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[CHAPTER 1122]

AN ACT

September 30, 1950
[H. R. 6355]
[Public Law 872]

To provide for the conveyance of certain real property to the city of Richmond, California.

Richmond, Calif.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce is authorized for $1 and other consideration to convey to the city of Richmond, of Contra Costa County, California, all right, title, and interest of the United States in and to that strip of land in sections 13 and 24, township 1 north, range 5 west, Mount Diablo base and meridian, Contra Costa County, California, being an improved roadway running a distance of about one mile from Cutting Boulevard, city of Richmond, to the Maritime-Richmond Shipyard Numbered 3 and described as follows:

Beginning at a point where the southerly prolongation of the east line of Esmeralda Street intersects the south line of Cutting Boulevard; thence westerly thereon forty-eight and five-tenths feet to the true point of beginning, said true point of beginning also being distant easterly on said south line of Cutting Boulevard seven hundred thirty-one and five-tenths feet from the northwest corner of parcel numbered 1 as shown on that certain map entitled "Map of Harbor Tract", which map was filed on February 28, 1933, in the office of the Recorder of Contra Costa County, State of California, in volume 22 of maps, page 619, said south line of Cutting Boulevard being also the north line of parcel numbered 1; all of which as shown on a map entitled "Map Numbered 1, the Canal Subdivision", being a portion of the final partition of the San Pablo Rancho, Contra Costa County, California, filed July 6, 1907, in map book 1, page 8, in the office of said county recorder.

Thence starting at the true point of beginning and running as follows: South no degrees thirteen minutes thirty seconds west a distance of one thousand two hundred fifty-nine and sixteen one-hundredths feet to the start of a curve to the left having a central angle of fifty-seven degrees twenty-eight minutes eleven seconds a radius of six hundred sixteen and three hundred five one-thousandths feet and a distance along the arc of six hundred eighteen and eighteen one-hundredths feet; thence south fifty-seven degrees fourteen minutes forty-one seconds east tangent to said curve a distance of one thousand five hundred forty-five and sixty one-hundredths feet to the start of a curve to the right of having a central angle twenty-five degrees fifty-three minutes fifteen seconds a radius of five hundred ninety-one and three hundred five one-thousandths feet a distance along the arc of two hundred sixty-seven and sixteen one-hundredths feet; thence south thirty-one degrees twenty-one minutes twenty-six seconds east tangent to said curve a distance of one thousand three hundred forty and fifty-nine one-hundredths feet to the north boundary of Maritime Richmond Shipyard. Said north boundary of shipyard being northerly boundary of parcel described as parcel 4 of Condemnation Proceeding 22127R; thence westerly along said north boundary of shipyard a distance of one hundred sixteen and ninety-seven one-hundredths feet; thence north thirty-one degrees twenty-one minutes twenty-six seconds west a distance of one thousand two hundred seventy-nine and sixty-five one-hundredths feet to the start of a curve to the left having a central angle twenty-five degrees fifty-three minutes fifteen seconds a radius of four hundred ninety-one and three hundred five one-thousandths feet, and a distance along the arc of two hundred twenty-one and ninety-eight one-hundredths feet; thence north fifty-seven degrees fourteen minutes forty-one seconds west tangent to said curve

a distance of one thousand five hundred forty-five and sixty one-hundredths feet to the start of a curve to the right having a central angle of fifty-seven degrees twenty-eight minutes eleven seconds, a radius of seven hundred sixteen and three hundred five one-thousandths and a distance along the arc of seven hundred eighteen and forty-eight one-hundredths feet; thence north no degrees thirteen minutes thirty seconds east tangent to said curve a distance one thousand two hundred fifty-nine and sixteen one-hundredths feet to the southerly side of Cutting Boulevard; thence along said southerly side of Cutting Boulevard south eighty-nine degrees forty-six minutes thirty seconds east a distance of one hundred feet to the true point of beginning.

Mineral rights reserved.

There shall be reserved to the United States in the conveyance of the land described all oil, gas, coal, and other mineral deposits in the land, including all materials determined pursuant to section 5 (b) (1) of the Atomic Energy Act of 1946 (60 Stat. 761), to be peculiarly essential to the production of fissionable material, together with the right to prospect for, mine, and remove the same.

42 U. S. C. § 1805 (b) (1).

Use of land, etc.,

SEC. 2. The land conveyed pursuant to the provisions of this Act shall be used only as a public highway and for no other purpose, except as the said land may otherwise be incumbered on the date of conveyance to the city of Richmond hereunder, and the conveyance herein authorized shall be made upon the express condition that if the land is abandoned for such use for a period of six months or more or if the land shall be used for other purposes, the conveyance shall be held to be forfeited and the title shall revert to the United States: *Provided*, That in the event it becomes necessary for the United States to reacquire title to the lands herein conveyed, for the defense and security of the United States, the United States may reacquire such title by payment to the city of Richmond or its successor to such title the sum of $1 plus the fair and reasonable value to the United States of such improvements as may later be made upon such lands by the city of Richmond or its successor to such title.

Reacquisition.

SEC. 3. The conveyance authorized herein shall include all right and title of the Secretary of Commerce in and to that certain personalty now installed within the bed of the said Central Drive, to wit: Approximately three thousand seven hundred feet of twelve-inch steel pipe, being a water main; and approximately five thousand and ninety feet of six-inch steel pipe, being a gas main.

Maintenance of highway, etc.

SEC. 4. In consideration of the conveyance authorized in section 1 hereof, the city of Richmond at all times will maintain the said public highway to provide and permit perpetual access to the said Maritime-Richmond Yard Numbered 3 via said highway for all purposes, and will perpetually provide and permit a continuous and uninterrupted adequate supply of water and gas to the said Maritime-Richmond Yard Numbered 3 in such quantities and in such volumes as shall from time to time be required in the maintenance, operation, and use of said yard by the Secretary of Commerce, his lessees, successors and assigns, via said pipes and pipelines underlying said highway as the same now are and are now located or as the same may hereafter be replaced or hereafter located.

SEC. 5. In the event that the city of Richmond transfers or conveys or otherwise disposes of the right, title, and interest in and to the aforesaid personalty or permits the use thereof to others, whether by lease, permit, or otherwise, the city of Richmond shall bind itself, its successors and assigns, its lessees and permittees to perpetually provide, in the event of such conveyance, or to provide throughout the full term of such lease or permit, or other use by others, a continuous and uninterrupted adequate supply of water and gas to the said

Maritime-Richmond Yard Numbered 3 in such quantities and in such volumes as shall from time to time be required in the maintenance, operation, and use of said yard by the Secretary of Commerce, his lessees, successors and assigns, via said pipes and pipelines underlying said highway as the same now are and are now located or as the same may hereafter be replaced or hereafter located.

Approved September 30, 1950.

[CHAPTER 1123]

AN ACT

September 30, 1950
[H. R. 7824]
[Public Law 873]

To provide for the administration of performance-rating plans for certain officers and employees of the Federal Government, 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 "Performance Rating Act of 1950".

Performance Rating Act of 1950.

"Department."

SEC. 2. (a) For the purposes of this Act, the term "department" includes (1) the executive departments; (2) the independent establishments and agencies in the executive branch, including corporations wholly owned by the United States; (3) the Administrative Office of the United States Courts; (4) the Library of Congress; (5) the Botanic Garden; (6) the Government Printing Office; (7) the General Accounting Office; and (8) the municipal government of the District of Columbia.

Nonapplicability.

(b) This Act shall not apply to—

(1) the Tennessee Valley Authority;

(2) the field service of the Post Office Department;

(3) physicians, dentists, nurses, and other employees in the Department of Medicine and Surgery in the Veterans' Administration whose compensation is fixed under Public Law 293, Seventy-ninth Congress, approved January 3, 1946;

59 Stat. 675.
38 U. S. C. §§ 15-15n; Sup. III, § 15b *et seq.*
Ante, pp. 18, 594.

(4) the Foreign Service of the United States under the Department of State;

(5) Production credit corporations;

(6) Federal intermediate credit banks;

(7) Federal land banks;

(8) Banks for cooperatives;

(9) officers and employees of the municipal government of the District of Columbia whose compensation is not fixed by the Classification Act of 1949 (Public Law 429, Eighty-first Congress, approved October 28, 1949);

63 Stat. 954.
5 U. S. C., Sup. III, § 1071 note.
Ante, pp. 232, 262; *post*, p. 1100.

(10) the Atomic Energy Commission;

(11) employees outside the continental limits of the United States who are paid in accordance with local native prevailing wage rates for the area in which employed.

Performance-rating plans.

SEC. 3. For the purpose of recognizing the merits of officers and employees, and their contributions to efficiency and economy in the Federal service, each department shall establish and use one or more performance-rating plans for evaluating the work performance of such officers and employees.

SEC. 4. No officer or employee of any department shall be given a performance rating, regardless of the name given to such rating, and no such rating shall be used as a basis for any action, except under a performance-rating plan approved by the Civil Service Commission as conforming with the requirements of this Act.

SEC. 5. Performance-rating plans required by this Act shall be as simple as possible, and each such plan shall provide—

(1) that proper performance requirements be made known to all officers and employees;

(2) that performance be fairly appraised in relation to such requirements;