Public Law 85-606

August 8, 1958
[H. R. 7576]

AN ACT

To further amend the Federal Civil Defense Act of 1950, as amended, and for other purposes.

Federal Civil Defense Act of 1950, amendments; Federal-State responsibility.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Civil Defense Act of 1950 (64 Stat. 1245; 50 U. S. C. App. 2251 and the following), as amended, is hereby further amended as follows:

SEC. 2. Section 2 of the Act is amended by striking out said section and substituting the following therefor:

"It is the sense of the Congress that the defense of the United States, in this thermonuclear age, can best be accomplished by enacting into law the measures set forth in this Act. It is the policy and intent of Congress to provide a system of civil defense for the protection of life and property in the United States from attack. It is further declared to be the policy and intent of the Congress that the responsibility for civil defense shall be vested jointly in the Federal Government and the several States and their political subdivisions. The Federal Government shall provide necessary direction, coordination, and guidance; shall be responsible for the operation of the Federal Civil Defense Administration as set forth in this Act; and shall provide necessary assistance as herein authorized."

Travel expenses. 50 USC app. 2281.

SEC. 3. Section 201 of the said Act is amended as follows:

(a) Subsection (e) of the said section, as amended, is further amended as follows:

(1) Strike the word "*Provided*" where it first appears and insert in lieu thereof the words "*Provided further*".

(2) By inserting the following proviso after the words "and training aids as deemed necessary": "*Provided*, That the terms prescribed by the Administrator for the payment of travel expenses and per diem allowances authorized by this subsection shall include a provision that such payment shall not exceed one-half of the total cost of such expenses: *Provided further*, That the authority to pay travel and per diem expenses of students as authorized by this subsection shall terminate on June 30, 1964."

Repeal.

(3) Section 2 of the Act of August 2, 1956 (70 Stat. 949), is repealed.

Materials and facilities.

(b) Subsection (h) of the said section is amended by substituting a colon for the period at the end thereof and adding the following proviso: "*Provided further*, That until June 30, 1964, the Administrator is authorized to procure and maintain under this subsection radiological instruments and detection devices, protective masks, and gas detection kits, and distribute the same by loan or grant to the States for civil defense purposes, under such terms and conditions as the Administrator shall prescribe."

Financial aid.

(c) Subsection (i) of the said section is amended as follows:

(1) The first proviso of said subsection is amended by striking out the proviso and substituting the following therefor: "*Provided*, That no contributions shall be made for the procurement of land: *Provided further*, That after June 30, 1964, no contribution shall be made for the purchase of personal equipment for State or local civil defense workers:"

Report to Congress.

(2) The said subsection is further amended by striking out the eighth proviso and all the remainder of the said subsection except the words: "*Provided*, That the Administrator shall report not less often than quarterly to the Congress all contributions made pursuant to this subsection."

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(3) The said subsection is further amended by striking out the period at the end thereof and inserting a colon and the following: "*Provided further*, That all laborers and mechanics employed by contractors or subcontractors in the performance of construction work financed with the assistance of any contribution of Federal funds made by the Administrator under the provisions of this section 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 the workweek, as the case may be. The Administrator shall make no contribution of Federal funds without first obtaining adequate assurance that these labor standards will be maintained upon the construction work. The Secretary of Labor shall have, with respect to the labor standards specified in this proviso, 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))."

Laborers and mechanics.
Prevailing wage rates.

SEC. 4. Title II of said Act is amended by adding the following new section thereto:

64 Stat. 1248.
50 U S C app. 2281-2284.

"SEC. 205. To further assist in carrying out the purposes of this Act, the Administrator is authorized to make financial contributions to the States (including interstate civil defense authorities established pursuant to section 201 (g) of this Act) for necessary and essential State and local civil defense personnel and administrative expenses, on the basis of approved plans (which shall be consistent with the national plan for civil defense approved by the Administrator) for the civil defense of the States: *Provided*, That the financial contributions to the States for the purposes of this section shall not exceed one-half of the total cost of such necessary and essential State and local civil defense personnel and administrative expenses.

States, personnel, etc.

Limitation.

"(a) Plans submitted under this section shall

Submission of plans.

"(1) provide, pursuant to State law, that the plan shall be in effect in all political subdivisions of the State and be mandatory on them, and be administered or supervised by a single State agency;

"(2) provide that the State shall share the financial assistance with that provided by the Federal Government under this section from any source determined by it to be consistent with State law;

"(3) provide for the development of State and local civil defense operational plans, pursuant to standards approved by the Administrator;

"(4) provide for the employment of a full-time civil defense director, or deputy director, by the State, and for such other methods of administration, including methods relating to the establishment and maintenance of personnel standards on the merit basis (except that the Administrator shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods) as the Administrator shall find to be necessary and proper for the operation of the plan;

"(5) provide that the State shall make such reports in such form and content as the Administrator may require;

"(6) make available to duly authorized representatives of the Administrator and the Comptroller General, books, records, and papers necessary to conduct audits for the purposes of this section.

"(b) The Administrator shall establish such other terms and conditions as he may deem necessary and proper.

50 USC app. 2281. Infra.

"(c) In carrying out the provisions of this section, the provisions of section 201 (g) and 401 (h) of this Act shall apply.

"(d) For each fiscal year concerned, the Administrator shall allocate to each State, in accordance with his regulations and the total sum appropriated hereunder, amounts to be made available to the States for the purposes of this section. Regulations governing allocations to the States shall give due regard to (1) the criticality of the target and support areas with respect to the development of the total civil defense readiness of the Nation, (2) the relative state of development of civil defense readiness of the State, (3) population, and (4) such other factors as the Administrator shall prescribe: *Provided*, That the Administrator may reallocate the excess of any allocation not utilized by a State in an approvable plan submitted hereunder: *Provided further*, That amounts paid to any State or political subdivision under this section shall be expended solely for the purposes set forth herein;

"(e) In the event a State fails to submit an approvable plan as required by this section within sixty days after the Administrator notifies the States of the allocations hereunder, the Administrator may reallocate such funds, or portions thereof, among the other States in such amounts as, in his judgment will best assure the adequate development of the civil defense capability of the Nation.

Report to Congress.

"(f) The Administrator shall report annually to the Congress all contributions made pursuant to this section.

"(g) As used in this Act, the term 'State' shall include interstate civil defense authorities established under section 201 (g).

"(h) The provisions of this section terminate on June 30, 1964."

Noncompliance. 50 USC app. 2253.

SEC. 5. Section 401 of the Act is amended by adding the following new subsection thereto:

"(h) when, after reasonable notice and opportunity for hearing to the State, or other person, he finds that there is a failure to expend funds in accordance with the regulations, terms, and conditions established under this Act for approved civil defense plans, programs, or projects, notify such State or person that further payments will not be made to the State or person from appropriations under this Act (or from funds otherwise available for the purposes of this Act for any approved plan, program, or project with respect to which there is such failure to comply) until the Administrator is satisfied that there will no longer be any such failure. Until he is so satisfied, the Administrator shall either withhold the payment of any financial contribution to such State or person, or limit payments to those programs or projects with respect to which there is substantial compliance with the regulations, terms, and conditions governing plans, programs, or projects hereunder: *Provided*, That person as used in this subsection, means the political subdivision of any State or combination or group thereof; or any interstate civil defense authority established pursuant to subsection 201 (g); or any person, corporation, association, or other entity of any nature whatsoever, including but not limited to, instrumentalities of States and political subdivisions."

50 USC app. 2281.

Appropriations. 50 USC app. 2260.

SEC. 6. Section 408 of the Act is amended by striking the period at the end thereof and inserting a colon and the following: "*Provided further*, That appropriations for the payment of travel and per diem expenses for students under section 201 (e) shall not exceed $300,000 per annum; appropriations for expenditures under the fourth proviso of section 201 (h) (donation of radiological instruments, et cetera)

50 USC app. 2281.

shall not exceed $35,000,000 per annum; appropriations for contribution to the States for personal equipment for State and local workers, under section 201 (i) shall not exceed $2,000,000 per annum; appropriations for contributions to the States for personnel and administrative expenses under section 205 shall not exceed $25,000,000 per annum."

50 USC app. 2281.
Ante, p. 533.

SEC. 7. Title IV of the Act is amended by adding the following new section thereto:

50 USC app. 2253 *et seq.*

"APPLICABILITY OF REORGANIZATION PLAN NUMBERED 1

"SEC. 413. The applicability of Reorganization Plan Numbered 1 of 1958 (23 F. R. 4991) shall extend to any amendment of this Act except as otherwise expressly provided in such amendment."

Post, p. 1799.

Approved August 8, 1958.

Public Law 85-607

AN ACT

August 8, 1958
[H. R. 7898]

To revise the authorization with respect to the charging of tolls on the bridge across the Mississippi River near Jefferson Barracks, Missouri.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any provision to the contrary contained in the Act entitled "An Act authorizing the county of Saint Louis, State of Missouri, to construct, maintain, and operate a toll bridge across the Mississippi River near Jefferson Barracks, Missouri", approved August 7, 1939 (53 Stat. 1257), authority is hereby granted to the county of Saint Louis, State of Missouri, to fix and charge tolls, in accordance with the provisions of this Act, for transit over the bridge constructed pursuant to such Act of August 7, 1939 (hereinafter referred to as the "Jefferson Barracks Bridge").

Bridge. Jefferson, Barracks, Mo.

SEC. 2. The rates of the tolls authorized by the first section of this Act shall be so adjusted that the amounts collected from the tolls on the Jefferson Barracks Bridge together with the amounts collected from the tolls imposed on not more than one additional bridge hereafter to be constructed by such county adjacent to the Jefferson Barracks Bridge and across the Mississippi River, will provide (1) a fund sufficient to pay the cost of the maintenance and operation of both such bridges, and (2) a sinking fund sufficient to amortize (a) any unamortized cost of the Jefferson Barracks Bridge and approaches thereto and the cost of any reconstruction or improving of the Jefferson Barracks Bridge, (b) the cost of constructing such additional bridge and the approaches thereto, and (c) interest and financing costs, within a period of not more than thirty years after the date such reconstruction and improvement, or construction, is commenced, whichever first occurs. After there has been collected from such tolls an amount sufficient to provide such funds, both such bridges shall be maintained and operated free of tolls.

Use of tolls.

SEC. 3. The reconstruction or improvement of the Jefferson Barracks Bridge and construction of the additional bridge and approaches pursuant to section 2 of this Act shall be commenced not later than July 1, 1960, and shall be completed within three years after such date.

Commencement and completion date.

Approved August 8, 1958.