oil, unfinished oils, or finished products which are transported into the United States by pipeline, rail, or other means of overland transportation from the country where they were produced, which country, in the case of unfinished oils or finished products, is also the country of production of the crude oil from which they were processed or manufactured.

\* \* \* \* \*

2. Subparagraph (1) of paragraph (a) and paragraph (c) of section 2 of Proclamation 3279, as amended, are severally amended to read as follows:

(a) (1) In Districts I-IV, for a particular allocation period the maximum level of imports, subject to allocation, of crude oil, unfinished oils, and finished products (other than residual fuel oil to be used as fuel) shall be an amount equal to the difference between (i) 12.2 percent of the quantity of crude oil and natural gas liquids which the Secretary estimates will be produced in these districts during the particular allocation period and (ii) the quantity of imports of crude oil, unfinished oils, and finished products excepted by clause (4) of paragraph (a) of section 1 which the Secretary estimates will be imported into these districts during that allocation period plus the quantity estimated by the Secretary by which shipments of unfinished oils and finished products (other than residual fuel oil to be used as fuel) from Puerto Rico to Districts I-IV during that allocation period will exceed the quantity so shipped during a comparable base period in the year 1965.

73 Stat. c26,  
c39.

73 Stat. c40.

73 Stat. c26.

77 Stat. 1010,  
964.

*Supra.*

As used in this subparagraph (1), the term "natural gas liquids" means natural gas products and other hydrocarbons such as isopentane, propane, and butane, or mixtures thereof, recovered from natural gas by means other than refining. Within such maximum level, imports of unfinished oils shall not exceed such percentum of the permissible imports of crude oil and unfinished oils as the Secretary may determine and imports of finished products (other than residual fuel oil to be used as fuel) shall not exceed the level of imports of such products into these districts during the calendar year 1957.

"Natural gas liquids."

\* \* \* \* \*

(c) The Secretary, having taken into account the standards prescribed for allocation of imports of crude oil and unfinished oils into Puerto Rico, any actions taken pursuant to section 4, and shipments from Puerto Rico into Districts I-IV, shall establish for each allocation period a maximum level of imports into Puerto Rico of crude oil and unfinished oils which, in his judgment, is consonant with the objectives of this proclamation. The maximum level of imports of finished products into Puerto Rico for a particular allocation period shall be approximately the level of such imports during all or part of the calendar year 1958 as determined by the Secretary to be consonant with the purposes of this proclamation or such higher level as the Secretary may determine is required to meet a demand in Puerto Rico for finished products that would not otherwise be met.

74 Stat. c33;  
77 Stat. 999.

\* \* \* \* \*

3. Subparagraphs 1, 2, and 3 of paragraph (b) of section 3 of Proclamation 3279, as amended, are severally amended to read as follows:

73 Stat. c27;  
77 Stat. 964.

(b)(1) With respect to the allocation of imports of crude oil and unfinished oils into Districts I-IV and into District V, such regulations shall provide, to the extent possible, for a fair and equitable distribution among persons having refinery capacity in these districts in relation to refinery inputs (excluding inputs of crude oil or unfinished oils imported pursuant to clause (4) of paragraph (a) of Section 1). The Secretary may by regulation also provide for the making of such allocations to persons having petrochemical plants in these districts in relation to inputs to such plants (excluding inputs of crude oil or unfinished oils imported pursuant to clause (4) of paragraph (a) of section 1). Provision may be made in the regulations for the making of such allocations on the basis of graduated scales of inputs. Provision shall be made in the regulations for the gradual reduction of allocations made on the basis of the last allocations of imports of crude oil under the Voluntary Oil Import Program, except that provision shall be made for a more rapid reduction of those allocations based on allocations under the Voluntary Oil Import Program which reflected imports of crude oil in the category now covered by clause (4) of paragraph (a) of section 1.

Ante., p. 1742.

(2) Such regulations shall provide for the allocation of imports of crude oil and unfinished oils into Puerto Rico among persons having refinery capacity in Puerto Rico in the calendar year 1964 on the basis of estimated requirements, acceptable to the Secretary, of each such person for crude oil and unfinished oils. The regulations shall provide also that if, during a period comprising the same number of months as an allocation period and ending three months before

the beginning of the allocation period, any such person ships to Districts I-IV unfinished oils or finished products (other than residual fuel oil to be used as fuel) or sells unfinished oils or finished products (other than residual fuel oil to be used as fuel) which are shipped to Districts I-IV in excess of the volume of unfinished oils or finished products (other than residual fuel oil to be used as fuel) which he so shipped or which he sold and were so shipped during the corresponding base period in the years 1964 and 1965 or in the year 1965, as the case may be, the person's allocation for the next allocation period shall be reduced by the amount of the excess. In addition the Secretary may provide by regulation for the making, in instances in which the Secretary determines that such action would not impair the accomplishment of the objectives of this proclamation, of allocations of imports of crude oil and unfinished oils into Puerto Rico to persons as feedstocks for facilities which will be established or for the operation of facilities which are established and which in the judgment of the Secretary will promote substantial expansion of employment in Puerto Rico through industrial development, and such regulations shall provide for the imposition of such conditions and restrictions upon such allocations as the Secretary may deem necessary to assure that any imports so allocated are used for the purposes for which an allocation is made and that the holder of such an allocation fulfills commitments made in connection with the making of the allocation.

(3) Except for crude oil or unfinished oils imported pursuant to special relief granted pursuant to section 4, such regulations shall require that imported crude oil and unfinished oils be processed in the licensee's refinery or petrochemical plant, except that exchanges for domestic crude or unfinished oils may be made if otherwise lawful, if effected on a current basis and reported in advance to the Secretary, and if the domestic crude or unfinished oils are processed in the licensee's refinery or petrochemical plant.

4. Subparagraph (1) of paragraph (g) of section 9 of Proclamation 3279, as amended, is amended to read as follows:

(g)(1) Liquefied gases—hydrocarbon gases such as ethane, propane, propylene, butylene, and butanes (but not methane) which are recovered from natural gas or produced in the refining of petroleum and which, to be maintained in a liquid state at ambient temperatures, must be kept under greater than atmospheric pressures;

\* \* \* \* \*

Effective date.

5. This amendatory proclamation shall become effective on January 1, 1966.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this tenth day of December in the year of our Lord nineteen hundred and sixty-five, and [SEAL] of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

GEORGE W. BALL,  
*Acting Secretary of State.*

74 Stat. c33;  
77 Stat. 999.

73 Stat. c 29;  
75 Stat. 1021.

## Proclamation 3694

### PROCLAMATION OF TRADE AGREEMENT WITH CANADA PROVIDING COMPENSATORY CONCESSIONS

By the President of the United States of America

December 27, 1965

#### A Proclamation

1. WHEREAS, pursuant to Section 350 of the Tariff Act of 1930, the President, on October 30, 1947, entered into, and by Proclamation No. 2761A of December 16, 1947 (61 Stat. (pt. 2) 1103), proclaimed, the General Agreement on Tariffs and Trade (hereinafter referred to as "the General Agreement"), including a schedule of United States concessions, designated as Schedule XX, annexed thereto (61 Stat. (pt. 5) A1157), which Agreement, schedule, and proclamation have been supplemented by subsequent agreements, schedules, and proclamations;

48 Stat. 943.  
19 USC 1351.

2. WHEREAS, after compliance with the requirements of Section 102 of the Tariff Classification Act of 1962 (76 Stat. 73), the President by Proclamation No. 3548 of August 21, 1963 (77 Stat. 1017), proclaimed, effective on and after August 31, 1963, the Tariff Schedules of the United States, which reflected, with modifications, and, in effect, superseded, Proclamation No. 2761A and proclamations supplementary thereto insofar as they relate to Schedule XX to the General Agreement;

19 USC note  
prec. 1202.

3. WHEREAS, pursuant to Sections 221 and 224 of the Trade Expansion Act of 1962 (19 U.S.C. 1841 and 1844), the President, on October 21, 1963, published and furnished to the Tariff Commission lists of articles which may be considered for modification or continuance of duties or other import restrictions, or continuance of duty-free or excise treatment, in the negotiation of trade agreements, including the trade agreement with Canada identified in the eighth recital of this proclamation, compensating other nations for modifications or withdrawals of United States trade agreement concessions (48 CFR Part 180), and the Tariff Commission, after holding public hearings, has advised the President with respect to each such article of its judgment as to the probable economic effect of such modifications;

76 Stat. 874.

4. WHEREAS, pursuant to Sections 223 and 224 of the Trade Expansion Act of 1962 (19 U.S.C. 1843 and 1844) and in accordance with Section 3(g) of Executive Order No. 11075 of January 15, 1963 (48 CFR 1.3(g)), the Special Representative for Trade Negotiations, appointed by the President pursuant to Section 241(a) of the Trade Expansion Act of 1962 (19 U.S.C. 1871(a)), on April 23, 1963, designated the Trade Information Committee to afford an opportunity, through public hearings and other means, for any interested person to present his views concerning any article on the lists identified in the third recital of this proclamation or any other matter relevant to the trade agreement negotiations, including the negotiation of the trade agreement with Canada identified in the eighth recital of this proclamation (48 CFR Part 202), and the Trade Information Committee has furnished the President with a summary of its hearings;

19 USC 1801  
note.

5. WHEREAS, pursuant to Section 222 of the Trade Expansion Act of 1962 (19 U.S.C. 1842), the President has received information and advice with respect to the trade agreement with Canada identified in the eighth recital of this proclamation, from the Departments of Agriculture, Commerce, Defense, Interior, Labor, State, and the Treasury, and from such other sources as the President has deemed appropriate, and, pursuant to Section 241(b) of the Trade Expansion Act of 1962 (19 U.S.C. 1871(b)), the Special Representative for

76 Stat. 875.

Trade Negotiations has received information and advice with respect to that agreement from representatives of industry, agriculture, and labor, and from such agencies as he has deemed appropriate;

6. WHEREAS, pursuant to Section 201(a)(1) of the Trade Expansion Act of 1962 (19 U.S.C. 1821(a)(1)), the Special Representative for Trade Negotiations has conducted negotiations on behalf of the President with Canada and other contracting parties to the General Agreement, in accordance with Article XXVIII of that Agreement (8 U.S.T. (pt. 2) 1790), with a view to the establishment of a new consolidated Schedule XX to that Agreement in terms of the Tariff Schedules of the United States;

77A Stat. 3.  
19 USC 1202.

7. WHEREAS, pursuant to Section 201(a) of the Trade Expansion Act of 1962, the President has determined that certain existing duties or other import restrictions of the United States or of foreign countries which are contracting parties to the General Agreement, were unduly burdening and restricting the foreign trade of the United States and that one or more of the purposes stated in Section 102 of the Trade Expansion Act of 1962 (19 U.S.C. 1801) would be promoted by entering into the trade agreement with Canada identified in the eighth recital of this proclamation;

8. WHEREAS, pursuant to Section 201(a)(1) of the Trade Expansion Act of 1962, I, through my duly empowered representative, on December 17, 1965, entered into a trade agreement with Canada entitled the "Interim Agreement Between the United States and Canada Relating to the Renegotiation of Schedule XX (United States) to the General Agreement on Tariffs and Trade" (a copy of which is Appendix A to this proclamation), which embodies the results of the negotiations with Canada as part of the negotiations under Article XXVIII of that Agreement for the establishment of a new consolidated Schedule XX thereto in terms of the Tariff Schedules of the United States;

9. WHEREAS the trade agreement with Canada identified in the eighth recital of this proclamation, which is an agreement supplementary to the General Agreement, contains in annex II a schedule of new concessions, to take effect on January 1, 1966, in compensation for the impairment, arising out of the entry into force of the Tariff Schedules of the United States, of the rights of Canada in concessions in Schedule XX to the General Agreement, and provides that such new concessions shall be applied as if they were included in a Schedule XX to the General Agreement pending the formal effectiveness of a new consolidated Schedule XX;

76 Stat. 880.

10. WHEREAS, pursuant to Section 254 of the Trade Expansion Act of 1962 (19 U.S.C. 1884), I have determined that, in the case of those modifications of existing duties proclaimed in this proclamation which reflect decreases in duties exceeding the limitations specified in Section 201(b)(1) or 253 of the Trade Expansion Act of 1962 (19 U.S.C. 1821(b)(1) or 1883), such decreases will simplify the computation of the amount of duty imposed with respect to the articles concerned;

19 USC 1801  
note.

11. WHEREAS, pursuant to Section 256(7) of the Trade Expansion Act of 1962 (19 U.S.C. 1886(7)) and Section 5(a) of Executive Order No. 11075 of January 15, 1963 (48 CFR 1.5(a)), the Tariff Commission has taken the requisite steps in determining the ad valorem equivalent of a specific rate of duty (or of a combination of rates including a specific rate) in the case of each modification of an existing duty proclaimed in this proclamation for which such a determination was relevant; and

12. WHEREAS, pursuant to Section 201(a)(2) of the Trade Expansion Act of 1962, I determine that the modification or continuance of existing duties or other import restrictions, and the continuance of existing duty-free or excise treatment, provided for in the schedule in annex II to the trade agreement with Canada identified in the eighth recital of this proclamation, will be required or appropriate to carry out such trade agreement on and after January 1, 1966, and that the Tariff Schedules of the United States should be appropriately modified to reflect the concessions contained in such schedule:

77A Stat. 3.  
19 USC 1202.

NOW, THEREFORE, I, LYNDON B. JOHNSON, acting under the authority vested in me by the Constitution and the statutes, including Section 201(a)(2) of the Trade Expansion Act of 1962, do proclaim that:

(1) Subject to the applicable provisions of the trade agreement with Canada identified in the eighth recital of this proclamation and of the General Agreement and other agreements supplementary thereto, the modification or continuance of existing duties or other import restrictions, and the continuance of existing duty-free or excise treatment, provided for in the schedule in annex II to such agreement with Canada shall be effective on and after January 1, 1966, and, as a result thereof,

(2) The Tariff Schedules of the United States shall be modified, effective on and after January 1, 1966, as provided for in Appendix B to this proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 27th day of December in the year of our Lord nineteen hundred and sixty-five, and of [SEAL] the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:  
DEAN RUSK,  
*Secretary of State.*

#### APPENDIX A

#### INTERIM AGREEMENT BETWEEN THE UNITED STATES AND CANADA RELATING TO THE RENEGOTIATION OF SCHEDULE XX (UNITED STATES) TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE

NOTE: Text of this Appendix A is filed as part of the original document. Annex II thereto reads as follows:

##### ANNEX II

##### GENERAL AGREEMENT ON TARIFFS AND TRADE

##### Article XXVIII Renegotiations of Schedule XX

##### UNITED STATES COMPENSATORY CONCESSIONS TO CANADA

##### GENERAL NOTES

1. The provisions of this Schedule are subject to the pertinent notes appearing at the end of Schedule XX (Geneva-1947) annexed to the General Agreement on Tariffs and Trade, as authenticated at Geneva on October 30, 1947.

2. The bracketed language in the description column of this Schedule has been inserted only in order to clarify the scope of the numbered concession items, and such language is not itself intended to describe articles on which concessions have been granted.

3. For the purpose of applying the one-year intervals provided for in the rate columns in this schedule:

(a) The rate of duty specified in any rate column relating to an item shall be considered as being in effect even though there is being applied to an article provided for under such item either no duty or a lower rate of duty; and

(b) There shall be excluded any time during which a rate of duty higher than that specified in a rate column relating to an item is being applied to an article provided for under such item.

## ANNEX II—COMPENSATORY CONCESSIONS

TSUS item	Description	Rates of duty, effective January 1—				
		1966	1967 <sup>1</sup>	1968 <sup>1</sup>	1969 <sup>1</sup>	1970 <sup>1</sup>
202.54	Lumber and wood siding, drilled or treated; and edge-glued or end-glued wood not over 6 feet in length or over 15 inches in width, whether or not drilled or treated: [Softwood lumber and siding, drilled, or pressure treated with creosote or other wood preservative, or both, but not otherwise treated.] [Hardwood, edge-glued or end-glued, not drilled or treated.] Other.....	9% ad val.....	8% ad val.....	7% ad val.....	6% ad val.....	5% ad val.....
245.30	Hardboard, whether or not face finished: [Not face finished; and oil treated, whether or not regarded as tempered, but not otherwise face finished.] Other.....	28% ad val.....	26% ad val.....	24% ad val.....	22% ad val.....	20% ad val.....
245.90	Building boards not specially provided for, whether or not face finished: [Laminated boards bonded in whole or in part, or impregnated, with synthetic resins.] Other boards of vegetable fibers (including wood fibers).....	4% ad val.....	4% ad val.....	3% ad val.....	3% ad val.....	2.5% ad val.....
253.20	Crepé paper, including paper creped or partly creped in any manner: [Creped as a secondary converting process after paper has been made.] Other.....	1.35¢ lb.+3% ad val.....	1.2¢ lb.+3% ad val.....	1.05¢ lb.+3% ad val.....	0.9¢ lb.+2% ad val.....	0.75¢ lb.+2% ad val.....
418.94	Iron compounds: [Sulfide (pyrites).] [Sulfate (ferrous) (copperas).] Other.....	9% ad val.....	8% ad val.....	7% ad val.....	6% ad val.....	5% ad val.....
419.76	Nickel compounds: [Chloride.] [Oxide.] [Sulfate.] Other.....	9% ad val.....	8% ad val.....	7% ad val.....	6% ad val.....	5% ad val.....
420.54	Selenium compounds: [Dioxide.] [Salts.] Other.....	9% ad val.....	8% ad val.....	7% ad val.....	6% ad val.....	5% ad val.....
513.34	Stone chips and spalls, and stone, crushed (otherwise than merely to facilitate shipment to the United States) or ground: Limestone.....	18¢ short ton.....	16¢ short ton.....	14¢ short ton.....	12¢ short ton.....	10¢ short ton.....

	Ferroalloys:					
607.50	Ferrosilicon: Containing over 8 percent but not over 60 percent by weight of silicon.....	0.76¢ lb. on silicon content.	0.72¢ lb. on silicon content.	0.68¢ lb. on silicon content.	0.64¢ lb. on silicon content.	0.6¢ lb. on silicon content.
607.51	Containing over 60 percent but not over 80 percent by weight of silicon.....	0.92¢ lb. on silicon content.	0.84¢ lb. on silicon content.	0.76¢ lb. on silicon content.	0.68¢ lb. on silicon content.	0.6¢ lb. on silicon content.
	Locks and padlocks (whether key, combination, or electrically operated), luggage frames incorporating locks, all the foregoing, and parts thereof, of base metal; lock keys: [Padlocks.] [Cabinet locks.] [Luggage locks, and parts thereof, and luggage frames incorporating locks.]					
646.92	Other Hangars and other buildings, bridges, bridge sections, lock-gates, towers, lattice masts, roofs, roofing frameworks, door and window frames, shutters, balustrades, columns, pillars, and posts, and other structures and parts of structures, all the foregoing of base metal: [Of iron or steel:] [Door and window frames.] [Columns, pillars, posts, beams, girders, and similar structural units.]	18% ad val.	17% ad val.	17% ad val.	16% ad val.	15% ad val.
652.98	Other	17% ad val.	15% ad val.	13% ad val.	11% ad val.	9.5% ad val.
660.10	Steam and other vapor generating boilers (except central heating hot water boilers capable also of producing low pressure steam), and parts thereof. Producer gas and water gas generators, with or without purifiers; acetylene gas generators (water process) and other gas generators, with or without purifiers; all the foregoing and parts thereof: [Apparatus for the generation of acetylene gas from calcium carbide, and parts thereof.]	13% ad val.	13% ad val.	12% ad val.	12% ad val.	11% ad val.
660.22	Other	13% ad val.	13% ad val.	12% ad val.	12% ad val.	11% ad val.
661.20	Air-conditioning machines, comprising a motor-driven fan and elements for changing the temperature and humidity of air, and parts thereof. Parts of the foregoing machines (i.e., machines for making cellulosic pulp, paper, or paperboard; machines for processing or finishing pulp, paper, or paperboard, or making them up into articles): Bed plates, roll bars, and other stock-treating parts for pulp or paper machines.	11% ad val.	11% ad val.	10% ad val.	10% ad val.	9.5% ad val.
668.04	Taps, cocks, valves, and similar devices, however operated, used to control the flow of liquids, gases, or solids, all the foregoing and parts thereof: Hand-operated and check, and parts thereof: [Of copper.]	12% ad val.	11% ad val.	10% ad val.	8% ad val.	7% ad val.
680.22	Other	20% ad val.	18% ad val.	16% ad val.	13% ad val.	11% ad val.

See footnotes at end of table.

## ANNEX II—COMPENSATORY CONCESSIONS

TSUS Item	Description	Rates of duty, effective January 1—				
		1966	1967 <sup>1</sup>	1968 <sup>1</sup>	1969 <sup>1</sup>	1970 <sup>1</sup>
680.50	Gear boxes and other speed changers with fixed, multiple, or variable ratios; pulleys, pillow blocks, and shaft couplings; torque converters; chain sprockets; clutches; and universal joints; all the foregoing (except parts of agricultural or horticultural machinery and implements provided for in item 686.00 and parts of motor vehicles, aircraft, and bicycles) and parts thereof.					
680.54	Pulleys, pillow blocks, shaft couplings, and parts thereof.	17% ad val.	15% ad val.	13% ad val.	11% ad val.	9.5% ad val.
680.54	Chain sprockets, clutches, universal joints, and parts thereof.	17% ad val.	15% ad val.	13% ad val.	11% ad val.	9.5% ad val.
	Radiotelegraphic and radiotelephonic transmission and reception apparatus; radiobroadcasting and television transmission and reception apparatus, and television cameras; record players, phonographs, tape recorders, dictation recording and transcribing machines, record changers, and tone arms; all of the foregoing, and any combination thereof, whether or not incorporating clocks or other timing apparatus, and parts thereof.					
	[Television cameras, and parts thereof.]					
	[Radiotelegraphic and radiotelephonic transmission and reception apparatus; radiobroadcasting and television transmission and reception apparatus, and parts thereof.]					
	[Radio-phonograph combinations.]					
	[Record players, phonographs, record changers, turntables, and tone arms, and parts of the foregoing.]					
	[Tape recorders and dictation recording and transcribing machines, and parts thereof.]					
	Other: <sup>2</sup>					
*685.42	Radio-television-phonograph combinations.	14% ad val.	13% ad val.	12% ad val.	11% ad val.	10% ad val.
692.60	Vehicles (including trailers), not self-propelled, not specially provided for, and parts thereof.	14% ad val.	13% ad val.	11% ad val.	10% ad val.	8% ad val.
	Aircraft and spacecraft, and parts thereof:					
	[Balloons and airships.]					
	[Glanders.]					
	[Kites, and parts thereof.]					
	[Airplanes.]					
	[Spacecraft.]					
694.60	Other parts.	9% ad val.	9% ad val.	8% ad val.	8% ad val.	7.5% ad val.
734.20	Game machines, including coin or disc operated game machines and including games having mechanical controls for manipulating the action, and parts thereof.	11% ad val.	10% ad val.	10% ad val.	9% ad val.	9% ad val.

<sup>1</sup> Subject to General Note 3(b) to this Schedule.<sup>2</sup> Existing TSUS item 685.50.<sup>3</sup> New item carved out of existing TSUS item 685.50.

## APPENDIX B

MODIFICATIONS OF THE TARIFF SCHEDULES OF THE UNITED STATES RESULTING FROM THE PROCLAMATION OF THE INTERIM AGREEMENT BETWEEN THE UNITED STATES AND CANADA RELATING TO THE RENEGOTIATION OF SCHEDULE XX (UNITED STATES) TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE, SIGNED DECEMBER 17, 1965

1. Item 685.50 of the Tariff Schedules of the United States shall be superseded by the following, the article descriptions therein being subordinate to the primary superior article description immediately preceding item 685.10, and the first five rate columns being sub-columns of rate column 1:

77A Stat. 323.  
19 USC 1202.

		If entered during calendar year—				If entered after calendar year 1969	
		1966	1967	1968	1969		
685.42	Other: Radio-television-phonograph combinations. . . . .	14% ad val.	13% ad val.	12% ad val.	11% ad val.	10% ad val.	35% ad val.
685.50	Other . . . . .	15% ad val.					35% ad val.

2. The rate in column 1 in each item of the Tariff Schedules of the United States having the same number as an item in the schedule in annex II to the agreement with Canada, other than the item numbers set forth in the modification made by paragraph 1 of this appendix, shall be superseded by the rates in the rate-of-duty columns in such schedule, set forth in five sub-columns of rate column 1, the first four such sub-columns being subject to the general heading "If entered during calendar year --" and to individual sub-column headings "1966", "1967", "1968", and "1969", respectively, and the fifth such sub-column being subject to the single heading "If entered after calendar year 1969".

## Proclamation 3695

### USO DAY

By the President of the United States of America

December 31, 1965

#### A Proclamation

The United Service Organizations—the USO—was created nearly twenty-five years ago to fill a vital human need on the part of millions of young Americans serving in our Armed Forces. It was created in 1941 to provide a breath of home for American service men and women, wherever in the world they might find themselves.

Today these initials are known to all Americans, for millions of us have either helped the USO or have been served by it.

In unfamiliar cities, in countless foreign lands, the familiar USO sign has welcomed more than 20 million Americans in uniform. It is serving today no less than in the past. In a world where the burden of arms is part of the price of freedom, almost three million Americans are still in uniform. Almost one million of them are overseas. Almost two hundred thousand of them are in Vietnam. Wherever they go, the USO goes with them.

The USO brings more than entertainment. No matter how difficult the conditions, the USO strives to create an environment where

a service man or woman can relax, listen to a record, meet friends, watch a show, get help with personal problems, or write a letter home.

The needs of the human heart do not change. Wherever young Americans are stationed, the soldier's age-old questions are still asked: "Does anybody know I'm here?" "Does anybody care?" The USO is the American public's way of answering, "Yes."

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby proclaim February 4, 1966, as USO Day, and urge the people of the United States to give their enthusiastic support to the United Service Organizations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this thirty-first day of December in the year of our Lord nineteen hundred and sixty-five, [SEAL] and of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

### Proclamation 3696

#### TERMINATION OF INCREASED DUTY ON IMPORTS OF CLINICAL THERMOMETERS

By the President of the United States of America

##### A Proclamation

1. WHEREAS, pursuant to Section 350 of the Tariff Act of 1930, the President, on April 21, 1951, entered into, and by Proclamation No. 2929 of June 2, 1951 (65 Stat. c12), proclaimed the Torquay Protocol to the General Agreement on Tariffs and Trade, including a concession applicable to certain types of clinical thermometers provided for in item 218(a) in Part I to Schedule XX of the Torquay Protocol (3 U.S.T. (pt. 1) 1144);

2. WHEREAS, pursuant to Section 7 of the Trade Agreements Extension Act of 1951, and in accordance with the provisions of Article XIX of the General Agreement on Tariffs and Trade (61 Stat. (pt. 5) A58; 8 U.S.T. (pt. 2) 1786), the President by Proclamation No. 3235 of April 21, 1958 (72 Stat. (pt. 2) c35), proclaimed that, effective after the close of business on May 21, 1958, and until the President otherwise proclaimed, the concession with respect to the types of clinical thermometers identified in the first recital of this proclamation should be withdrawn, thereby increasing the rate of duty with respect to such articles;

3. WHEREAS, after compliance with the requirements of Section 102 of the Tariff Classification Act of 1962 (76 Stat. 73), the President by Proclamation No. 3548 of August 21, 1963 (77 Stat. 1017), proclaimed, effective on and after August 31, 1963, the Tariff Schedules of the United States, which reflected, with modifications, and, in effect, superseded (1) the provisions of Proclamation No. 2929 insofar as that proclamation proclaimed the concession with respect to the types

January 7, 1966

48 Stat. 943.  
19 USC 1351.

65 Stat. 74.  
19 USC 1364.

Post, p. 1753.

of clinical thermometers identified in the first recital of this proclamation (see item 711.35 of the Tariff Schedules of the United States), and (2) the provisions of Proclamation No. 3235 (see item 930.00 of the Appendix to the Tariff Schedules of the United States);

77A Stat. 345.  
19 USC 1202.

4. WHEREAS, following my request under Section 351(d)(2) of the Trade Expansion Act of 1962 (19 U.S.C. 1981(d)(2)), the United States Tariff Commission conducted an investigation, including a hearing, pursuant to Section 351(d)(5) of that Act (19 U.S.C. 1981(d)(5)), and on May 27, 1965, submitted to me a report (30 F.R. 7306) advising me of its judgment as to the probable economic effect on the domestic industry concerned of the reduction or termination of the increased rate of duty effected by Proclamation No. 3235 (now reflected, with modifications, in item 930.00 of the Appendix to the Tariff Schedules of the United States);

76 Stat. 900.

5. WHEREAS, in relation to the possible reduction or termination of such increased rate of duty, I have received and taken into account the advice from the Tariff Commission, advice of the Secretary of Commerce and the Secretary of Labor in accordance with Section 351(c)(1)(A) of the Trade Expansion Act of 1962 (19 U.S.C. 1981(c)(1)(A)), recommendations of the Special Representative for Trade Negotiations in accordance with Sections 3(b), 3(j), and 5(c) of Executive Order No. 11075 of January 15, 1963 (48 CFR 1.3(b), 1.3(j), and 1.5(c)), and advice of other interested agencies of the Government; and

76 Stat. 900.

19 USC 1801  
note.

6. WHEREAS, in accordance with Section 351(c)(1)(A) of the Trade Expansion Act of 1962, I have determined that the termination, as herein proclaimed, of the increased rate of duty effected by Proclamation No. 3235 (now reflected, with modifications, in item 930.00 of the Appendix to the Tariff Schedules of the United States) is in the national interest:

72 Stat. c35;  
*Infra.*  
77A Stat. 439.  
19 USC 1202.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, acting under the authority vested in me by the Constitution and the statutes, including Section 351(c)(1)(A) of the Trade Expansion Act of 1962, and in accordance with the provisions of Article XIX of the General Agreement on Tariffs and Trade, do proclaim that:

61 Stat. (pt. 5)  
A58.  
8 UST 1786.

(1) Proclamation No. 3235 is terminated.

(2) Item 930.00 (reflecting, with modifications, Proclamation No. 3235 which effected the increased rate of duty) is deleted from the Appendix to the Tariff Schedules of the United States.

(3) The concession with respect to the types of clinical thermometers identified in the first recital of this proclamation shall be applied to such of those articles as are entered, or withdrawn from warehouse, for consumption on or after the date of this proclamation, in accordance with the provisions of item 711.35 of the Tariff Schedules of the United States.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this seventh day of January in the year of our Lord nineteen hundred and sixty-six, and [SEAL] of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

## Proclamation 3697

### REDUCTION OF INCREASED DUTIES ON IMPORTS OF STAINLESS-STEEL FLATWARE

By the President of the United States of America

#### A Proclamation

1. WHEREAS, pursuant to Section 350 of the Tariff Act of 1930, the President, on April 21, 1951, entered into, and by Proclamation No. 2929 of June 2, 1951 (65 Stat. c12), proclaimed the Torquay Protocol to the General Agreement on Tariffs and Trade, including supplementary concessions with respect to certain types of stainless-steel knives and forks provided for in item 355 in Part I of Schedule XX to the Torquay Protocol (3 U.S.T. (pt. 1) 1160); and, on May 23, 1956, entered into, and by Proclamation No. 3140 of June 13, 1956 (70 Stat. c33), proclaimed the Sixth Protocol of Supplementary Concessions to the General Agreement on Tariffs and Trade, including a supplementary concession with respect to certain types of stainless-steel spoons provided for in item 339 in Part I of Schedule XX to the Sixth Protocol of Supplementary Concessions (7 U.S.T. (pt. 2) 1362);

2. WHEREAS, pursuant to Section 7 of the Trade Agreements Extension Act of 1951, and in accordance with the provisions of Article XIX of the General Agreement on Tariffs and Trade (61 Stat. (pt. 5) A58; 8 U.S.T. (pt. 2) 1786), the President by Proclamation 3323 of October 20, 1959 (74 Stat. c15), modified, effective on and after November 1, 1959, and until the President otherwise proclaimed, the supplementary concessions with respect to the types of stainless-steel knives, forks, and spoons identified in the first recital of this proclamation by proclaiming increased rates of duty limited to entries after the entry of an aggregate quantity of 69 million single units of such articles in any 12-month period beginning November 1, resulting in an annual tariff quota at the concession rates of duty;

3. WHEREAS, after compliance with the requirements of Section 102 of the Tariff Classification Act of 1962 (76 Stat. 73), the President by Proclamation No. 3548 of August 21, 1963 (77 Stat. 1017), proclaimed, effective on and after August 31, 1963, the Tariff Schedules of the United States, which reflected, with modifications, and, in effect, superseded (1) the provisions of Proclamations Nos. 2929 and 3140 insofar as those proclamations proclaimed the supplementary concessions with respect to the types of stainless-steel knives, forks, and spoons identified in the first recital of this proclamation (see Subpart E of Part 3 of Schedule 6 of the Tariff Schedules of the United States, including items 650.09, 650.11, 650.39, 650.41, and 650.55), and (2) the provisions of Proclamation No. 3323 (see the Appendix to the Tariff Schedules of the United States, including items 927.50 through 927.54);

4. WHEREAS, following my request under Section 351(d)(2) of the Trade Expansion Act of 1962 (19 U.S.C. 1981(d)(2)), the United States Tariff Commission conducted an investigation, including a hearing, pursuant to Section 351(d)(5) of that Act (19 U.S.C. 1981(d)(5)), and on April 14, 1965, submitted to me a report (30 F.R. 5655) advising me of its judgment as to the probable economic effect on the domestic industry concerned of the reduction or termination of the increased rates of duty described in the second recital of this proclamation and provided for in Proclamation No. 3323 (now reflected,

48 Stat. 943.  
19 USC 1351.

*Infra.*

65 Stat. 74.  
19 USC 1364.

*Post*, p. 1755.

77 A Stat. 299.  
19 USC 1202.

76 Stat. 900.

with modifications, in the Appendix to the Tariff Schedules of the United States, including items 927.50 through 927.54);

5. WHEREAS, in relation to the possible reduction or termination of such increased rates of duty, I have received and taken into account the advice from the Tariff Commission, advice of the Secretary of Commerce and the Secretary of Labor in accordance with Section 351(c)(1)(A) of the Trade Expansion Act of 1962 (19 U.S.C. 1981(c)(1)(A)), recommendations of the Special Representative for Trade Negotiations in accordance with Sections 3(b), 3(j), and 5(c) of Executive Order No. 11075 of January 15, 1963 (48 CFR 1.3(b), 1.3(j), and 1.5(c)), and advice of other interested agencies of the Government; and

19 USC 1801  
note.

6. WHEREAS, in accordance with Section 351(c)(1)(A) of the Trade Expansion Act of 1962, I have determined that the reduction, as herein proclaimed, of the increased rates of duty described in the second recital of this proclamation and provided for in Proclamation No. 3323 (now reflected, with modifications, in the Appendix to the Tariff Schedules of the United States, including items 927.50 through 927.54) is in the national interest:

76 Stat. 900.

74 Stat. c15;  
Infra.

77A Stat. 439.  
19 USC 1202.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, acting under the authority vested in me by the Constitution and the statutes, including Section 351(c)(1)(A) of the Trade Expansion Act of 1962, and in accordance with the provisions of Article XIX of the General Agreement on Tariffs and Trade, do proclaim that:

61 Stat. (pt. 5)  
A58.  
8 UST 1786.

(1) Proclamation No. 3323 is terminated.

(2) Subpart A of Part 2 of the Appendix to the Tariff Schedules of the United States is amended as follows:

(A) The second article description preceding item 927.50 is amended to read as follows:

“For an aggregate quantity from countries subject to the rates set forth in rate of duty column numbered 1 not to exceed (1) 84 million single units entered in the 12-month period beginning November 1, 1965, and (2) 84 million single units entered in the period beginning November 1, 1966, and ending at the close of October 11, 1967, unless the President proclaims otherwise pursuant to section 351(c)(1) or (2) of the Trade Expansion Act of 1962 (19 U.S.C. 1981(c)(1) or (2)) :”.

(B) Items 927.53 and 927.54 are deleted, and the following new items 927.60, 927.61, and 927.62 are substituted in lieu thereof:

927.60	Knives and forks: With handles not containing nickel and not containing over 10 percent by weight of manganese (item 650.09 and 650.39).....	3¢ each+15% ad val....	3¢ each+15% ad val. but not less than 2¢ each+45% ad val.
927.61	With handles containing nickel or containing over 10 percent by weight of manganese (items 650.11 and 650.41).....	3¢ each+20% ad val....	3¢ each+20% ad val. but not less than 2¢ each+45% ad val.
927.62	Spoons (item 650.55).....	40% ad val.....	No change.

(3) The actions proclaimed in paragraphs (1) and (2) above are effective with respect to articles entered, or withdrawn from warehouse, for consumption on or after November 1, 1965.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this seventh day of January in the year of our Lord nineteen hundred and sixty-six, and of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

### Proclamation 3698

#### NATIONAL SAFE BOATING WEEK, 1966

By the President of the United States of America

#### A Proclamation

The family boating trip has now become almost as common in American life as the family picnic. It is a profound testimony to the strength of our American system and the scope of our prosperity that the recreation of boating, once the pastime of a privileged few, is now enjoyed by millions of families from all walks of life.

With the steadily increasing traffic on our waterways, however, it is vital that no efforts be spared to keep boating safe as well as stimulating. The knowledge and practice of safe boating principles can make hours spent upon the water measurably safer and more pleasurable.

Since 1958, when the Congress first requested the President to annually proclaim National Safe Boating Week, the rise in boating accidents has been largely checked. This record can be maintained—and improved—only if the nation's boating organizations, Federal and State agencies, and the boating industry continue their efforts to inform the public of the importance of safe boating practices.

NOW, THEREFORE, I, LYNDON B. JOHNSON, PRESIDENT OF THE UNITED STATES OF AMERICA, do hereby designate the week beginning July 3, 1966 as National Safe Boating Week.

I urge every American who uses our waterways to re-examine his boating habits during this Week and decide what he can do, individually and together with his countrymen, to reduce accidents and prevent the needless waste of lives on the water.

I also invite the Governors of the States, the Commonwealth of Puerto Rico, and other areas subject to the jurisdiction of the United States of America to join in this observance and ask them to exert their influence in the cause of safe boating during this Week and throughout the entire year.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 19th day of January in the year of our Lord nineteen hundred and sixty-six, and of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

GEORGE W. BALL,  
*Acting Secretary of State.*

January 19, 1966

**Proclamation 3699**  
**NATIONAL SKI WEEK**

**By the President of the United States of America**

January 21, 1966

**A Proclamation**

Skiing in the United States has now become one of our most popular sports. This active and invigorating pastime provides not only recreation, but an unsurpassed opportunity to enjoy the great scenic beauty of our majestic mountains.

Its growing popularity has caused skiing to become of great economic importance to many areas of the United States, where our Nation has now developed some of the finest skiers, and the finest ski facilities, in the world.

It was for this reason that the Congress, by a joint resolution approved January 21, 1966, requested the President to issue a proclamation designating the period beginning January 21, 1966, and ending January 30, 1966, as National Ski Week.

*Ante, p. 4.*

I am most happy to honor that request, and do hereby proclaim the period from January 21 through January 30, 1966, as National Ski Week.

I call upon individual skiers, sports organizations, community leaders, and other interested citizens to arrange appropriate observances of National Ski Week and to join in the effort to improve our ski facilities and to improve the skill of the skiers representing the United States of America in international competitions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 21st day of January in the year of our Lord nineteen hundred and sixty-six, and of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

**Proclamation 3700**

**AMERICAN HEART MONTH, 1966**

**By the President of the United States of America**

January 25, 1966

**A Proclamation**

Heart disease continues to shorten or cripple the lives of thousands of Americans.

Each year, over half of all the deaths in our nation result from this affliction.

Deaths or disabilities inflicted by heart disease which strike men and women of all ages, are both tragic to the victims and costly to our economy.

Yet much of this suffering could be prevented. Heart disease can be conquered.

This goal can be achieved, however, only through the effective mobilization of all our resources, private as well as governmental.

Continued progress in our nation-wide attack on heart disease requires the personal interest and support of all our citizens, not only through Government-sponsored programs but also on behalf of the research, education, and community services sustained by the American Heart Association—a national voluntary heart agency and partner of the National Heart Institute of the Public Health Service.

36 USC 169b.

For these reasons, and because the Congress, by a joint resolution approved December 30, 1963 (77 Stat. 843), requested the President to issue annually a proclamation designating February as American Heart Month.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby proclaim the month of February 1966 as American Heart Month, and I invite the Governors of the States, the Commonwealth of Puerto Rico, and officials of other areas subject to the jurisdiction of the United States to issue similar proclamations.

I urge everyone to enlist in this heart crusade and to support the vital work that will enable us to reach the goal of healthy hearts for all.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 25th day of January in the year of our Lord nineteen hundred and sixty-six, and of the [SEAL] Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

### Proclamation 3701

#### NATIONAL POISON PREVENTION WEEK 1966

By the President of the United States of America

#### A Proclamation

It was noted long ago that, "Poison kills only where there is no antidote."

But no antidote will ever take the place of precaution. For when precaution is used, antidotes become unnecessary.

Last year, more than 600,000 American children were the victims of accidental poisoning. Nearly 500 of these children died.

These poisonings took a variety of forms. Some were from medicines and some were from household products. But all had one thing in common; carelessness. To store drugs and poisons within easy reach of children, or to store them along side of food, is as foolish as leaving a loaded pistol lying around the house—and as dangerous.

To alert adults to the dangers of accidental poisoning and to encourage them to take appropriate preventive measures, the Congress, by a joint resolution approved September 26, 1961 (75 Stat. 681),

January 27, 1966

36 USC 165.

requested the President to issue annually a proclamation designating the third week in March as National Poison Prevention Week:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby proclaim the week beginning March 20, 1966, as National Poison Prevention Week.

I direct the appropriate agencies of the Federal Government, and I invite State and local governments and organizations, to participate actively in programs designed to promote better protection against accidental poisonings among young children.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 27th day of January in the year of our Lord nineteen hundred and sixty-six, and of the [SEAL] Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

### Proclamation 3702

#### SAVE YOUR VISION WEEK, 1966

By the President of the United States of America

January 28, 1966

#### A Proclamation

“He that is stricken blind cannot forget the precious treasure of his eyesight lost.”

Those words of Shakespeare are relevant to us today as we proclaim Save Your Vision Week, 1966. They remind us that the gift of sight is one of the glories of life. To the child it is a red balloon . . . a mother's smile . . . a form in a passing cloud. To the adult, it is wisdom from a book . . . a great painting . . . a tree with autumn leaves.

Those words of Shakespeare remind us, too, that the eyesight which most of us so take for granted in our daily lives can be snatched from any of us, almost without warning.

Each year some 30,000 Americans go blind. Half of these cases of blindness could be prevented—by early detection and proper treatment. Modern medical science can cure many diseases of the eye that were formerly considered hopeless. Our task now is to apply such cures where they are needed.

The Federal Government is proud of the contribution it is making in this effort. Last summer, through Project Headstart, we discovered more than 22,000 underprivileged children who were suffering from abnormal visual defects. These children are now being helped.

But much still remains to be done if we are to educate the public to the importance of proper care and treatment of their eyes. It was for this reason that the Congress, by a joint resolution approved December 30, 1963 (77 Stat. 629), requested the President to issue annually a proclamation designating the first week in March of each year as Save Your Vision Week.

I am happy to do so again this year. I hereby proclaim the week beginning March 6, 1966, as Save Your Vision Week, and I hereby invite the Governors of the States, the Commonwealth of Puerto Rico, and officials of other areas subject to the jurisdiction of the United States to issue similar proclamations.

I also call upon the communications media, the medical, ophthalmological, optometric, and other health care professions, and all agencies concerned with programs for the improvement and preservation of vision, to unite in public activities to impress upon the people of the United States the importance of good vision to their happiness and welfare, and to urge their participation in programs to improve and protect the vision of our people.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 28th day of January in the year of our Lord nineteen hundred and sixty-six, and of [SEAL] the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

### Proclamation 3703

#### TERMINATION OF INCREASED DUTY ON IMPORTS OF SAFETY PINS

By the President of the United States of America

#### A Proclamation

January 28, 1966

19 USC 1351.

1. WHEREAS, pursuant to Section 350 of the Tariff Act of 1930, the President, on October 30, 1947, entered into, and by Proclamation No. 2761A of December 16, 1947 (61 Stat. (pt. 2) 1103), and Proclamation No. 2782 of April 22, 1948 (62 Stat. (pt. 2) 1500), proclaimed, the General Agreement on Tariffs and Trade (61 Stat. (pt. 5) A11; hereinafter referred to as "the General Agreement"), including a concession with respect to certain types of safety pins provided for in item 350 in Part I to Schedule XX of the General Agreement (61 Stat. (pt. 5) A1205);

19 USC 1364.

2. WHEREAS, pursuant to Section 7 of the Trade Agreements Extension Act of 1951, and in accordance with the provisions of Article XIX of the General Agreement (61 Stat. (pt. 5) A58; 8 U.S.T. (pt. 2) 1786), the President by Proclamation No. 3212 of November 29, 1957 (72 Stat. (pt. 2) c16), proclaimed, effective after the close of business on December 30, 1957, and until the President otherwise proclaimed, a modification of the concession with respect to the types of safety pins identified in the first recital of this proclamation to effect an increase in the rate of duty with respect to such safety pins;

19 USC 1801.

3. WHEREAS, after compliance with the requirements of Section 102 of the Tariff Classification Act of 1962 (76 Stat. 73), the President by Proclamation No. 3548 of August 21, 1963 (77 Stat. 1017), proclaimed, effective on and after August 31, 1963, the Tariff Schedules of the United States, which reflected, with modifications, and, in effect, superseded (1) the provisions of Proclamations Nos. 2761A and 2782 insofar as those proclamations proclaimed the concession with respect to the types of safety pins identified in the first recital of this proclama-

tion (see item 745.56 of the Tariff Schedules of the United States), and (2) the provisions of Proclamation No. 3212 (see item 943.10 of the Appendix to the Tariff Schedules of the United States);

77A Stat. 380.  
19 USC 1202.  
72 Stat. c16.  
77A Stat. 440.

4. WHEREAS, following my request under Section 351(d)(2) of the Trade Expansion Act of 1962 (19 U.S.C. 1981(d)(2)), the United States Tariff Commission conducted an investigation, including a hearing, pursuant to Section 351(d)(5) of that Act (19 U.S.C. 1981(d)(5)), and on May 17, 1965, submitted to me a report (30 F.R. 6891) advising me of its judgment as to the probable economic effect on the domestic industry concerned of the reduction or termination of the increased rate of duty effected by Proclamation No. 3212 (now reflected, with modifications, in item 943.10 of the Appendix to the Tariff Schedules of the United States);

76 Stat. 900.

5. WHEREAS, in relation to the possible reduction or termination of such increased rate of duty, I have received and taken into account the advice from the Tariff Commission, advice of the Secretary of Commerce and the Secretary of Labor in accordance with Section 351(c)(1)(A) of the Trade Expansion Act of 1962 (19 U.S.C. 1981(c)(1)(A)), recommendations of the Special Representative for Trade Negotiations in accordance with Sections 3(b), 3(j), and 5(c) of Executive Order No. 11075 of January 15, 1963 (48 CFR 1.3(b), 1.3(j), and 1.5(c)), and advice of other interested agencies of the Government; and

6. WHEREAS, in accordance with Section 351(c)(1)(A) of the Trade Expansion Act of 1962, I have determined that the termination, as herein proclaimed, of the increased rate of duty effected by Proclamation No. 3212 (now reflected, with modifications, in item 943.10 of the Appendix to the Tariff Schedules of the United States) is in the national interest:

76 Stat. 900.  
19 USC 1981.  
72 Stat. c16;  
*Infra.*  
77A Stat. 440.  
19 USC 1202.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, acting under the authority vested in me by the Constitution and the statutes, including Section 351(c)(1)(A) of the Trade Expansion Act of 1962, and in accordance with the provisions of Article XIX of the General Agreement, do proclaim that:

61 Stat. A58.

(1) Proclamation No. 3212 is terminated.

(2) Item 943.10 (reflecting, with modifications, Proclamation No. 3212 which effected the increased rate of duty) is deleted from the Appendix to the Tariff Schedules of the United States.

(3) The concession with respect to the types of safety pins identified in the first recital of this proclamation shall be applied to such of those articles as are entered, or withdrawn from warehouse, for consumption on or after the date of this proclamation, in accordance with the provisions of item 745.56 of the Tariff Schedules of the United States.

77A Stat. 380.  
19 USC 1202.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this twenty-eighth day of January in the year of our Lord nineteen hundred and sixty-six, [SEAL] and of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

**Proclamation 3704****CANCER CONTROL MONTH, 1966****By the President of the United States of America****A Proclamation**

Every two minutes cancer strikes a man or a woman or a child in this country.

It ranks second in the causes of all deaths.

This represents untold human suffering, pain, and hardship, as well as a staggering loss to our economy.

Scientists, physicians, and official and voluntary health agencies, through research and cancer-control programs, have made remarkable progress in reducing this heavy toll. Their efforts deserve the most widespread commendation and encouragement.

Further progress can be made if we unite all our Nation's health resources. Recent advances in bio-medical research indicate that an expanded attack on cancer may lead to its ultimate conquest.

The Eighty-ninth Congress has given us the tools for such an expanded attack. It has enacted legislation to promote the establishment of regional medical programs of research, training, and demonstrations of patient care aimed at combatting cancer and other such major diseases.

These programs will enable us to develop new knowledge of cancer and to make available to patients the latest advances in diagnosis and treatment.

Any program for the prevention and control of cancer requires the support and cooperation of all our people. For this reason, the Congress, by a joint resolution of March 28, 1938 (52 Stat. 148), requested the President to issue annually a proclamation setting apart the month of April as Cancer Control Month.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby proclaim the month of April 1966 as Cancer Control Month; and I invite the Governors of the States, the Commonwealth of Puerto Rico, and other areas subject to the jurisdiction of the United States to issue similar proclamations.

I also ask the medical and allied health professions, the communications industries, and all other interested persons and groups to unite during the appointed month in public reaffirmation of this Nation's efforts to control cancer.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 14th day of February in the year of our Lord nineteen hundred and sixty-six, and of the [SEAL] Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

**Proclamation 3705****RED CROSS MONTH, 1966****By the President of the United States of America**February 24, 1966**A Proclamation**

The Red Cross is a symbol of mercy throughout the world.

It is our first assurance of help in time of disaster.

It accompanies the soldier on the battlefield, and even into the prison camps of the enemy.

Our role in the international Red Cross movement is carried on by the American National Red Cross. No group of Americans performs a more humanitarian service, or is more deserving of support, than the 2,000,000 volunteers enrolled in the 3,500 Red Cross Chapters across our nation.

This year alone, the Red Cross will respond to the needs of the victims of some 12,000 to 14,000 disasters.

It will supply half of all the blood used by our doctors and hospitals.

It will save countless lives by teaching more than 50 million Americans the skills of First Aid and Water Safety.

Above all, it will be a firm and constant source of service and help to the members of our Armed Forces and their families, both here and overseas.

This faithful and unselfish work of millions of Red Cross volunteers depends upon the unstinting support of all Americans. The Red Cross works for all; it needs the help of all.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America and Honorary Chairman of the American National Red Cross, do hereby designate March, 1966 as Red Cross Month; and I urge all Americans to give this voluntary organization their full support for the benefit of all of our citizens.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this twenty-fourth day of February in the year of our Lord nineteen hundred and [SEAL] sixty-six, and of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

**Proclamation 3706****NATIONAL FARM SAFETY WEEK, 1966****By the President of the United States of America****A Proclamation**

American farmers have achieved more progress during the past three decades than in all our previous history.

Thanks to that progress, a single farmer today can do all the work that once was performed by four. One American farmer today feeds and clothes himself and 32 others—and this is the true foundation of our national abundance.

There is one area of farm life, however, which still needs much improvement. Accidents continue to cost the lives of thousands of men, women, and children on our farms, and disable nearly 750,000 more each year.

This grievous and unnecessary waste of human and economic resources, plus the profound physical and psychological damage suffered by members of farm families, causes me to view the rural accident problem as a matter of national concern.

For this reason, I urge all farm families to help achieve our goal of safer rural communities by eliminating those hazards and unsafe practices that cause or contribute to accidents. Progress toward this goal is the objective of National Farm Safety Week, 1966.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby call on the people of the Nation to observe the week beginning July 24, 1966, as National Farm Safety Week. I urge all families who live on farms, and all persons and groups serving or allied with agriculture, to unite for safety, and apply full energy and determination to the vital task of reducing accidents at work, in homes, at recreation, and on the roadways.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this twenty-fourth day of February in the year of our Lord nineteen hundred and sixty-six,  
[SEAL] and of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

**Proclamation 3707**  
**NATIONAL MEDICARE ENROLLMENT MONTH**  
**MARCH 1966**

**By the President of the United States of America**

March 6, 1966

**A Proclamation**

WHEREAS, MEDICARE promises a dramatic step toward a better life for all older Americans through a dual program of hospital insurance and voluntary medical insurance;

WHEREAS, The Social Security Amendments of 1965 provide a deadline of March 31, 1966, for enrollment in the voluntary medical insurance portion of the program for Americans who reached 65 in 1965 or before;

79 Stat. 286, 304.  
 Ante, p. 105.  
 42 USC 1395.

WHEREAS, our older citizens are richly deserving of these benefits, and should not be deprived of this valuable protection for any time through neglect or oversight;

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States, do hereby proclaim the month of March 1966 as National Medicare Enrollment Month, and I invite the Governors of the States, the Commonwealth of Puerto Rico, and all other areas subject to the jurisdiction of the United States to issue similar proclamations.

I urge and direct all offices and agencies of the Executive Department to assist the Social Security Administration to give every eligible American an opportunity to sign up for this protection before time runs out.

And I urge every American citizen to lend his time and energy to this cause: to encourage every older friend and relative to make his choice while time remains, so that he may enjoy this protection, provided by a grateful Nation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this sixth day of March, in the year of our Lord nineteen hundred and sixty-six, and [SEAL] of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

**Proclamation 3708****NATIONAL MARITIME DAY, 1966**

March 22, 1966

**By the President of the United States of America****A Proclamation**

Today the American Merchant Marine continues a long tradition of essential service to the American economy and defense. Throughout our history, American ships have contributed to the development of our modern economy, as well as to the strength and unity of the country. As this Nation's economy continues to expand, we will continue to need ships—fast, modern descendants of the famous "Clippers"—to carry our products to the far corners of the earth and return with the raw materials essential to our national prosperity.

Our merchant marine is also vital to our friends all over the world. The transportation of surplus commodities to many of the underdeveloped countries is an important part of our foreign aid program.

As long as the United States may be called upon to defend the Free World's interests anywhere on the globe, our ships are necessary to insure continuous supply of the military material that helps to prevent or defeat aggression by any country.

The complex task of creating and maintaining a merchant marine adequate to our needs for peacetime commerce, and sufficient for defense purposes, requires the efforts of government, management and labor and the support of all Americans.

To remind the American people of the important role of the American Merchant Marine in the life of this Nation, the Congress in 1933 designated May 22 of each year as National Maritime Day and requested the President to issue a proclamation annually in observance of that day. May 22, 1819, is the day the SS *Savannah*, the first steamship to cross the Atlantic, set forth on its historic journey into the future.

Since May 22 falls on Sunday this year, it is appropriate that the day be observed on the following Monday.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby urge the people of the United States to honor our American Merchant Marine on Monday, May 23, 1966, by displaying the flag of the United States at their homes and other suitable places, and I request that all ships sailing under the American flag dress ship on that day in tribute to the American Merchant Marine.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 22nd day of March, in the year of our Lord nineteen hundred and sixty-six, and of [SEAL] the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

### Proclamation 3709

#### PROCLAMATION AMENDING PART 3 OF THE APPENDIX TO THE TARIFF SCHEDULES OF THE UNITED STATES WITH RESPECT TO THE IMPORTATION OF AGRICULTURAL COMMODITIES

By the President of the United States of America

March 31, 1966

#### A Proclamation

WHEREAS, pursuant to section 22 of the Agricultural Adjustment Act, as amended (7 U.S.C. 624), by Presidential Proclamations limitations have been imposed on the quantities of certain dairy products which may be imported into the United States in any quota year; and

64 Stat. 261.

WHEREAS, in accordance with section 102(3) of the Tariff Classification Act of 1962, the President by Proclamation No. 3548 of August 21, 1963 (28 F.R. 9279) proclaimed the additional import restrictions set forth in part 3 of the Appendix to the Tariff Schedules of the United States; and

76 Stat. 74.  
19 USC note  
prec. 1202.  
77 Stat. 1017.  
77A Stat. 441.  
19 USC 1202.

WHEREAS the import restrictions on certain dairy products set forth in part 3 of the Appendix to the Tariff Schedules of the United States as proclaimed by Proclamation No. 3548 have been amended by Proclamation No. 3558 of October 5, 1963, Proclamation No. 3562 of November 26, 1963, Proclamation No. 3597 of July 7, 1964, and section 88 of the Tariff Schedules Technical Amendments Act of 1965 (79 Stat. 950); and

77 Stat. 1028.  
77 Stat. 1032;  
78 Stat. 1249.

WHEREAS the Secretary of Agriculture has reported to me that he believes that additional quantities of cheddar cheese may be imported for a temporary period without rendering or tending to render ineffective, or materially interfering with, the price support program undertaken by the Department of Agriculture with respect to milk and butterfat or reducing substantially the amount of products processed in the United States from domestic milk and butterfat with respect to which such program of the Department of Agriculture is being undertaken; and

WHEREAS, under the authority of section 22, I have requested the United States Tariff Commission to make an investigation with respect to this matter; and

WHEREAS the Secretary of Agriculture has determined and reported to me that a condition exists with respect to cheddar cheese which requires emergency treatment and the quantitative limitation imposed on cheddar cheese should be increased for the quota year ending June 30, 1966, without awaiting the recommendations of the United States Tariff Commission with respect to such action; and

WHEREAS I find and declare that the importation during the remainder of the quota year ending June 30, 1966, of the additional quantity of cheddar cheese permitted by the increase in quota specified below will not render or tend to render ineffective, or materially interfere with, the price support program which is being undertaken by the Department of Agriculture with respect to milk and butterfat and will not reduce substantially the amount of products processed in the United States from domestic milk and butterfat; and that a condition exists which requires emergency treatment and the quantita-

tive limitation imposed on cheddar cheese should be increased for the quota year ending June 30, 1966, without awaiting the recommendations of the United States Tariff Commission with respect to such action:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, acting under and by virtue of the authority vested in me as President, and in conformity with the provisions of section 22 of the Agricultural Adjustment Act, as amended, and the Tariff Classification Act of 1962, do hereby proclaim that—

76 Stat. 72.  
19 USC note  
prec. 1202.

The quota quantity amount for cheddar cheese, and cheese and substitutes for cheese containing, or processed from, cheddar cheese specified in item 950.08 of part 3 of the Appendix to the Tariff Schedules of the United States is increased from 2,780,100 pounds to 3,706,800 pounds for the quota year ending June 30, 1966, such increase to continue in effect pending Presidential action upon receipt of the report and recommendations of the Tariff Commission with respect thereto. The quota quantity amount for such products for any quota year after the quota year ending June 30, 1966, shall be 2,780,100 pounds unless changed by further Presidential action.

77A Stat. 442.  
19 USC 1202.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 31st day of March in the year of our Lord nineteen hundred and sixty-six, and [SEAL] of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

## Proclamation 3710

### INTERAMA

By The President of the United States of America

#### A Proclamation

April 1, 1966

The Inter-American Cultural and Trade Center (Interama), in Dade County, Florida, plans to provide a permanent international center which will serve as a meeting ground for the governments and industries of the Western Hemisphere and other areas of the world. The facilities and exhibits of Interama will be designed to further broad and continuous exchanges of ideas, persons, and products through cultural, educational, and other exchanges.

22 USC 2082.

The Congress, by Section 2(a) of the Act of February 19, 1966 (Public Law 89-355, 80 Stat. 5), authorized the President to issue a proclamation calling upon the Several States of the United States and certain foreign countries to take part in Interama.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do, in conformity with that Act, hereby invite the several States of the Union and appropriate foreign countries to take part in Interama.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this first day of April in the year of our Lord nineteen hundred and sixty-six, and of the [SEAL] Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

### Proclamation 3711

SENIOR CITIZENS MONTH, MAY 1966

By The President of the United States of America

April 1, 1966

#### A Proclamation

A basic goal of an enlightened society must be to provide opportunities which enable older people to keep and strengthen their independence and dignity.

For too many Americans, the later years still mean loneliness, idleness, lack of purpose and meaning.

Today we have the tools to change this. We have the power to enrich the lives of older Americans and to benefit from their skills, their wisdom and their experience.

Nearly 18,500,000 American men and women are 65 years old and over. Each day almost 3900 Americans reach 65.

For all of them, a new life is now possible. Programs proposed by this Administration and enacted into law by the 89th Congress are being launched and expanded in the largest effort on behalf of the aging in our history. Now we can provide greater opportunities for our older Americans to use their abilities and to participate in useful work and rewarding leisure. We can declare a new day for older Americans.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate the month of May 1966 as Senior Citizens Month.

I call upon all Federal, State and local governments, in partnership with private and voluntary organizations, to join in community effort to give meaning to the theme of this special month: A NEW DAY FOR THE OLDER AMERICAN.

Let us make this month memorable by the dedicated efforts of each citizen to provide those benefits and opportunities within community programs which will add satisfaction and dignity to the lives of aging Americans.

I also invite the Governors of the States, the Governor of the Commonwealth of Puerto Rico, the Commissioners of the District of Columbia, and appropriate officials in other areas subject to the jurisdiction of the United States to join in the observance of Senior Citizens Month.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this first day of April in the year of our Lord nineteen hundred and sixty-six, and of the [SEAL] Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

### Proclamation 3712

#### PROCLAMATION OF TRADE AGREEMENT WITH UNITED KINGDOM PROVIDING COMPENSATORY CONCESSIONS

By the President of the United States of America

##### A Proclamation

19 USC 1351.

1. WHEREAS, pursuant to Section 350 of the Tariff Act of 1930, the President, on October 30, 1947, entered into, and by Proclamation No. 2761A of December 16, 1947 (61 Stat. (pt. 2) 1103), proclaimed, the General Agreement on Tariffs and Trade (hereinafter referred to as "the General Agreement"), including a schedule of United States concessions, designated as Schedule XX, annexed thereto (61 Stat. (pt. 5) A1157), which Agreement, schedule, and proclamation have been supplemented by subsequent agreements, schedules, and proclamations;

61 Stat. A11.

2. WHEREAS, after compliance with the requirements of Section 102 of the Tariff Classification Act of 1962 (76 Stat. 73), the President by Proclamation No. 3548 of August 21, 1963 (77 Stat. 1017), proclaimed, effective on and after August 31, 1963, the Tariff Schedules of the United States, which reflected, with modifications, and, in effect, superseded, Proclamation No. 2761A and proclamations supplementary thereto insofar as they relate to Schedule XX to the General Agreement;

3 CFR, 1959-  
1963 Comp., p. 298.

77A Stat. 3.

3. WHEREAS, pursuant to Sections 221 and 224 of the Trade Expansion Act of 1962 (19 U.S.C. 1841 and 1844), the President, on October 21, 1963, published and furnished to the Tariff Commission lists of articles which may be considered for modification or continuance of duties or other import restrictions, or continuance of duty-free or excise treatment, in the negotiation of trade agreements, including the trade agreement with the United Kingdom identified in the eighth recital of this proclamation, compensating other nations for modifications or withdrawals of United States trade agreement concessions (48 CFR Part 180), and the Tariff Commission, after holding public hearings, has advised the President with respect to each such article of its judgment as to the probable economic effect of such modifications;

76 Stat. 874.

4. WHEREAS, pursuant to Sections 223 and 224 of the Trade Expansion Act of 1962 (19 U.S.C. 1843 and 1844) and in accordance with Section 3(g) of Executive Order No. 11075 of January 15, 1963 (48 CFR 1.3(g)), the Special Representative for Trade Negotiations, appointed by the President pursuant to Section 241(a) of the Trade Expansion Act of 1962 (19 U.S.C. 1871(a)), on April 23, 1963, designated the Trade Information Committee to afford an opportunity, through public hearings and other means, for any interested person to present

his views concerning any article on the lists identified in the third recital of this proclamation or any other matter relevant to the trade agreement negotiations, including the negotiation of the trade agreement with the United Kingdom identified in the eighth recital of this proclamation (48 CFR Part 202), and the Trade Information Committee has furnished the President with a summary of its hearings;

5. WHEREAS, pursuant to Section 222 of the Trade Expansion Act of 1962 (19 U.S.C. 1842), the President has received information and advice with respect to the trade agreement with the United Kingdom identified in the eighth recital of this proclamation, from the Departments of Agriculture, Commerce, Defense, Interior, Labor, State, and the Treasury, and from such other sources as the President has deemed appropriate, and, pursuant to Section 241 (b) of the Trade Expansion Act of 1962 (19 U.S.C. 1871 (b)), the Special Representative for Trade Negotiations has received information and advice with respect to that agreement from representatives of industry, agriculture, and labor, and from such agencies as he has deemed appropriate;

76 Stat. 875.

6. WHEREAS, pursuant to Section 201(a)(1) of the Trade Expansion Act of 1962 (19 U.S.C. 1821(a)(1)), the Special Representative for Trade Negotiations has conducted negotiations on behalf of the President with the United Kingdom and other contracting parties to the General Agreement, in accordance with Article XXVIII of that Agreement (8 U.S.T. (pt. 2) 1790), with a view to the establishment of a new consolidated Schedule XX to that Agreement in terms of the Tariff Schedules of the United States;

77A Stat. 3.

7. WHEREAS, pursuant to Section 201(a) of the Trade Expansion Act of 1962, the President has determined that certain existing duties or other import restrictions of the United States or of foreign countries which are contracting parties to the General Agreement, were unduly burdening and restricting the foreign trade of the United States and that one or more of the purposes stated in Section 102 of the Trade Expansion Act of 1962 (19 U.S.C. 1801) would be promoted by entering into the trade agreement with the United Kingdom identified in the eighth recital of this proclamation;

8. WHEREAS, pursuant to Section 201(a)(1) of the Trade Expansion Act of 1962, I, through my duly empowered representative, have entered into a trade agreement with the United Kingdom entitled the "Interim Agreement Between the United States and the United Kingdom Relating to the Renegotiation of Schedule XX (United States) to the General Agreement on Tariffs and Trade" (a copy of which is Appendix B to this proclamation<sup>1</sup>), which embodies the results of the negotiations with the United Kingdom as part of the negotiations under Article XXVIII of the General Agreement for the establishment of a new consolidated Schedule XX thereto in terms of the Tariff Schedules of the United States;

TIAS 5975.

9. WHEREAS the trade agreement with the United Kingdom identified in the eighth recital of this proclamation, which is an agreement supplementary to the General Agreement, contains in annex II a schedule of concessions, to take effect as provided therein, in compensation for the impairment, arising out of the entry into force of the Tariff Schedules of the United States, of the rights of the United Kingdom in concessions in Schedule XX to the General Agreement, and provides that such concessions shall be applied as if they were included in a Schedule XX to the General Agreement pending the formal effectiveness of a new consolidated Schedule XX;

<sup>1</sup> Filed with the Office of the Federal Register as part of the original document.

76 Stat. 880.

10. WHEREAS, pursuant to Section 254 of the Trade Expansion Act of 1962 (19 U.S.C. 1884), I have determined that, in the case of those modifications of existing duties proclaimed in this proclamation which reflect decreases in duties exceeding the limitations specified in Section 201(b) (1) or 253 of the Trade Expansion Act of 1962 (19 U.S.C. 1821(b) (1) or 1883), such decreases will simplify the computation of the amount of duty imposed with respect to the articles concerned; and

11. WHEREAS, pursuant to Section 201(a) (2) of the Trade Expansion Act of 1962, I determine that the modification or continuance of existing duties or other import restrictions, and the continuance of existing duty-free or excise treatment, hereinafter proclaimed, will be required or appropriate to carry out such trade agreement:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, acting under the authority vested in me by the Constitution and the statutes, including Section 201(a) (2) of the Trade Expansion Act of 1962, do proclaim that:

(1) Subject to the applicable provisions of the trade agreement with the United Kingdom identified in the eighth recital of this proclamation and of the General Agreement and other agreements supplementary thereto, the modification or continuance of existing duties or other import restrictions, and the continuance of existing duty-free or excise treatment, provided for in the schedule in annex II to such agreement with the United Kingdom shall be effective as provided therein, and, as a result thereof,

(2) The Tariff Schedules of the United States shall be modified, effective on and after May 1, 1966, as provided for in Appendix A to this proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this fifth day of April in the year of our Lord nineteen hundred and sixty-six, and of [SEAL] the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

#### APPENDIX A

MODIFICATIONS OF THE TARIFF SCHEDULES OF THE UNITED STATES RESULTING FROM THE PROCLAMATION OF THE INTERIM AGREEMENT BETWEEN THE UNITED STATES AND THE UNITED KINGDOM RELATING TO THE RENEGOTIATION OF SCHEDULE XX (UNITED STATES) TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE

The rate in column numbered 1 for each item of the Tariff Schedules of the United States which is identified in the following table shall be superseded, effective on each date shown in such table, by the respective rate set forth therein opposite the number of such item:

TSUS Item	Rates of duty, effective with respect to articles entered, or withdrawn from warehouse, for consumption on and after May 1,—				
	1966	1967	1968	1969	1970
222. 60	24% ad val.	23% ad val.	22% ad val.	21% ad val.	20% ad val.
531. 37	40% ad val.	36% ad val.	31% ad val.	27% ad val.	22.5% ad val.
792. 60	11% ad val.	11% ad val.	10% ad val.	9% ad val.	8% ad val.

TIAS 5975.

## Proclamation 3713

### PAN AMERICAN DAY AND PAN AMERICAN WEEK, 1966

By The President of The United States of America

April 6, 1966

#### A Proclamation

On the fourteenth of April, seventy-six years ago, the nations of the Western Hemisphere formally pledged themselves to the joint pursuit of peace and justice for all our peoples. The regional system then freely established, and now known as the Organization of American States, has been a great instrument for cooperation throughout the Americas.

Seven years ago the American governments at Buenos Aires began charting new directions for economic and social advancement in the hemisphere. In 1959, we jointly agreed to establish the Inter-American Development Bank to give new impetus to economic development. At Bogota the following year, social progress was recognized as a parallel objective for inter-American cooperation. In 1961 at Punta del Este we joined with nineteen of our sister republics in a vast collective enterprise of development and reform: the Alliance for Progress. Since assuming office in November 1963 it has been my deep concern that the Alliance should produce real and measurable results—in accelerating economic growth, expanding social justice, and strengthening democratic institutions.

73 Stat. 299.  
22 USC 283.

12 UST 1690.

What has been accomplished in Latin America in the last two years shows how far we have forged ahead.

In political terms there is:

- A growing number of vigorous political leaders committed to revolutionary change through reform in freedom.
- Wider participation in the democratic process, particularly at the grass roots level.
- Increasing appreciation of the need for full citizen involvement in national affairs.
- Greater stability and a strengthening of democratic institutions.
- Keener awareness of the danger of communist subversion and greater resolve to combat it.

In economic and financial terms:

- The rate of growth in Gross National Product has exceeded the Punta del Este target.
- The annual volume of national savings has increased by 1.5 billion dollars.
- Central government revenues have risen by almost 20 percent.
- The annual level of exports has grown by close to a billion and a half dollars.
- The annual level of imports has advanced by almost one billion dollars.
- Loan authorizations and commitments from the United States and the international financial institutions have increased by 863 million dollars.

In human terms, the Alliance in the past two years has made possible the training of over 100,000 school teachers; it has built many thousands of new schools and homes; it has brought safe drinking water to tens of millions; and it has opened up opportunities for fuller participation in modern industry and agriculture.

But these achievements from common endeavors represent only a beginning. Major deficiencies remain to be overcome. Vast new opportunities for progress wait to be conquered. We must continue our present programs—quicken the pace. We must also move boldly toward the new frontiers. One of these is the economic integration of Latin America: the key to larger markets, greater production, more rational utilization of resources, better communication, and new levels of material prosperity and mutual understanding. We heartily support this vital process and pledge our cooperation.

Another is to open up the vast, untapped interior of South America through multinational projects to which I referred last August. Between Panama in the north and Argentina in the south lie hundreds of thousands of square miles of fertile land waiting to be cultivated; mineral and petroleum deposits to be discovered and forged into new industries. We in the United States stand ready to help the peoples of Latin America in making these dreams become a reality. This will require a new kind of cooperation because these horizons touch more than one nation.

On this anniversary, the United States strongly reaffirms its own continuing commitment to the common task of building a Western Hemisphere of economic abundance and political freedom in which every individual will have his full and equitable share.

We call upon our sister Republics to join us once again in renewing the hope and the promise which first beached our ancestors to the New World, and which are our most solemn obligations to the generations which will come after us.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby proclaim Thursday, April 14, 1966, as Pan American Day, and the week beginning April 10 and ending April 16 as Pan American Week; and I call upon the Governors of the fifty States of the Union, the Governor of the Commonwealth of Puerto Rico, and the officials of all other areas under the Flag of the United States to issue similar proclamations.

I call upon my fellow countrymen to renew their commitment to our neighbors in this hemisphere, and to reaffirm that commitment by support for the Organization of American States.

Further, I call upon this Nation to rededicate itself to the ideals of the inter-American system, as embodied in the Charter of the Organization of the American States, and to the goals of economic and social progress of the Charter of Punta del Este and the Economic and Social Act of Rio de Janeiro, which are so firmly founded on our belief in the dignity of man, and on our faith in the future of freedom.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this sixth day of April in the year of our Lord nineteen hundred and sixty-six, and of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

**Proclamation 3714****SIR WINSTON CHURCHILL DAY****By the President of the United States of America**

April 9, 1966

**A Proclamation**

Sir Winston Churchill said of his own career: "These years of action and advocacy comprise and express my life-effort, and I am content to be judged upon them."

The judgment of history upon the life of Sir Winston Churchill is already generous. But it is not yet final, and it may never be. That judgment will grow so long as freedom grows. It will grow more luminous and meaningful with every generation, as increasing numbers of free men and nations discover their great debt to this great man.

We Americans have uncommon bonds with Sir Winston Churchill. His life fused so much with our lives, his dreams became so much a part of our dreams, that the Congress directed the President to declare him an honorary citizen of our country. Today, on the third anniversary of that Act of April 9, 1963, we do Sir Winston further and deserved honor. We reflect once more on the monumental achievements of his life. We recall again how much he ennobled our own lives. We reassert our gratitude for the impact of his courageous will upon the history of our times.

77 Stat. 5, 994.

In recognition thereof, the Congress has by joint resolution approved April 9, 1966, designated April 9, 1966, as "Sir Winston Churchill Day" and authorized and requested the President to issue a proclamation calling on the people of the United States to honor the memory of Sir Winston Churchill on that day.

Ante, p. 106.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do, in conformity with that action, call on the people of the United States to observe that day with appropriate ceremonies and activities in memory of Sir Winston Churchill—bravely, cherished friend, and honored citizen.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 9th day of April in the year of our Lord nineteen hundred and sixty-six, and of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

**Proclamation 3715****DESIGNATING THE CUMBERLAND NATIONAL FOREST, KENTUCKY,  
AS THE DANIEL BOONE NATIONAL FOREST****By the President of the United States of America****A Proclamation**

One hundred ninety-one years ago, the frontiersman Daniel Boone opened the American West for an expanding nation. In the year 1775 he cut the 200 mile Wilderness Road through the Cumberland Gap to the Kentucky River. There he established the settlement of Boonesborough, one of the first great outposts on America's march toward the Pacific Coast.

Daniel Boone is a renowned early American pioneer whose name is particularly associated with the State of Kentucky and with the Cumberland Gap. Most of the wilderness, as he knew it, has long since vanished from the face of America. Yet, farsighted conservationists of past generations and today have preserved much of the forests and valleys in which he spent his life.

Among the 186 million acres of natural forest and grasslands, none is more beautiful nor more strongly associated with the spirit and the symbol of Daniel Boone than the Cumberland National Forest in the State of Kentucky.

It is fitting and appropriate that being so associated with his spirit, it should also carry his name.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States, under and by virtue of the authority vested in me by Section 24 of the Act of March 3, 1891, 26 Stat. 1103, as amended (16 U.S.C. 471), the Act of June 4, 1897, 30 Stat. 34, 36 (16 U.S.C. 473), and by Section 11 of the Act of March 1, 1911, 36 Stat. 963 (16 U.S.C. 521), do hereby proclaim that the Cumberland National Forest in the State of Kentucky, as defined by Proclamation 2227 of February 23, 1937 (50 Stat. 1818), is hereby designated and hereafter shall be known as the Daniel Boone National Forest.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this eleventh day of April in the year of our Lord nineteen hundred and sixty-six, and of the [SEAL] Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

**Proclamation 3716****LOYALTY DAY, 1966****By the President of the United States of America**

April 12, 1966

**A Proclamation**

Loyalty, like liberty, is more than a word. Both are symbols for deeply felt ideals. Liberty is the symbol for the goal we seek; loyalty is the symbol of our common purpose in its pursuit.

The true meaning of loyalty was expressed very early in our history by one of our Founding Fathers, John Jay, who said:

"This country and this people seem to have been made for each other, and it appears as if it was the design of Providence, that . . . . To all general purposes we have uniformly been one people; each individual citizen everywhere enjoying the same national rights, privileges, and protection."

Americans, far more than most, enjoy and cherish the right to dissent and disagree about all our public purposes. Yet our loyalty to the basic ideal of liberty and justice binds us together even in our disagreements.

Those ideals and that loyalty have carried us through two world wars. With them as our beacon, we have climbed from the depths of a great depression to a prosperity unparalleled in history. They have guided us ever closer to the goal of true and equal justice at home, and made us the strong champions of liberty around the globe.

At the very founding of our Republic, the signers of the Declaration of Independence pledged to each other their lives, their fortunes, and their sacred honor. That pledge has been renewed, each in its own time, by every generation of Americans.

More than a decade and one-half ago, at a time of trial for our Nation, General Dwight D. Eisenhower defined the ideal of loyalty or patriotism in these words:

"True patriotism places the public good above individual advantage. It is not tainted by false pride in might, and size, and overwhelming power; it never seeks to compel others to blind obedience to our wishes. It is among the greatest of human virtues. Fortunate are we whose devotion is to a country which seeks the good of all its citizens without distinction, that firmly champions the cause of human rights, and offers the hand of friendship to every other nation whose purpose is peace and justice."

It is that spirit of mutual trust, and loyalty to those ideals, that has brought greatness to our Nation. That greatness will endure only so long as the ideals and the loyalty continue to give it force. Each American has a profound obligation to cherish fully the heritage we have received from our ancestors—and to do his part to preserve that heritage for all our children and our children's children.

In recognition of this duty, the Congress by a joint resolution of July 18, 1958 (72 Stat. 369), designated May 1 of each year as Loyalty Day and requested the President to issue a Proclamation inviting the people of the United States to observe each such day with appropriate ceremonies.

36 USC 162.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do call upon the people of the United States, and upon all patriotic, civic, and educational organizations to observe Sunday, May 1, 1966 as Loyalty Day, with appropriate ceremonies in which all of us may join in a reaffirmation of our loyalty to the United States of America.

I also call upon appropriate officials of the Government to display the flag of the United States on all Government buildings on that day as a manifestation of our loyalty to the Nation which that flag symbolizes.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this twelfth day of April in the year of our Lord nineteen hundred and sixty-six, and [SEAL] of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

### Proclamation 3717

#### STATE AND MUNICIPAL BOND WEEK

By the President of the United States of America

#### A Proclamation

April 16, 1966

Over 70 percent of all Americans now live in urban areas. These are also the areas which will receive the greatest impact from the growth of our population in the years ahead. By 1975, we will need schools for 10 million additional children, welfare and health facilities for five million more people over the age of 60, and transportation facilities for the daily movement of more than 200 million people.

In the remainder of this century—little more than 30 years from now—we will have to build in our cities as much as all we have built since the first colonists arrived in the New World. Our urban population will double, and the amount of land falling within metropolitan areas will also double. In this short time we must virtually rebuild the entire urban United States.

One of the most effective tools for financing such growth is the State or municipal bond issue. State and municipal bonds build hospitals, schools, sanitation facilities, pumping plants for water, roads and bridges—all the many facilities needed to create a wholesome environment for our cities.

These bond issues represent local initiative and local responsibility in meeting pressing community needs. They are in the best tradition of our American system of Government and our American system of enterprise.

To create full understanding of the opportunities and benefits to community life which are provided by State and municipal bonds, the Congress by a Joint Resolution, approved April 16, 1966, has requested the President to issue a Proclamation designating the week beginning April 17, 1966 as State and Municipal Bond Week.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby proclaim the week beginning April 17, 1966 as State and Municipal Bond Week, in recognition of the role that State and municipal bonds play in building a better community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this sixteenth day of April in the year of our Lord nineteen hundred and sixty-six, and [SEAL] of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

### Proclamation 3718

#### NATIONAL DEFENSE TRANSPORTATION DAY AND NATIONAL TRANSPORTATION WEEK, 1966

By the President of the United States of America

April 22, 1966

#### A Proclamation

America's vast system of transportation is a monument to what free men can achieve in a free and enterprising society.

The United States is the only nation which maintains a system of transport that is both privately-owned and privately-operated.

That system has met every challenge, in war as in peace. It was created by farsighted men and private capital. It flourished with the encouragement of their Government. From that partnership has emerged the mighty and far-flung transportation network that gives Americans the greatest mobility ever enjoyed by any nation.

In the past 20 years, the number of automobiles and trucks in this vast network has increased threefold, from 31 million to 90 million.

In two decades, our paved roads have grown from 1.5 million miles to twice that much today.

Twenty years ago, there were 38,000 private and commercial aircraft in our skies; today there are nearly 100,000.

Our inland waterways now carry 150 billion ton miles of freight across the nation every year, and our system of pipelines move 284 billion more.

Our railroads have also rejoined the ranks of expanding industries. Since 1961, reversing a period of long decline, railroads have been catching up with the steady and uninterrupted growth of the Nation's economy.

Today, transportation accounts for one in every five dollars in the American economy. In 1965, that amounted to \$120 billion—more than the entire Gross National Product of this Nation in 1940.

Yet, great as our transportation system has become, it must grow still faster in the years ahead.

Our population is growing.

Our economy is expanding.

Our trade with other nations continues to increase.

And all depend on fast, efficient and safe transportation. During the next two decades, we must prepare to meet a demand for transportation which will be at least twice what is required today.

A fast, modern, and coordinated transportation network—by land, air, and sea—is also essential to our national defense. If we are to remain strong, transportation must keep abreast of our ever-changing military technology.

36 USC 160.

In recognition of these facts, the Congress, by Senate Joint Resolution 22 of May 16, 1957 (71 Stat. 30), has requested the President to proclaim annually the third Friday of May of each year as National Defense Transportation Day, and by House Joint Resolution 628 of May 14, 1962 (76 Stat. 69), has requested the President to proclaim annually the week of May in which that Friday falls as National Transportation Week, as a tribute to the men and women who, night and day, move our goods and our people throughout the land and around the world.

36 USC 166.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate Friday, May 20, 1966, as National Defense Transportation Day, and the week beginning May 15, 1966, as National Transportation Week.

I urge our people to participate with representatives of the transportation industry, our armed services, and other governmental agencies, in the observance of these occasions through appropriate ceremonies.

I also invite the Governors of the States to provide for the observance of National Defense Transportation Day and National Transportation Week in a way that will give the citizens of each community the opportunity to recognize and appreciate fully the vital role our great and modern transportation system plays in their daily lives and in the defense of our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this twenty-second day of April in the year of our Lord nineteen hundred and sixty-six, [SEAL] and of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

GEORGE W. BALL,  
*Acting Secretary of State.*

### Proclamation 3719

WORLD TRADE WEEK, 1966

By the President of the United States of America

#### A Proclamation

Expansion of world trade is the principal objective of the liberal foreign trade policies our Nation has followed for more than thirty years.

This two-way trade between the United States and other nations has resulted in many benefits for our country:

—It has advanced the peaceful progress of our Nation and the well-being of all Americans by strengthening the growth of private enterprise and employment.

—It has provided the American businessman with increased opportunities to export more United States products and services.

—It has given the American consumer a wider choice of products at competitive prices.

—It has promoted the cause of peace by broadening the scope of our cooperation with other nations.

—It has been of great importance in helping the developing nations modernize their economies.

Much remains to be done if we are to achieve a balanced international economy where all nations, developed and developing, can share the fruits of freer trade:

—We must continue to work diligently this year to bring the Kennedy Round of trade negotiations to a timely conclusion in a manner that assures the realization of the hopes and expectations with which this great effort at trade liberalization was launched.

—We must intensify our efforts to reduce the United States balance-of-payments deficit and reach our goal of equilibrium in our international accounts.

Progress towards accomplishing these objectives is the aim of World Trade Week.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby proclaim the week beginning May 22, 1966, as World Trade Week; and I request the appropriate Federal, State, and local officials to cooperate in the observance of that week.

I also urge business, labor, agricultural, educational, professional, and civic groups, as well as the people of the United States generally, to observe World Trade Week with gatherings, discussions, exhibits, ceremonies, and other appropriate activities designed to promote continuing awareness of the importance of world trade to our economy and our relations with other nations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 29th day of April in the year of our Lord nineteen hundred and sixty-six, and [SEAL] of the Independence of the United States of America the one hundred and ninetieth.

By the President:

LYNDON B. JOHNSON

DEAN RUSK,

*Secretary of State.*

**Proclamation 3720****COMMEMORATION OF POLAND'S NATIONAL AND CHRISTIAN  
MILLENNIUM****By the President of the United States of America****A Proclamation**

May 3 marks an important anniversary for freedom-loving people the world over. It was on this date, 175 years ago, that the patriots of Poland adopted a Constitution that stirred the hopes of the Polish people.

But this year, May 3 takes on a significance that is truly unique. It marks the 1000th anniversary of Polish Christianity and Polish nationhood.

Ten centuries ago today, Poland became a part of the community of Western nations. Ten centuries ago today, Poland entered the mainstream of Western thought and Western culture.

It was this tradition that gave birth to the Polish Constitution of 1791. The Christian expression of the dignity of man found its ultimate expression in the cause of freedom and national independence.

It was no accident that this great political document came into being just four years after the American Constitution—or that the two were so similar in content and spirit. The same spark of freedom that flared into the American Revolution also burned in the hearts of the Polish people. Our Revolution was theirs, and to these shores, to help in our struggle, came two great champions of liberty: Tadeusz Kosciuszko and Kazimierz Pulaski.

The rest is history: a triumph for America—for the most part tragedy for Poland. Today, after nearly two centuries of struggle, of invasion, of foreign domination, of partition—and always of bravery—love for national independence and for the basic rights of man still lies deep in the hearts of the Polish people.

The spark of freedom has never been extinguished.

And through it all, the historic ties between our two great nations have remained as a symbol of friendship and hope. Today, on this anniversary, we reaffirm that friendship and pledge ourselves to that hope.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby proclaim this day, May 3, 1966, as Poland's National and Christian Millennium Day on which we spiritually unite ourselves with the people of Poland and those gathered today at Jasna Gora and wherever they might be observing this historical event. I invite the American people to observe this day with appropriate ceremonies and activities and particularly to join with Americans of Polish heritage in their continued celebrations throughout this memorable year, both in America and in Poland.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this third day of May, in the year of our Lord nineteen hundred and sixty-six, and of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON,  
*The White House,*  
*Washington, D.C.*

By the President:

DEAN RUSK,  
*Secretary of State.*

## Proclamation 3721

### DAY OF RECOGNITION FOR FIREFIGHTERS

By the President of the United States of America

May 4, 1966

#### A Proclamation

The firefighter has been a part of the American scene since earliest Colonial days.

From the bucket brigades of Colonial America we have progressed to the modern fire departments and modern firefighting equipment of today.

But fire hazards have more than kept pace with our advanced technology and social progress. The American fireman today must meet the challenge of fires caused by numerous new chemicals, explosives, combustible fibers, and other dangerous materials. He must be prepared to fight fires in crowded cities and giant buildings, as well as in remote rural communities. Those duties are often performed at great personal risk and sacrifice.

Furthermore, the services of firemen are among the first to be sought in other emergency situations. Whether to rescue a stranded child, or to give aid and comfort to victims of a flood, hurricane, or other disaster, the American fireman stands ready to serve his community night and day.

To afford the people of this Nation a special opportunity to express their heartfelt gratitude for the incalculable contributions which our firemen so generously bestow upon us, the Congress by a joint resolution approved May 4, 1966, has requested the President to issue a proclamation designating May 4, 1966, as a Day of Recognition of the personal sacrifices and devotion to duty of firefighters in the United States of America.

Ante, p. 134.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate Wednesday, May 4, 1966, as a Day of Recognition for Firefighters.

I invite State and local governments, patriotic, civic, and educational organizations, and the people of the United States generally, to observe that day with appropriate ceremonies in honor of our firemen—both career and volunteer—who, by faithful and dedicated service to their communities, are safeguarding the lives and property of their fellow Americans.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this fourth day of May, in the year of our Lord nineteen hundred and sixty-six, and [SEAL] of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

### Proclamation 3722

#### NATIONAL SCHOOL SAFETY PATROL WEEK

By the President of the United States of America

##### A Proclamation

Safety on our streets and highways is one of our Nation's most critical problems. Today, as traffic hazards continue to increase, it is more important than ever that our children be protected as they travel to and from school.

The school safety patrol program, sponsored jointly by our schools, police departments, and motor clubs, has contributed immeasurably to the safety of our youngsters.

Since this program began, over 40 years ago, more than sixteen million children have served as school safety patrol members, safeguarding the lives of their fellow students. During that time the traffic death rate among school children has been reduced by nearly one-half, while the death rate of other age groups has doubled.

To give recognition to the efforts and accomplishments of school safety patrols, the Congress by a joint resolution approved May 5, 1966, has designated the week of May 8 to May 14, 1966, as National School Safety Patrol Week and has requested the President to issue a proclamation calling for its observance.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby call upon the people of the United States to observe National School Safety Patrol Week with ceremonies and activities designed to give honor and recognition to those school children who unselfishly devote their time to insure the safety of their fellow students, and to all others whose unstinting cooperation and assistance have made our school safety patrol program an outstanding success.

I urge parents, school officials, community leaders and others interested in the safety and well being of our school children to give their continued support and encouragement to the school safety patrol program.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this Fifth day of May in the year of our Lord nineteen hundred and sixty-six, and of the [SEAL] Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

May 5, 1966

Ante, p. 134.

**Proclamation 3723****MOTHER'S DAY, 1966****By the President of the United States of America**

May 6, 1966

**A Proclamation**

By love, by teaching, and by example, mothers have shaped the lives of men and the destinies of nations.

Through each succeeding generation American mothers have inspired their children to seek right action, to temper harsh judgment with mercy, to treasure all that is noble in human character.

Each time the courage of its sons is tested in battle, each time the compassion of its people is summoned by tragedy, want, or oppression, America has cause to thank God for the guiding spirit of motherhood.

On the second Sunday in May of each year, we celebrate that spirit and its gifts: mutual affection, steadfast devotion to family life, care and nourishment for the individual soul. On this day and throughout the year, we rejoice in the strength of character American mothers have instilled in generations of our people.

On this day, our minds acknowledge the great debt mankind owes to mothers. Our hearts declare its truth. We resolve anew to make our lives tributes and memorials to those who have proven the most potent and vital force for good in the world—the mothers of men.

On May 8, 1914, the Congress by joint resolution requested the President to issue a proclamation calling for the observance of Mother's Day.

38 Stat. 770.  
36 USC 142.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby request that Sunday, May 8, 1966, be observed as Mother's Day; and I direct the appropriate officials of the Government to display the flag of the United States on all Government buildings on that day.

I call upon all Americans to make Mother's Day a truly memorable occasion by expressing both publicly and privately their love and reverence for their Mothers through participating in religious and other suitable observances in their honor and through loving acts of affection and esteem.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this sixth day of May in the year of our Lord nineteen hundred and sixty-six, and [SEAL] of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

## Proclamation 3724

### EIGHTY-SECOND BIRTHDAY OF HARRY S TRUMAN

By the President of the United States of America

May 9, 1966

#### A Proclamation

Harry S Truman, the thirty-third President of the United States, was born eighty-two years ago on the 8th day of May, 1884.

Throughout his life, Harry S Truman has devoted himself unceasingly to the cause of freedom, peace, and the betterment of his fellow man. His historic decisions during his service as President of the United States from 1945 through 1952, have made the world a better and safer place not only for his fellow citizens but for the entire human race.

Harry S Truman's deep concern for the well-being of each individual American will never be surpassed by any President. His wise and passionate pursuit of justice, opportunity, and security for every citizen set an example which every President of the United States will strive to emulate so long as the Nation and the Presidency shall endure. And it has won him a permanent place in the hearts of his countrymen.

Among the legacy Harry S Truman gave to history are included the United Nations Charter which, under his guidance, the United States became the first major power to ratify; the formulation and successful operation of the Truman Doctrine, which played a major role in preserving free institutions in Greece and Turkey; the Marshall Plan, which played a major role in rebuilding the war-depleted economies of Western Europe; and such outstanding legislative accomplishments for the welfare of the American people, as the National School Lunch Act, the National Mental Health Act, the Atomic Energy Act of 1946, the National Heart Act, the Minimum Wage and Hour Act amendments of October 26, 1949, the Act of September 23, 1950, providing Federal assistance for school construction in federally impacted areas, and the Federal Coal Mine Safety Act amendments of July 16, 1952.

His accomplishments have been recognized by friendly nations throughout the world. His contributions to peace have been especially honored by the creation of the Harry S Truman Center for the Advancement of Peace, to be located at the Holy City of Jerusalem.

The Senate of the United States, in which he served faithfully and well before ascending to the Presidency, has further recognized this Nation's indebtedness to Harry S Truman by calling upon the President of the United States to extend upon the occasion of his eighty-second birthday, May 8, 1966, the admiration and gratitude of all our people.

I am proud to honor this request and do hereby extend to the Honorable Harry S Truman this expression of our profound and lasting gratitude and appreciation for his long years of devoted service to his country.

59 Stat. 1031.

42 USC 1751  
note, 201 note,  
2011 note, 287  
note; 29 USC 201  
note; 20 USC 631-  
645; *Ante*, p. 1213;  
30 USC 451 note.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this ninth day of May in the year of our Lord nineteen hundred and sixty-six, and of the [SEAL] Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

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### Proclamation 3725

#### UNITED NATIONS DAY, 1966

By the President of the United States

May 11, 1966

#### A Proclamation

1966 marks the twenty-first anniversary of the signing of the United Nations Charter.

Since 1945 successive administrations have re-affirmed this nation's commitment to the purposes of the United Nations.

For more than two decades the United States has worked to help the UN improve its peacekeeping capacity, expand its programs of economic development, and promote social justice and human rights.

The UN has been effective in containing local disputes which, if unchecked, could have led to general war. It has assisted scores of nations in meeting the challenges of the technological revolution. Above all, the UN has proved to be a place where constructive dialogues between rich and poor nations can lead to better understanding in today's world, and the promise of a fuller life for future generations.

Because we know that institutions, like men, must remain ever ready to cope with recurring crises, we will continue to do our share in keeping the UN's operations relevant to its problems, realistic in approach, and responsible in action.

Effective public support for the United Nations depends upon a sober appraisal of its accomplishments, and upon a sympathetic understanding of the problems, as well as the potential, of the world organization.

The General Assembly of the United Nations has resolved that October twenty-fourth, the date of the coming into force of the United Nations Charter in 1945, should be dedicated each year to making known the purposes, principles, and accomplishments of the United Nations:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby proclaim Monday, October 24, 1966, as United Nations Day, and urge the citizens of this Nation to observe that day by means of community programs which will contribute to a realistic understanding of the aims, problems, and achievements of the United Nations and its associated organizations.

I also call upon officials of the Federal and State Governments and upon local officials to encourage citizen groups and agencies of communication—press, radio, television, and motion pictures—to engage in special and appropriate observance of United Nations Day this year in cooperation with the United Nations Association of the United States of America and other interested organizations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 11th day of May in the year of our Lord nineteen hundred and sixty-six, and of the [SEAL] Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

**Proclamation 3726**  
**SMALL BUSINESS WEEK**

**By the President of the United States of America**

**A Proclamation**

The small businesses of America are the foundation of our cherished system of free, competitive enterprise. Our nearly five million small businesses supply more than a third of the Nation's goods and services, and are a fertile source of new ideas and new products to enrich the lives of our citizens and stimulate the growth of our economy.

Small business concerns, which have increased by more than 300,000 during the past few years, are helping to provide the additional jobs needed by a rapidly growing Nation.

The small, privately owned concern has played a fundamental role in the development of the American way of life, and it continues to represent the door of opportunity for millions of enterprising citizens.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate the week beginning May 22, 1966, as Small Business Week; and I call upon chambers of commerce, boards of trade, and other public and private organizations to participate in ceremonies recognizing the contribution of small business to our prosperous society, to our welfare and happiness, and to our goal of a better and more productive life for all our people.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 23rd day of May in the year of our Lord nineteen hundred and sixty-six, and of [SEAL] the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

**Proclamation 3727****PRAYER FOR PEACE, MEMORIAL DAY, 1966****By the President of the United States of America**

May 26, 1966

**A Proclamation**

Americans will be fighting and dying in Vietnam this Memorial Day, 1966, in fulfillment of our commitment to freedom. Their sacrifice is part of an ancient legacy that begins with man's first act of transcendent courage, and that contains all that is noble and selfless in human character.

Our own liberty was won in struggle against tyranny. In two world wars and in Korea, brave Americans and their allies gave their lives that men might live and prosper in freedom.

We shall not forsake their sacrifice. We shall—because we must—persevere.

We are totally committed to defeat this aggression.

This Nation has never left the field of battle in abject surrender of a cause for which it has fought.

We shall not do so now.

We shall see this through.

Yet as we protect freedom by courage in arms, we shall every day continue the search for an honorable peace.

It is tragic that young lives must be sacrificed, that great sums must be spent for the instruments of war, when the work of peace awaits man's accomplishment in every land. America today—as in past years—is prepared to join in that work with any nation whose devotion is to peace with its neighbors, and a better life for its people. Let the guns of aggression be silent, we say, that the sounds of the builders, of the planters, of the teachers, may be heard.

On this Memorial Day, as we honor the memory of brave men who have borne our colors in war, we pray to God for His mercy. We pray for the wisdom to find a way to end this struggle of nation against nation, of brother against brother. We pray that soon we may begin to build the only true memorial to man's valor in war—a sane and hopeful environment for the generations to come.

The Congress, in a joint resolution approved May 11, 1950 (64 Stat. 158), has requested the President to issue a proclamation calling upon the people of the United States to observe each Memorial Day as a day of prayer for permanent peace and designating a period during each such day when the people of the United States might unite in such application:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate Memorial Day, Monday, May 30, 1966, as a day of prayer for permanent peace, and I designate the hour beginning in each locality at eleven o'clock in the morning of that day as a time to unite in such prayer.

I urge the press, radio, television, and all other information media to cooperate in this observance.

I also urge all of the people of this Nation to join me in prayer to the Almighty for the safety of our Nation's sons and daughters in Vietnam, for His blessing on those who have sacrificed their lives

for this Nation in this and all other struggles, and for His aid in building a world where freedom and justice prevail, and where all men live in friendship, understanding, and peace.

*Ante*, p. 1718.

By House Concurrent Resolution 587, the Eighty-ninth Congress has officially recognized that the patriotic tradition of observing Memorial Day began one hundred years ago in Waterloo, New York. In conformity with the request contained in that concurrent resolution, it is my privilege to call attention to the centennial observance of Memorial Day in Waterloo, New York, on May 30, 1966.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this twenty-sixth day of May in the year of our Lord nineteen hundred and sixty-six, [SEAL] and of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

### Proclamation 3728

#### FLAG DAY AND NATIONAL FLAG WEEK, 1966

#### By the President of the United States of America

##### A Proclamation

On June 14, 1777, the Continental Congress adopted as the flag of the United States a banner of 13 stripes of alternating red and white, and 13 white stars on a blue field.

That banner was the symbol of a new nation with an intense love of freedom and a belief in the worth and dignity of the individual.

The design of our flag has changed from time to time to reflect the growth and expansion of our Nation—but the meaning behind the flag has not changed.

The American flag still stands for a Nation dedicated to the principles of liberty, justice, and equality under law.

It still symbolizes the heroism and sacrifice of Americans in defense of those principles.

It still symbolizes hope and promise to the oppressed peoples of the world.

The day on which our flag was adopted has a special significance for all of us. For this reason the Congress, by the Joint Resolution of August 3, 1949 (63 Stat. 492), designated June 14 of each year as Flag Day and requested the President to issue a proclamation calling for its observance. In order to further extend the opportunities of all Americans to observe and honor this historic occasion, the Congress by a joint resolution of June 9, 1966, has requested the President to issue annually a proclamation designating the week in which June 14 occurs as National Flag Week, and calling upon all citizens to display the Flag of the United States on those days.

June 9, 1966

36 USC 157.

*Ante*, p. 194.  
36 USC 157a.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate the week beginning June 12, 1966, as National Flag Week.

I direct the appropriate Government officials to display the Flag of the United States on all Government buildings during that week; and I request the people of the United States to observe Flag Day and National Flag Week by flying the Stars and Stripes at their homes and other suitable places.

Let us remind ourselves on Flag Day and throughout National Flag Week that the rights and freedoms which we have so long enjoyed under our national flag must be nourished and protected. Let us resolve always to conduct ourselves, at home and abroad, in keeping with the lofty principles for which our flag stands—to the end that freedom and understanding will be encouraged among all people and all nations of the world.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this ninth day of June in the year of our Lord nineteen hundred and sixty-six, and [SEAL] of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

GEORGE W. BALL,  
*Acting Secretary of State.*

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**Proclamation 3729**  
**GAS INDUSTRY WEEK**

**By the President of the United States of America**

June 15, 1966

**A Proclamation**

The abundant life and well-being of millions of Americans are directly related to the bounty of natural resources with which this Nation has been so generously endowed.

The depths of our American continent have yielded up great treasures of mineral resources, and enormous industries have developed to guarantee a maximum of public benefit from this mineral wealth.

It has been one hundred and fifty years since the first gas company was founded in Baltimore, Maryland, on June 13, 1816. Since that early beginning this dynamic industry has become the sixth largest industry in the United States. It has developed an intricate web of underground pipelines extending three quarters of a million miles and delivering the heat, light, and power benefits of the American gas industry to its thirty-six and a half million customers.

To call public attention to the contributions which the gas industry has made toward the health and well-being of our people, the Eighty-ninth Congress, by Senate Joint Resolution 160, has designated the period beginning June 13 and ending June 19, 1966, as Gas Industry Week, and has requested the President to issue a proclamation calling for its appropriate observance.

*Ante, p. 201.*

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, invite the governments of States and communities and all citizens to join during Gas Industry Week in recognition of the contributions of the American gas industry to the security, health, and well-being of our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this fifteenth day of June in the year of our Lord nineteen hundred and sixty-six, and [SEAL] of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

### Proclamation 3730

FATHER'S DAY, 1966

By the President of the United States of America

#### A Proclamation

June 15, 1966

Ante, p. 201.

The third Sunday in June has for many years been observed as Father's Day. It is most appropriate that the Congress, by enactment of Senate Joint Resolution 161, has now given official recognition to this well-established tradition.

In the homes of our Nation, we look to the fathers to provide the strength and stability which characterize the successful family.

If the father's responsibilities are many, his rewards are also great—the love, appreciation, and respect of children and spouse. It is the desire to acknowledge publicly these feelings we have for the fathers of our Nation that has inspired the Congress to call for the formal observance of Father's Day.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, in consonance with Senate Joint Resolution 161 of the Eighty-ninth Congress, request the appropriate Government officials to arrange for the display of the flag on all Government buildings on Father's Day, Sunday, June 19, 1966.

I invite State and local governments to cooperate in the observance of that day; and I urge all our people to give public and private expression to the love and gratitude which they bear for their fathers.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this fifteenth day of June in the year of our Lord nineteen hundred and sixty-six, and of the [SEAL] Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

**Proclamation 3731****CITIZENSHIP DAY AND CONSTITUTION WEEK, 1966****By the President of the United States of America**

June 16, 1966

**A Proclamation**

For one hundred and seventy-nine years the Constitution of the United States has symbolized the right of people to govern themselves.

Our Constitution, upon which our government is based, did not spring forth in a single moment of inspiration. Rather, it was the culmination of man's long struggle for freedom, justice, equality, and recognition of the dignity of man. It reflects the wisdom of the Old and New Testaments, the democratic principles of ancient Greece, the justness of the Roman law, the concept of constitutional liberty as guaranteed to Englishmen by the Magna Charta, and the dedication that caused our Founding Fathers to forsake the security of civilization to seek liberty, justice, and opportunity in the wilderness of the New World.

The Constitution and its ideals of justice, liberty, and opportunity for all, must be constantly cherished and nurtured. In this ever-shrinking world, it is important that every American understand our system of Government, cherish the fundamentals of freedom, and be always ready to defend our heritage for which so many have given so much. We must all rededicate ourselves, in every generation, to the great ideals that inspired the formation and adoption of our Constitution as the charter of a free people.

To assure appropriate commemoration of the formation and signing, on September 17, 1787, of the Constitution and to pay special recognition to all persons who, by coming of age or by naturalization, shall have attained the status of citizenship during each year, the Congress enacted the Joint Resolution of February 29, 1952 (66 Stat. 9), designating September 17 of each year as "Citizenship Day." Later, the Congress enacted the Joint Resolution of August 2, 1956 (70 Stat. 932), requesting the President to designate the week beginning September 17 of each year as "Constitution Week."

36 USC 153.

36 USC 159.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, call upon the appropriate officials of the Government to display the flag of the United States on all Government buildings on Citizenship Day, September 17, 1966; and I urge Federal, State, and local officials, as well as all religious, civic, educational, and other organizations, to hold appropriate ceremonies on that day to inspire all our citizens to pledge themselves anew to the service of their country and to the support and defense of the Constitution.

I also designate the period beginning September 17 and ending September 23, 1966, as Constitution Week; and I urge the people of the United States to observe that week with appropriate ceremonies and activities in their schools and churches and in other suitable places to the end that our citizens may have a better understanding of the Constitution and of the rights and responsibilities of United States Citizenship.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this sixteenth day of June in the year of our Lord nineteen hundred and sixty-six, and of the [SEAL] Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

### Proclamation 3732

CAPTIVE NATIONS WEEK, 1966

By the President of the United States of America

#### A Proclamation

WHEREAS the joint resolution approved July 17, 1959 (73 Stat. 212), authorizes and requests the President of the United States of America to issue a proclamation each year designating the third week in July as "Captive Nations Week" until such time as freedom and independence shall have been achieved for all the captive nations of the world; and

WHEREAS freedom and justice are the inalienable rights of all peoples; and

WHEREAS these basic rights are presently denied to many peoples throughout the world; and

WHEREAS the United States of America, from its founding as a nation, has firmly subscribed to the principles of national independence and human liberty; and

WHEREAS, in keeping with this tradition, it remains an essential purpose and a fundamental policy of the United States of America to sustain these principles and to encourage their realization by all peoples:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate the week beginning July 17, 1966 as Captive Nations Week.

I invite the people of the United States of America to observe this week with appropriate ceremonies and activities, and I urge them to give renewed devotion to the just aspirations of all people for national independence and human liberty.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this eighth day of July in the year of our Lord nineteen hundred and sixty-six, and of [SEAL] the Independence of the United States of America the one hundred and ninety-first.

LYNDON B. JOHNSON

By the President:

GEORGE W. BALL,  
*Acting Secretary of State.*

**Proclamation 3733****FIRE PREVENTION WEEK, 1966****By the President of the United States of America**

July 12, 1966

**A Proclamation**

Destructive fires—many of which could be avoided by eliminating known fire hazards—result in the tragic waste of life, property, and irreplaceable natural resources.

Inevitably such fires bring sorrow and financial difficulties to many families.

The toll of life and property occasioned by fire has been sharply reduced in those communities where fire prevention programs have been conducted.

Further progress is essential. Further progress can be made if every individual assumes the responsibility for removing the hazards and reforming the habits which cause fires.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate the week beginning October 9, 1966, as Fire Prevention Week.

I urge State and local governments, the Chamber of Commerce of the United States, the American Red Cross, the National Fire Protection Association, and business, labor, farm and youth organizations, as well as schools, civic groups, and public information agencies to observe Fire Prevention Week, to provide useful fire safety information to the public, and to enlist the active participation of all citizens in year-round fire prevention programs.

I bid all citizens to support earnestly the fire prevention and control efforts of their community fire departments.

I also direct the appropriate Federal agencies to assist in this effort to reduce the needless waste of life and property caused by preventable fires.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this twelfth day of July in the year of our Lord nineteen hundred and sixty-six, and of the [SEAL] Independence of the United States of America the one hundred and ninety-first.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

**Proclamation 3734****NATIONAL SCHOOL LUNCH WEEK, 1966****By the President of the United States of America****A Proclamation**

For twenty years the national school lunch program has convincingly demonstrated the vital role of good nutrition in the total educational process of the Nation's children.

The program is an outstanding example of a Federal-State-local partnership to make effective use of our food abundance and to protect the health and well-being of all our children, regardless of their race or ability to pay.

This year, under this program, some 19 million children in over 71,000 public and nonprofit private schools will enjoy nutritious, appetizing lunches.

Increased Federal, State, and local efforts will help additional thousands of children from low income families to obtain lunches that will strengthen their vitality and their ability to obtain maximum benefits from the learning process.

In recognition of the value and achievements of the school lunch program, the Congress by a joint resolution of October 9, 1962 (76 Stat. 779), has designated the seven-day period beginning on the second Sunday of October in each year as National School Lunch Week, and has requested the President to issue annually a proclamation calling for the observance of that week:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, call upon the people of the United States to observe the week beginning October 9, 1966, as National School Lunch Week, with ceremonies and activities designed to increase public understanding and awareness of the significance of the national school lunch program to the child, to the home, to the farm, to industry, and to the Nation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 29th day of July in the year of our Lord nineteen hundred and sixty-six, and of the Independence of the United States of America the one hundred and ninety-first.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

July 29, 1966

36 USC 168.

**Proclamation 3735****NATIONAL HIGHWAY WEEK, 1966****By the President of the United States of America**August 17, 1966**A Proclamation**

Americans have just cause to celebrate the progress that has been made in highway transportation in this Nation.

We have doubled the miles of paved streets and roads in the past 20 years, and our unequalled highway network, constantly being expanded and improved, makes us the most mobile country in the history of man.

Automotive vehicles traveling over those roads account for more than 90 percent of this country's personal travel. Virtually everything that moves from field and factory to the home utilizes this system in one way or another.

Planning, building, and maintaining the system requires constant and detailed cooperation between Federal, State and local governments, and private enterprise. The daily working partnership they have achieved is a remarkable example of creative Federalism.

American ingenuity and determination are constantly being applied to improve and expand this system. We are in the midst of a major effort to beautify our highways and roadsides, to provide rest and recreation facilities for highway travelers, and to make our roads and vehicles safer for those who travel them.

The continued growth of highway travel reflects the continued population growth in our country and the desire of our citizens for greater mobility. This greater mobility has increased opportunities for employment and recreation for everyone throughout the Nation.

Yet increased highway travel has also magnified many problems. Without careful planning, more and better highways between our cities only serve to increase traffic congestion within the cities themselves. We must continue to plan our highway system so that it will contribute to the rational use of urban space as well as to pleasant and convenient transportation through the countryside.

We must also strive for advances in automotive safety that will keep pace with advances in the design of our highways. Modern vehicles travel at greater speeds over longer distances than ever before; we must make certain that they are equal to the rigorous demands placed upon them by modern high-speed travel. Despite continuing improvements in highway safety design, the toll of highway accidents is steadily rising; that toll must be reversed.

It is essential that Americans understand and appreciate the importance of highway transportation to their social and economic progress, and to the defense of our Nation; that they recognize the individuals and industries that have made our highway transportation system possible; and that they support and participate in programs to improve the safety and beauty of our highways.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby proclaim the week beginning September 18, 1966, as National Highway Week. I urge Federal, State, and local government officials, as well as highway industry organizations, and other organizations having a public-spirited interest in our national highways, to hold appropriate ceremonies during that week in recognition of what highway transportation means to our country.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this seventeenth day of August in the year of our Lord nineteen hundred and sixty-six, [SEAL] and of the Independence of the United States of America the one hundred and ninety-first.

LYNDON B. JOHNSON

By the President:

GEORGE W. BALL,  
*Acting Secretary of State.*

### Proclamation 3736

#### NATIONAL EMPLOY THE PHYSICALLY HANDICAPPED WEEK, 1966

By the President of the United States of America

#### A Proclamation

Advances in medical technology have extended man's capacities, freeing him from many of the limitations caused by disability. The modern miracles wrought by medical science are permitting physically and mentally handicapped persons to devote more of their energy to pursuits which mark their humanity.

From the very beginning, man's pursuit of the means of earning a living has occupied a significant portion of his available time; his dependence on work has not been diminished by technological progress. Work continues to be indispensable to his security, well-being, and growth. This is no less true for those of our people who—although disabled—seek an outlet for expression and self-respect through suitable employment.

Our society has blossomed because it offers to all the hope of achieving the fullness of life. We cannot afford to isolate the handicapped from this high purpose, or stifle the fulfillment of their legitimate desires. If our Nation is to continue to prosper, we must utilize the abilities of every citizen without distinction. Let us not ignore, in our search for skilled and able workers, the demonstrated abilities of the handicapped, however severe their disabilities. Let us not throw up thoughtless barriers which prevent them from contributing their share to society.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, in consonance with the joint resolution of Congress approved August 11, 1945 (59 Stat. 530), designating the first full week of October of each year as National Employ the Physically Handicapped Week, do hereby call upon the people of our Nation to observe the week beginning October 2, 1966, for such purpose.

August 18, 1966

During that week I urge all public and private organizations and all citizens to make this theme—employ the handicapped—a living reality. Let us take all necessary steps to provide the handicapped with a wide range of meaningful opportunities and a life of dignity. Let us find ways to employ the skills and abilities which so many handicapped Americans possess and long to share.

I urge all the Governors of States, mayors of cities, and other public officials, as well as leaders of industry, educational and religious groups, labor, civic, veterans', agricultural, women's, scientific, professional, and fraternal organizations, and all other interested organizations and individuals, including the handicapped themselves, to participate in this observance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this eighteenth day of August in the year of our Lord nineteen hundred and sixty-six, and of [SEAL] the Independence of the United States of America the one hundred and ninety-first.

LYNDON B. JOHNSON

By the President:

GEORGE W. BALL,  
*Acting Secretary of State.*

### Proclamation 3737

#### CHILD HEALTH DAY, 1966

By The President of the United States of America

August 24, 1966

#### A Proclamation

A good start in life is essential to a child's physical and mental development and to the progress of our society.

The best start a baby can have is to be born healthy of healthy parents.

Almost one-half of our population is now under the age of twenty-five. The health of these children and young people will be a measure of the strength of our country in meeting its future challenges.

It is both our obligation and in our national interest to insure that all children and young parents are given the opportunity for good health.

The observance of a special day emphasizing child health serves to underscore our national concern for the well-being of the young people in our land.

To this end the Congress by a joint resolution of May 18, 1928, 45 Stat. 617, as amended (36 U.S.C. 143), has requested the President of the United States to issue annually a proclamation setting apart the first Monday in October as Child Health Day.

73 Stat. 627.

Child Health Day is also an appropriate time to observe a Universal Children's Day and to salute the work which the United Nations, through its specialized agencies, and the United Nations Children's Fund are doing to build better health for children around the world:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate Monday, October 3, 1966, as Child Health Day; and I invite all persons and all agencies and organizations interested in the health and welfare of youth to mark that day with activities which will help promote opportunities for all children to attain an adulthood that will be satisfying to them and will enhance their contribution to the progress of our society.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this twenty-fourth day of August in the year of our Lord nineteen hundred and sixty-six, [SEAL] and of the Independence of the United States of America the one hundred and ninety-first.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

### Proclamation 3738

#### NATIONAL FARM-CITY WEEK, 1966

By the President of the United States of America

#### A Proclamation

The productivity of our farms and the variety of goods and services that flow from our cities are jointly responsible for our flourishing national economy.

This industry and efficiency of our farm and city workers resulted in a gross national product last year of \$681 billion—a gross national product the yearly growth of which surpasses the entire national production of most other nations.

This economic progress, together with our population growth, will speed the inevitable intermingling of our towns and cities.

The challenges which will confront our people who live in the cities and those who live in the country will become more interrelated than ever before.

It is important that all our people dedicate themselves to the task of assuring that these changes in our rural and urban structure bring about a level of social and economic development commensurate with the potential of this Nation. Only in this way can we realize the hopes and advance the well-being of all our citizens and help others who are struggling for a better life in other parts of the world.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate the week of November 18 through November 24, 1966, as National Farm-City Week, and call upon citizens throughout the Nation to participate in observance of that week.

I request that leaders of farmers' organizations, business groups and labor unions, youth and women's clubs, civic associations, and all consumers join in this observance to increase public appreciation of the strong interests shared by rural and urban Americans.

August 25, 1966

I urge the Department of Agriculture, land-grant colleges and universities, the cooperative extension service, and all appropriate Government officials to cooperate with national, State, and local organizations in carrying out programs to observe National Farm-City Week, including public meetings and exhibits, and press, radio, and television features.

I urge that such programs emphasize:

- the growing interrelationship between rural and urban areas.
- the need for finding still better ways of using our rural and urban land resources.
- the national endeavor now moving forward with growing momentum to create a better total environment for all our citizens by opening the doors of opportunities to Americans wherever they live, and by removing the causes of poverty and ignorance.
- the importance of continuing to revitalize and beautify both countryside and city.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this twenty-fifth day of August in the year of our Lord nineteen hundred and sixty-six,  
 [SEAL] and of the Independence of the United States of America the one hundred and ninety-first.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

## Proclamation 3739

### INTERNATIONAL LITERACY DAY

By the President of the United States of America

August 30, 1966

#### A Proclamation

It is not difficult to test a man for literacy.  
 Ask him to write a simple message.  
 Or to read one.

Millions upon untold millions of persons cannot pass that test. Their communication with their fellow man is severely limited. Their intelligence is unformed by contact with the written word. They live out their lives in the darkness of ignorance.

Illiteracy is the greatest single barrier to economic and social progress in many of the countries of the world.

The people of Angola are 97 percent illiterate.  
 Rhodesia is 93 percent illiterate.  
 Haiti has the highest illiteracy rate in the Western Hemisphere—nearly 90 percent.

In Iraq, in Iran, in Bolivia and in many more countries the majority of men and women cannot read and write. Even in our own country where education is accorded its proper importance, there are three million illiterate adults.

September 8, 1966 is the first anniversary of an event which I believe was the turning point in the battle against illiteracy. On that date one year ago the World Congress of Ministers of Education convened in Tehran, Iran to consider the problem.

That Congress, made up in part by a delegation of distinguished statesmen and scholars sent by the United States Government, established the principles which now guide the highly commendable efforts of the United Nations Educational, Scientific, and Cultural Organization. Through experimental projects UNESCO is creating methods, techniques, and materials for full-scale literacy programs.

Here at home education is receiving concentrated attention. A partnership of Federal, State, and local authorities is working to provide America with an educational system commensurate with our position of world leadership. More than a dozen major pieces of education legislation enacted in the past three years have added greatly to the effectiveness of the partnership.

Our efforts for education of quality and equality extend to those adult citizens who have received little or no formal schooling. They are not discards of our society. They must share in its economic, social, and cultural benefits. New adult education programs will equip them to participate as fully as possible.

The work of the United States of America to eradicate ignorance does not stop at our shores. Nowhere in the world is the universal desire to eliminate illiteracy held more passionately than in this Nation which was founded on belief in the dignity, worth, and perfectibility of the individual. Our worldwide endeavors—individual, private, and governmental—are unsurpassed.

In recognition of the foregoing, the Congress has, by a joint resolution of August 27, 1966, authorized and requested the President to proclaim the 8th day of September 1966 as International Literacy Day:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby proclaim September 8, 1966, as International Literacy Day, and call upon the people of the United States to commemorate that day in ways most appropriate to the occasion and to reaffirm our strong desire to cooperate with national and international organizations, private groups, and individuals dedicated to the goal of eliminating the scourge of illiteracy.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 30th day of August in the year of our Lord nineteen hundred and sixty-six, and of [SEAL] the Independence of the United States of America the one hundred and ninety-first.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

**Proclamation 3740**  
**VETERANS DAY, 1966**

**By the President of the United States of America**

August 31, 1966

**A Proclamation**

Since the birth of the Republic, more than half a million Americans have died for their country on the field of battle. Millions more have placed themselves as a living shield between their country and her enemies, emerging unscathed through the benevolence of a merciful Creator.

We have set aside one day of the year to honor the dead and the living whose actions have testified to their courage and devotion to country. On Veterans Day, we honor their heroism, we give thanks for their sacrifice, and we share—if only briefly and inadequately—the grief of loved ones who survive them.

We have preserved our freedom only through the continued willingness of brave men and women to risk the sacrifice of their lives for its sake.

We honor those who wore that uniform in days past, and those who wear it today. Especially this year our thoughts go out to the hundreds of thousands who are resisting the forces of aggression and violence in Vietnam.

We can never repay our debt to them, for it is beyond price. But we can show our recognition of the gift they have made their country. We can pay tribute to the nobility of man, as it is expressed in a soldier's courage.

To this end, the Congress has designated the eleventh of November as a legal holiday to be known as Veterans Day and has dedicated it to the cause of world peace (Act of May 13, 1938, 52 Stat. 351, as amended (5 U.S.C. 87a)).

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, call upon the people of our Nation to observe Friday, November 11, 1966, as Veterans Day, commemorating the service of our veterans of past wars, and pledging our full support to the men and women of today who are continuing the struggle for freedom and peace for which so many have fought and died. Let us join with fervor in this observance.

I direct the appropriate officials of the Government to arrange for the display of the flag of the United States on all public buildings on this day. In order that this day may be marked and observed in accordance with its full purpose and meaning, I request officials of the Federal, State, and local governments, and civic and patriotic organizations, to give their enthusiastic leadership and support to appropriate public ceremonies throughout the Nation.

I also urge all citizens, and particularly students in our schools, colleges, and universities, and other younger citizens whose contemporaries now continue to support at great personal risk the ideals of freedom and peace, to take part in these ceremonies to demonstrate to all the world their support of those who fight today, as well as their homage to those who have borne the battle for these ideals in previous times.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 31st day of August in the year of our Lord nineteen hundred and sixty-six, and of the [SEAL] Independence of the United States of America the one hundred and ninety-first.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

### Proclamation 3741

#### TWENTIETH ANNIVERSARY OF UNESCO

By the President of the United States of America

#### A Proclamation

August 31, 1966

61 Stat. 2495.

On November 4, 1946, the United Nations Educational, Scientific, and Cultural Organization (UNESCO) officially came into being as one of the specialized agencies of the United Nations.

UNESCO was created for the purpose of contributing to peace and security "by promoting collaboration among the nations through education, science and culture in order to further universal respect for justice, for the rule of law and for the human rights and fundamental freedoms which are affirmed for the peoples of the world, without distinction of race, sex, language or religion, by the Charter of the United Nations."

Our Government was active in the founding of UNESCO. It has continued to support the Organization in its effort to create a climate in the world in which a just peace may prevail.

UNESCO has a critical role to play in bringing the educational techniques of the developed world to the newly emerging nations of man's family. Its mission should embrace the simplest teaching, and the most sophisticated arts and sciences of which our species is capable.

As we work to build in America a truly great society, it is with hope and satisfaction that we look upon the work of UNESCO in its effort to advance the common welfare of mankind:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby call to the attention of the people of the United States that November 4, 1966, is the Twentieth Anniversary of UNESCO and call upon them to observe the occasion with appropriate ceremonies and manifestations of support for the Organization.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 31st day of August in the year of our Lord nineteen hundred and sixty-six, and of the [SEAL] Independence of the United States of America the one hundred and ninety-first.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

**Proclamation 3742****NATIONAL CIVIL AIR PATROL DAY****By the President of the United States of America**September 6, 1966**A Proclamation**

WHEREAS December 1, 1966, marks the twenty-fifth anniversary of the Civil Air Patrol; and

WHEREAS the Civil Air Patrol has since its inception worked devotedly and with distinction for the development of aviation and the maintenance of air supremacy; and

WHEREAS the civilian volunteers of the Civil Air Patrol have given unstintingly of their time, their skills, their personal resources, and even their lives—most notably in the performance of search and rescue missions—to assist in meeting local and national emergencies and disasters; and

WHEREAS the Civil Air Patrol provides an outstanding example of the voluntary contribution of private citizens to the public welfare; and

WHEREAS the Congress has chartered the Civil Air Patrol, and has designated it as a volunteer civilian auxiliary of the United States Air Force; and

WHEREAS it is appropriate that public recognition be given to the invaluable service voluntarily rendered to this Nation by the Civil Air Patrol:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate December 1, 1966, as National Civil Air Patrol Day; and I call upon all of our citizens to observe that day with ceremonies and activities appropriate to the silver anniversary of the Civil Air Patrol.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this sixth day of September in the year of our Lord nineteen hundred and sixty-six, and of [SEAL] the Independence of the United States of America the one hundred and ninety-first.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

**Proclamation 3743****FURTHER IMPLEMENTING AGREEMENT CONCERNING AUTOMOTIVE PRODUCTS BETWEEN THE UNITED STATES AND CANADA****By the President of the United States of America**September 8, 1966**A Proclamation**

WHEREAS the United States and Canada on January 16, 1965, entered into an Agreement Concerning Automotive Products, which provides that Canada shall accord duty-free treatment to imports of

certain automotive products of the United States and that, after enactment of implementing legislation, the United States shall accord duty-free treatment to certain automotive products of Canada retroactively to the earliest date administratively possible following the date on which the agreement has been implemented by Canada (art. II, 89th Cong. 1st sess., H. Rep. 537, 38);

WHEREAS the agreement of January 16, 1965, was implemented by Canada through the granting of the requisite duty-free treatment to United States products on January 18, 1965;

19 USC 2011-  
2015.  
77A Stat. 3.

WHEREAS titles II and IV of the Automotive Products Trade Act of 1965 have been enacted to provide for modifications of the Tariff Schedules of the United States (19 U.S.C. 1202) to implement the agreement of January 16, 1965, such modifications to enter into force in the manner proclaimed by the President (79 Stat. 1016);

19 USC 2011,  
2013.

WHEREAS sections 201 and 203 of the Automotive Products Trade Act of 1965 authorize the President to proclaim such modifications of the Tariff Schedules of the United States as will provide for the duty-free treatment of Canadian articles which are original motor-vehicle equipment either if the modifications of such articles are set forth in title IV of that Act or if the President subsequently determines that the importation of the articles is actually or potentially of commercial significance and that such duty-free treatment is required by the agreement, such proclamation to provide for retroactive effect for such duty-free treatment as of the earliest date after January 17, 1965, which the President determines to be practicable;

79 Stat. 1513.

WHEREAS, by Proclamation No. 3682 of October 21, 1965 (30 F.R. 13683), the President pursuant to sections 201 and 203 proclaimed the modifications of the Tariff Schedules of the United States provided for in title IV of the Automotive Products Trade Act of 1965; and

19 USC note  
prec. 1202.

WHEREAS I determine (a) under subsection (b) of section 201 that the importation of the Canadian articles which are original motor-vehicle equipment and which are dutiable under TSUS items 688.04, 688.06, and 688.15 is actually or potentially of commercial significance and that duty-free treatment of such Canadian articles is required to carry out the agreement of January 16, 1965, and (b) under section 203 that the earliest date, after January 17, 1965, as of which it is practicable to give retroactive effect to this proclamation is January 18, 1965:

NOW, THEREFORE, I, LYNDON B. JOHNSON, under the authority vested in me by the Constitution and the statutes, particularly sections 201(b) and 203 of the Automotive Products Trade Act of 1965, do proclaim that the Tariff Schedules of the United States are modified by inserting in proper numerical sequence new items 688.05, 688.07, and 688.16, each such item having the article description "If Canadian article and original motor-vehicle equipment (see headnote 2, part 6B, schedule 6) . . . ." subordinate to the immediately preceding article description and having "Free" in rate of duty column numbered 1. Such modifications shall enter into force on the day following the date of this proclamation and shall be effective with respect to articles which are or have been entered for consumption, or for warehouse, on or after January 18, 1965.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this eighth day of September in the year of our Lord nineteen hundred and sixty-six, and of [SEAL] the Independence of the United States of America the one hundred and ninety-first.

LYNDON B. JOHNSON

By the President:

GEORGE W. BALL,  
*Acting Secretary of State.*

### Proclamation 3744

#### PROCLAMATION OF TRADE AGREEMENT WITH JAPAN PROVIDING COMPENSATORY CONCESSIONS

By the President of the United States of America

September 13, 1966

#### A Proclamation

1. WHEREAS, pursuant to Section 350 of the Tariff Act of 1930, the President, on October 30, 1947, entered into, and by Proclamation No. 2761A of December 16, 1947 (61 Stat. (pt. 2) 1103), proclaimed, the General Agreement on Tariffs and Trade (hereinafter referred to as "the General Agreement"), including a schedule of United States concessions, designated as Schedule XX, annexed thereto (61 Stat. (pt. 5) A1157), which Agreement, schedule, and proclamation have been supplemented by subsequent agreements, schedules, and proclamations;

19 USC 1351.

61 Stat. (pt. 5)  
A11.

2. WHEREAS, by Proclamation No. 3235 of April 21, 1958 (72 Stat. (pt. 2) C35) and by Proclamation No. 3323 of October 20, 1959 (74 Stat. C15), the President proclaimed increased rates of duty, pursuant to section 7 of the Trade Agreements Extension Act of 1951 (65 Stat. 74; 67 Stat. 472; 69 Stat. 166; 72 Stat. 676) and in accordance with Article XIX of the General Agreement (61 Stat. (pt. 5) A58; 8 U.S.T. (pt. 2) 1786), with respect to certain clinical thermometers and to certain stainless-steel flatware, respectively, and, by Proclamation No. 3513 of December 28, 1962 (77 Stat. 970) the President proclaimed concessions compensatory for such increased rates of duty, subject to the qualification that if Proclamation No. 3235 or Proclamation No. 3323 should be modified or terminated so as to result in a lowering of the increased rates of duty provided for therein, the United States and Japan would enter into negotiations or consultations with a view to reaching a mutually satisfactory adjustment of the balance of concessions under the General Agreement (13 U.S.T. (pt. 3) 3194);

19 USC 1364  
note.

3. WHEREAS, by Proclamation No. 3696 of January 7, 1966 (31 F.R. 421), the President terminated Proclamation No. 3235 and, by Proclamation No. 3697 of January 7, 1966 (31 F.R. 423), terminated Proclamation No. 3323, thereby terminating the increased rates of duty with respect to the clinical thermometers and reducing the increased rates of duty with respect to the stainless-steel flatware, respectively, identified in the second recital of this proclamation;

Ante, pp. 1752,  
1754.

19 USC note  
prec. 1202.

4. WHEREAS, after compliance with the requirements of Section 102 of the Tariff Classification Act of 1962 (76 Stat. 73), the President by Proclamation No. 3548 of August 21, 1963 (77 Stat. 1017), proclaimed, effective on and after August 31, 1963, the Tariff Schedules of the United States, which reflected, with modifications, and, in effect, superseded, Proclamation No. 2761A and proclamations supplementary thereto insofar as they relate to Schedule XX to the General Agreement;

76 Stat. 874.

5. WHEREAS, pursuant to Sections 221 and 224 of the Trade Expansion Act of 1962 (19 U.S.C. 1841 and 1844), the President, on October 21, 1963, published and furnished to the Tariff Commission lists of articles which may be considered for modification or continuance of duties or other import restrictions, or continuance of duty-free or excise treatment, in the negotiation of trade agreements, including the trade agreement with Japan identified in the tenth recital of this proclamation, compensating other nations for modifications or withdrawals of United States trade agreement concessions (48 CFR Part 180), and the Tariff Commission, after holding public hearings, has advised the President with respect to each such article of its judgment as to the probable economic effect of such modifications;

6. WHEREAS, pursuant to Sections 223 and 224 of the Trade Expansion Act of 1962 (19 U.S.C. 1843 and 1844) and in accordance with Section 3(g) of Executive Order No. 11075 of January 15, 1963 (48 CFR 1.3(g)), the Special Representative for Trade Negotiations, appointed by the President pursuant to Section 241(a) of the Trade Expansion Act of 1962 (19 U.S.C. 1871(a)), on April 23, 1963, designated the Trade Information Committee to afford an opportunity, through public hearings and other means, for any interested person to present his views concerning any article on the lists identified in the fifth recital of this proclamation or any other matter relevant to the trade agreement negotiations, including the negotiation of the trade agreement with Japan identified in the tenth recital of this proclamation (48 CFR Part 202), and the Trade Information Committee has furnished the President with a summary of its hearings;

7. WHEREAS, pursuant to Section 222 of the Trade Expansion Act of 1962 (19 U.S.C. 1842), the President has received information and advice with respect to the trade agreement with Japan identified in the tenth recital of this proclamation, from the Departments of Agriculture, Commerce, Defense, Interior, Labor, State, and the Treasury, and from such other sources as the President has deemed appropriate, and, pursuant to Section 241(b) of the Trade Expansion Act of 1962 (19 U.S.C. 1871(b)), the Special Representative for Trade Negotiations has received information and advice with respect to that agreement from representatives of industry, agriculture, and labor, and from such agencies as he has deemed appropriate;

8. WHEREAS, pursuant to Section 201(a)(1) of the Trade Expansion Act of 1962 (19 U.S.C. 1821(a)(1)), the Special Representative for Trade Negotiations has conducted negotiations on behalf of the President with Japan and other contracting parties to the General Agreement, in accordance with Article XXVIII of that Agreement (8 U.S.T. (pt. 2) 1790), with a view to the establishment of a new consolidated Schedule XX to that Agreement in terms of the Tariff Schedules of the United States, and has conducted negotiations with Japan with a view to reaching the mutually satisfactory adjustment of the balance of concessions referred to in the second recital of this proclamation;

9. WHEREAS, pursuant to Section 201(a) of the Trade Expansion Act of 1962, the President has determined that certain existing duties or other import restrictions of the United States or of foreign countries which are contracting parties to the General Agreement, were unduly burdening and restricting the foreign trade of the United States and that one or more of the purposes stated in Section 102 of the Trade Expansion Act of 1962 (19 U.S.C. 1801) would be promoted by entering into the trade agreement with Japan identified in the tenth recital of this proclamation;

76 Stat. 872.  
19 USC 1821.

10. WHEREAS, pursuant to Section 201(a) (1) of the Trade Expansion Act of 1962, I, through my duly empowered representative, have entered into a trade agreement with Japan entitled the "Interim Agreement between the Government of the United States of America and the Government of Japan Relating to the Renegotiation of Schedule XX (United States) to the General Agreement on Tariffs and Trade" (a copy of which is Appendix B to this proclamation<sup>1</sup>), which embodies the results of the negotiations with Japan as part of the negotiations under Article XXVIII of the General Agreement for the establishment of a new consolidated Schedule XX thereto in terms of the Tariff Schedules of the United States and of the negotiations with a view to reaching the mutually satisfactory adjustment of the balance of concessions referred to in the second recital of this proclamation;

3 UST 855.

8 UST 1790.

11. WHEREAS the trade agreement with Japan identified in the tenth recital of this proclamation, which is an agreement supplementary to the General Agreement, contains in annex II a schedule of concessions, to take effect as provided therein, in compensation for the impairment, arising out of the entry into force of the Tariff Schedules of the United States, of the rights of Japan in concessions in Schedule XX to the General Agreement, and provides that such concessions shall be applied as if they were included in a Schedule XX to the General Agreement pending the formal effectiveness of a new consolidated Schedule XX;

12. WHEREAS, pursuant to Section 254 of the Trade Expansion Act of 1962 (19 U.S.C. 1884), I have determined that, in the case of those modifications of existing duties proclaimed in this proclamation which reflect decreases in duties exceeding the limitations specified in Section 201(b) (1) or 253 of the Trade Expansion Act of 1962 (19 U.S.C. 1821(b) (1) or 1883), such decreases will simplify the computation of the amount of duty imposed with respect to the articles concerned; and

13. WHEREAS, pursuant to Section 201(a) (2) of the Trade Expansion Act of 1962, I determine that the modification or continuance of existing duties or other import restrictions, and the continuance of existing duty-free or excise treatment, hereinafter proclaimed, will be required or appropriate to carry out such trade agreement:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, acting under the authority vested in me by the Constitution and the statutes, including Section 201(a) (2) of the Trade Expansion Act of 1962, do proclaim that:

<sup>1</sup> Filed with Office of Federal Register as part of the original document.

(1) Subject to the applicable provisions of the trade agreement with Japan identified in the tenth recital of this proclamation and of the General Agreement and other agreements supplementary thereto, the modification or continuance of existing duties or other import restrictions, and the continuance of existing duty-free or excise treatment, provided for in the schedule in annex II to such agreement with Japan shall be effective as provided therein, and, as a result thereof.

(2) The Tariff Schedules of the United States shall be modified, effective on and after October 1, 1966, as provided for in Appendix A to this proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this thirteenth day of September in the year of our Lord nineteen hundred and sixty-six, and [SEAL] of the Independence of the United States of America the one hundred and ninety-first.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

**APPENDIX A**

**MODIFICATIONS OF THE TARIFF SCHEDULES OF THE UNITED STATES RESULTING FROM THE PROCLAMATION OF THE INTERIM AGREEMENT BETWEEN THE UNITED STATES AND JAPAN RELATING TO THE RENEGOTIATION OF SCHEDULE XX (UNITED STATES) TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE**

The rate in column numbered 1 for each item of the Tariff Schedules of the United States which is identified in the following table shall be superseded, effective on each date shown in such table, by the respective rate set forth therein opposite the number of such item:

T/SUS item	Rates of duty, effective with respect to articles entered, or withdrawn from warehouse, for consumption on and after October 1, —				
	1966	1967	1968	1969	1970
222.50	36% ad val.	32% ad val.	28% ad val.	24% ad val.	20% ad val.
535.31	28% ad val.	26% ad val.	24% ad val.	22% ad val.	20% ad val.
544.51	33% ad val.	31% ad val.	29% ad val.	27% ad val.	25% ad val.
648.97	21.5% ad val.	20.5% ad val.	19.5% ad val.	18.5% ad val.	17.5% ad val.
651.37	21.5% ad val.	20.5% ad val.	19.5% ad val.	18.5% ad val.	17.5% ad val.
652.80	17% ad val.	15% ad val.	13% ad val.	11% ad val.	9.5% ad val.
696.35	11% ad val.	10% ad val.	8.5% ad val.	7.5% ad val.	6% ad val.
703.70	17¢ per lb. + 14% ad val.	15¢ per lb. + 12.5% ad val.	13¢ per lb. + 11% ad val.	12¢ per lb. + 9.5% ad val.	10¢ per lb. + 8.5% ad val.
708.72	33% ad val.	31% ad val.	29% ad val.	27% ad val.	25% ad val.
709.40	10.5% ad val.	9.5% ad val.	8% ad val.	7% ad val.	6% ad val.
722.40	33% ad val.	31% ad val.	29% ad val.	27% ad val.	25% ad val.
737.50	41% ad val.	38% ad val.	35.5% ad val.	32.5% ad val.	30% ad val.
737.65	18% ad val.	16% ad val.	14% ad val.	12% ad val.	10% ad val.
737.80	41% ad val.	38% ad val.	35.5% ad val.	32.5% ad val.	30% ad val.
741.10	36% ad val.	32% ad val.	28% ad val.	24% ad val.	20% ad val.
745.70	48% ad val.	46% ad val.	44% ad val.	42% ad val.	40% ad val.
745.72	38% ad val.	36% ad val.	34% ad val.	32% ad val.	30% ad val.
756.04	48% ad val.	46% ad val.	44% ad val.	42% ad val.	40% ad val.
760.10	32¢ per gross + 30.5% ad val.	28¢ per gross + 29% ad val.	25¢ per gross + 27.5% ad val.	21¢ per gross + 26% ad val.	18¢ per gross + 25% ad val.
770.80	24% ad val.	23% ad val.	22% ad val.	21% ad val.	20% ad val.
773.05	16% ad val.	15% ad val.	14% ad val.	13% ad val.	12% ad val.

**Proclamation 3745****LEIF ERIKSON DAY, 1966****By the President of the United States of America**September 16, 1966**A Proclamation**

Leif Erikson, one of the great leaders of the heroic age of Nordic exploration, is a source of special inspiration to millions of Americans of Scandinavian descent. The Viking explorers of a thousand years ago left us an example of courage and daring that will never be forgotten. Their far-reaching voyages across frigid northern seas in small boats, guided by crude and primitive instruments of navigation, are a lasting testament to what man's bravery and determination can achieve.

Those ancient Nordic virtues are also part of our American heritage. For it was largely men and women of Norwegian, Swedish and Danish birth or descent who first broke through the tough sod of the American plains and brought agricultural abundance to the American prairies. Citizens bearing such names as Anderson, Magnuson, Lindburg, Ericson, Dahlgren, and Jackson are to be found among our greatest statesmen, soldiers, teachers, and scientists. They have enriched every aspect of our national life. All of them were in some degree inspired to their personal achievements by the example of the great Nordic hero, Leif Erikson.

It was for these reasons that the Congress of the United States, by a joint resolution approved September 2, 1964 (78 Stat. 849), authorized the President to proclaim October 9 in each year as Leif Erikson Day. I am happy and pleased to honor that request.

36 USC 169c.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate Sunday, October 9, 1966, as Leif Erikson Day; and I direct the appropriate Government officials to display the flag of the United States on all Government buildings on that day.

I also invite the people of the United States to honor the memory of Leif Erikson on that day by holding appropriate exercises and ceremonies in schools and churches, or other suitable places.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this sixteenth day of September in the year of our Lord nineteen hundred and sixty-six, and [SEAL] of the Independence of the United States of America the one hundred and ninety-first.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

**Proclamation 3746****NATIONAL ZIP CODE WEEK****By the President of the United States of America****A Proclamation**

America today is experiencing a "mail explosion" that is without precedent. Since 1940, our population has increased by 48 percent. At the same time, however, our mail volume has increased 171 percent.

We are now generating mail at the rate of 76 billion pieces a year—more than the rest of the world combined, and enough to fill a train of boxcars stretching from Boston to San Francisco.

We welcome this "mail explosion," for it is a sure sign of our national prosperity.

But the challenge of moving such vast amounts of mail—speedily and efficiently—is growing, too. Nineteenth century methods of handling and sorting will no longer suffice.

This is the real meaning of ZIP Code. It provides a twentieth century solution to a twentieth century problem.

Thanks to ZIP Code, volume mailers in the second and third class categories will soon be pre-sorting their mail before it enters the postal stream. This will reduce delays and will save the Post Office Department both manhours and money. We salute the business community for its support of this program.

I now call upon all Americans to demonstrate the spirit of whole-hearted cooperation that is needed to make the program an unqualified success.

ZIP-Coded mail will enable the Post Office Department to modernize its operations and keep abreast of advancing technology. It will enable the Department to absorb the additional two billion pieces of mail that we generate each year. And it will help the government to contain costs—costs that, ultimately, are borne by the taxpayers.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate the period of October 10 through October 15, 1966, as National ZIP Code Week. I call upon all persons and all business, civic, educational, and service organizations to join in the observance of that week with appropriate ceremonies in which each of us may contribute to a stronger and more efficient postal service by

—learning and using ZIP Code numbers, both in destination and return addresses;

—encouraging our friends, neighbors, and associates to do the same;

—participating in activities to promote the widest possible use of ZIP Code by all persons.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this twentieth day of September in the year of our Lord nineteen hundred and sixty-six, and [SEAL] of the Independence of the United States of America the one hundred and ninety-first.

LYNDON B. JOHNSON

By the President:

GEORGE W. BALL,  
*Acting Secretary of State.*

**Proclamation 3747****GENERAL PULASKI'S MEMORIAL DAY, 1966****By the President of the United States of America**September 21, 1966**A Proclamation**

This year marks the one hundred and eighty-seventh anniversary of the heroic death of Casimir Pulaski. A Polish patriot in exile, he offered his services to the Continental Army and, in valiant defense of freedom, gave his life to America in our war for independence.

General Pulaski was acclaimed by the Congress and the people for his brilliant military leadership at Brandywine and awarded the rank of brigadier general.

Later, he formed and led an independent corps of cavalry and light infantry known as Pulaski's Legion. He died of wounds received while leading a cavalry charge during the siege of Savannah, Georgia.

In this Millennial Year, as we observe the One Thousandth Anniversary of Polish Nationhood and Culture, it is especially fitting that we again honor the deeds of this gallant Polish soldier who served our Nation in its infancy. In so doing, we acknowledge gratefully the many contributions with which our citizens of Polish heritage have enriched American culture and aided the progress of our Nation.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate Tuesday, October 11, 1966, as General Pulaski's Memorial Day; and I direct the appropriate Government officials to display the flag of the United States on all Government buildings on that day. I also invite the people of the United States to observe the day with appropriate ceremonies in honor of the memory of General Pulaski and his dedication to the defense of liberty.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this twenty-first day of September in the year of our Lord nineteen hundred and sixty-six and [SEAL] of the Independence of the United States of America the one hundred and ninety-first.

LYNDON B. JOHNSON

By the President:

GEORGE W. BALL,  
*Acting Secretary of State.*

**Proclamation 3748**  
**COLUMBUS DAY, 1966**

September 22, 1966

**By the President of the United States of America**

**A Proclamation**

There is something of Christopher Columbus in every American. Secure and prosperous as the nation is, it nevertheless retains something of the adventurous spirit which inspired the great mariner to explore the mystery of unknown seas.

We no longer brave the sea in frail wooden ships. We no longer face the hostility of superstitious men convinced the world is flat. Yet not all our frontiers are conquered. The American adventure is not over.

New shores of promise await those who, like Columbus, push on undaunted by the failures of the past or fear of the uncharted future.

Columbus's vision and daring, and that of the courageous men who followed him, brought European civilization to the New World. His conquest of the Atlantic—the "outer space" of the fifteenth century—is as meaningful to Americans of the space age as it was to our forefathers who pushed across the vast expanses of this continent.

Thus we honor Columbus not only as a voyager but also as a symbol of the long tradition of Italian enlightenment. From Galileo to Enrico Fermi, Italians have been in the vanguard of those dedicated to expanding man's knowledge of his universe.

Millions of Americans are bound to Italy by ties of blood, and all Americans are the spiritual heirs of the Italian genius which has enriched the quality of our national life.

As we honor the first Italian-American, we honor all the others who came after.

In recognition of our debt to Columbus, the Congress of the United States, by a joint resolution approved April 30, 1934, requested the President to proclaim October 12 of each year as Columbus Day for the observance of the anniversary of the discovery of America:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate Wednesday, October 12, 1966 as Columbus Day; and I invite the people of this Nation to observe that day in schools, churches, and other suitable places with appropriate ceremonies in honor of this great explorer.

I also direct that the flag of the United States be displayed on all public buildings on the appointed day in memory of Christopher Columbus.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this twenty-second day of September in the year of our Lord nineteen hundred and [SEAL] sixty-six, and of the Independence of the United States of America the one hundred and ninety-first.

LYNDON B. JOHNSON,  
THE WHITE HOUSE,  
September 22, 1966.

By the President:

GEORGE W. BALL,  
*Acting Secretary of State.*

**Proclamation 3749****WHITE CANE SAFETY DAY, 1966****By the President of the United States of America**September 30, 1966**A Proclamation**

In our Nation, the white cane is the symbol of the independent blind person, able to come and go on his own. For motorists in our streets and highways, the white cane also represents a caution sign—a reminder that it is upon their courtesy and consideration that the safety of blind persons depends.

To make our people more fully aware of the significance of the white cane, and to encourage motorists to exercise caution and courtesy when approaching persons carrying a white cane, the Congress, by a joint resolution approved October 6, 1964 (78 Stat. 1003), has authorized the President to issue annually a proclamation designating October 15 as White Cane Safety Day.

36 USC 169d.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby proclaim October 15, 1966, as White Cane Safety Day.

I urge civic and service organizations, schools, public bodies, and the media of public information in every community to join in observing White Cane Safety Day with activities which will promote greater awareness of the significance of the white cane and thereby contribute to the safety and welfare of our blind persons.

I call upon all our citizens to join individually in this observance, that blind persons in our society may continue to enjoy the greatest possible measure of personal independence.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this thirtieth day of September in the year of our Lord nineteen hundred and sixty-six, and [SEAL] of the Independence of the United States of America the one hundred and ninety-first.

LYNDON B. JOHNSON

By the President:

GEORGE W. BALL,  
*Acting Secretary of State.*

**Proclamation 3750****NATIONAL DAY OF PRAYER, 1966****By the President of the United States of America****A Proclamation**

Abraham Lincoln spoke these words in 1865:

“With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive to finish the work we are in, to bind up the nation’s wounds, to care for him who shall have borne the battle and for his widow and his orphan, to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations.”

Now, once again, we are engaged in a struggle that demands our courage, that tests our will, that asks us to persevere through a time of hostile uncertainty.

We pray for an end to that struggle, for a time of healing, in which we and all other nations may turn our hands to the work of building and planting, of teaching and caring.

We pray for God’s guidance through the storm of conflict, for His wisdom in the search for peace, for His mercy and forgiveness toward all men, friend and foe.

Congress has provided that the President shall set aside a day each year as a National Day of Prayer, “on which the people of the United States may turn to God in prayer and meditation at churches, in groups and as individuals.”

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby set aside Wednesday, October 19, 1966, as a National Day of Prayer.

On that day, each according to his own custom and in his own faith, let us

- Recognize our dependence upon Almighty God.
- Express thanksgiving for the blessings He has bestowed upon us.
- Examine our hearts in the light of His word; end the brutal divisions between His children.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this first day of October in the year of our Lord nineteen hundred and sixty-six, and of the [SEAL] Independence of the United States of America the one hundred and ninety-first.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

**Proclamation 3751****NATIONAL FOREST PRODUCTS WEEK, 1966****By the President of the United States of America**

October 7, 1966

**A Proclamation**

In the mighty forests of this Nation our people have an inheritance of majestic beauty which is both a material and a spiritual resource.

With the application of expanding scientific knowledge and technological advances, these forest resources—both public and private—yield a variety of products which contribute a large measure of our Nation's wealth, prosperity, and security.

**Our forests**

- sustain a vast complex of industries which employ a large segment of our population and contribute to the economic and social improvement of our forested rural areas.
- protect our water supply and our wildlife.
- provide unmatched opportunities for both physical recreation and spiritual uplift.

The Congress, in order to reemphasize the importance and heritage of our forest resources, has by a joint resolution of September 13, 1960 (74 Stat. 898), designated the seven-day period beginning on the third Sunday of October in each year as National Forest Products Week, and has requested the President to issue annually a proclamation calling for the observance of that week.

36 USC 163.

NOW; THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, call upon the people of the United States to observe the week beginning October 16, 1966, as National Forest Products Week, with activities and ceremonies designed to direct public attention to the essential role that our forest resources play in stimulating the advancement of our rural economy and in the continued growth and prosperity of the entire Nation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this seventh day of October in the year of our Lord nineteen hundred and sixty-six, and of the [SEAL] Independence of the United States of America the one hundred and ninety-first.

LYNDON B. JOHNSON

By the President:

NICHOLAS DEB. KATZENBACH,  
*Acting Secretary of State.*

**Proclamation 3752****THANKSGIVING DAY, 1966****By the President of the United States of America**October 17, 1966**A Proclamation**

They came in tiny wooden ships. On an unknown and alien shore, they planted and built, settled and survived. Then they gave solemn thanks to God for His goodness and bounty. America, well over 300 years ago, had its first Thanksgiving Day.

For many years your Presidents have had the opportunity to proclaim Thanksgiving Day, to address themselves to the American people, to remind us of the blessings we enjoy and the thanks that we owe.

If we consider the fervor with which those colonists in Virginia and Massachusetts gave thanks, when they had so little, we are taught how much deeper should our thanks be—when we have so much.

Never, in all the hundreds of Thanksgiving Days, has our nation possessed a greater abundance, not only of material things but of the precious intangibles that make life worth living.

Never have we been better fed, better housed, better clothed. Never have so many Americans been earning their own way, and been able to provide their families with the marvelous products of a momentous age.

Nor has America ever been healthier, nor had more of her children in school and in college. Nor have we ever had more time for recreation and refreshment of the spirit, nor more ways and places in which to study and to enrich our lives through the arts.

Never have our greatest blessings—our freedoms—been more widely enjoyed by our people. Nor have we ever been closer to the day when every American will have an equal opportunity and an equal freedom.

No, we do not yet have peace in the world. Our men are engaged again, as they have been on so many other Thanksgivings, on a foreign field fighting for freedom. But we can be thankful for their strength that has always kept our liberty secure. We can be thankful for our science and technology that helps to guard our America.

Thanks are better spoken by deed rather than word. Therefore, it behooves a grateful America to share its blessings with our brothers abroad, with those who have so little of the abundance that is ours.

Simple justice and a concern for our fellow man require that we be ready to offer what we can of our food, our resources, our talents, our energies, our skills, and our knowledge to help others build a better life for themselves.

We should thank God that we are able.

Let us, therefore, in this splendid American tradition, thank Him who created us and all that we have. Let us do so with a firm resolve to be worthy of His abundant blessings. Let us assemble in our homes and in our places of worship, each in his own way.

Let us thank God for the America we are so fortunate to know.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, in consonance with Section 6103 of Title 5 of the United States Code designating the fourth Thursday of November in each year as Thanksgiving Day, do hereby proclaim Thursday, November 24, 1966, as a day of national thanksgiving.

*Ante, p. 515.*

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this seventeenth day of October in the year of our Lord nineteen hundred and sixty-six, and [SEAL] of the Independence of the United States of America the one hundred and ninety-first.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*



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