Public Law 86-585

AN ACT

July 5, 1960
[H. R. 10695]

To provide for the rotation in overseas assignments of civilian employees under the Defense Establishment having career-conditional and career appointments in the competitive civil 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 81 of title 10 of the United States Code is amended by adding at the end thereof the following new section:

Federal employees.
Overseas rotation.
10 USC 1581-1585.

"§ 1586. Rotation of career-conditional and career employees assigned to duty outside the United States

"(a) In order to advance the programs and activities of the Defense Establishment, it is hereby declared to be the policy of the Congress to facilitate the interchange of civilian employees of the Defense Establishment between posts of duty in the United States and posts of duty outside the United States through the establishment and operation of programs for the rotation, to the extent consistent with the missions of the Defense Establishment and sound principles of administration, of such employees who are assigned to duty outside the United States.

"(b) Notwithstanding any other provision of law, the Secretary of Defense with respect to civilian employees of the Department of Defense other than employees of a military department, and the Secretary of each military department with respect to civilian employees of such military department, may, under such regulations as each such Secretary may prescribe with respect to the employees concerned and in accordance with the policy and other provisions of this section, establish and operate programs of rotation which provide for the granting of the right to return to a position in the United States to each civilian employee in the department concerned—

"(1) who, while serving under a career-conditional or career appointment in the competitive civil service, is assigned at the request of the department concerned to duty outside the United States,

"(2) who satisfactorily completes such duty, and

"(3) who applies, not later than thirty days after his completion of such duty, for the right to return to a position in the United States as provided by subsection (c) of this section.

The Secretary of the department concerned may provide by regulation for the waiver of the provisions of paragraphs (2) and (3) of this subsection, or of either of such paragraphs, in those cases in which the application of such paragraphs, or either of them, would be against equity and good conscience or against the public interest.

"(c) The right to return to a position in the United States granted under this section shall be without reduction in the seniority, status, and tenure held by the employee immediately before his assignment to duty outside the United States and the employee shall be placed, not later than thirty days after the date on which he is determined to be immediately available to exercise such right, in accordance with the following provisions:

"(1) The employee shall be placed in the position which he held immediately before his assignment to duty outside the United States, if such position exists.

"(2) If such position does not exist, or with his consent, the employee shall be placed in a vacant existing position, or in a new continuing position, for which he is qualified, available for the purposes of this section in the department concerned, in the same geographical area as, with rights and benefits equal to the rights and

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benefits of, and in a grade equal to the grade of, the position which he held immediately before his assignment to duty outside the United States.

"(3) If the positions described in paragraph (1) and paragraph (2) of this subsection do not exist, the employee shall be placed in an additional position which shall be established by the department concerned for a period not in excess of ninety days in order to carry out the purposes of this section. Such additional position shall be in the same geographical area as, with rights and benefits not less than the rights and benefits of, and in a grade not lower than the grade of, the position held by the employee immediately before his assignment to duty outside the United States.

"(4) If, within ninety days after his placement in a position under paragraph (3) of this subsection, a vacant existing position or new continuing position, for which the employee is qualified, is available for the purposes of this section in the department concerned, in the same geographical area as, with rights and benefits equal to the rights and benefits of, and in a grade equal to the grade of, the position which he held immediately before his assignment to duty outside the United States, the employee shall be placed in such vacant existing position or new continuing position.

"(5) If, within the ninety-day period referred to in paragraphs (3) and (4) of this subsection, the employee cannot be placed in a position under such paragraph (4), he shall be reassigned or separated under the regulations prescribed by the United States Civil Service Commission to carry out section 12 of the Act of June 27, 1944 (5 U.S.C. 861).

58 Stat. 390.

"(6) If there is a termination of or material change in the activity in which the former position of the employee (referred to in paragraph (1) of this subsection) was located, he shall be placed, in the manner provided by paragraphs (2), (3), and (4), as applicable, of this subsection, in a position in the department concerned in a geographical area other than the geographical area in which such former position was located.

"(d) Each employee who is placed in a position under paragraph (1), (2), (3), (4), or (6) of subsection (c) of this section shall be paid at a rate of basic compensation which is not less than the rate of basic compensation to which he would have been entitled if he had not been assigned to duty outside the United States.

"(e) (1) Each employee who is displaced from a position by reason of the exercise of a return right under subsection (c) (1) of this section shall be placed, as of the date of such displacement, without reduction in seniority, status, and tenure, in a vacant existing position or new continuing position, for which he is qualified, available in the department concerned, in the same geographical area as, with rights and benefits equal to the rights and benefits of, in a grade equal to the grade of, and at a rate of basic compensation not less than the last rate of basic compensation to which he was entitled while in, the position from which he is displaced.

"(2) If the employee cannot be placed in a position under paragraph (1) of this subsection, he shall be reassigned to a position other than the position from which he is displaced, or separated, under the regulations prescribed by the United States Civil Service Commission to carry out section 12 of the Act of June 27, 1944 (5 U.S.C. 861).

58 Stat. 390.

"(f) The President may, upon his determination that such action is necessary in the national interest, declare that, for such period as he may specify, an assignment of an employee to duty in Alaska or Hawaii shall be held and considered, for the purposes of this section, to be an assignment to duty outside the United States.

"(g) For the purposes of this section—

Definitions.

"(1) 'rotation' means the assignment of civilian employees referred to in subsection (b) of this section to duty outside the United States and the return of such employees to duty within the United States; and

"(2) 'grade' means, as applicable, a grade of the compensation schedule for the General Schedule of the Classification Act of 1949, as amended, or a grade or level of the appropriate prevailing rate schedule."

SEC. 2. The analysis of chapter 81 of title 10 of the United States Code is amended by adding at the end thereof the following new item:

"1586. Rotation of career-conditional and career employees assigned to duty outside the United States."

Approved July 5, 1960.

Public Law 86-586

AN ACT

July 5, 1960
[H. R. 9921]

To validate certain payments of additional pay for sea duty made to members and former members of the United States Coast Guard.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all payments of additional pay for sea duty made prior to June 30, 1956, to enlisted members of the United States Coast Guard who served on Coast Guard vessels less than one hundred and twenty-five feet in length are hereby validated. Any such member or former member who has made repayment to the United States of any amount so paid to him as additional pay for sea duty is entitled to have refunded to him the amount repaid.

Coast Guard.
Additional pay for sea duty.

SEC. 2. The Comptroller General of the United States, or his designee, shall relieve authorized certifying officers of the United States Coast Guard from accountability or responsibility for any payments described in section 1 of this Act, and shall allow credits in the settlement of the accounts of those officers for payments which are found to be free from fraud and collusion.

SEC. 3. Appropriations available to the United States Coast Guard for the pay and allowances of enlisted personnel are available for payments under this Act.

Approved July 5, 1960.

Public Law 86-587

AN ACT

July 5, 1960
[S. 3485]

To amend section 7 of the Administrative Expenses Act of 1946, as amended, to provide for the payment of travel and transportation cost for persons selected for appointment to certain positions in 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 subsections (b) to (d), inclusive, of section 7 of the Administrative Expenses Act of 1946 (60 Stat. 808, as amended, 5 U.S.C. 73b–3) are amended to read as follows:

Federal appointees.
Travel costs.

"(b) Appropriations for the departments shall be available in accordance with regulations prescribed by the President, for expenses of travel of persons appointed, and of student trainees when promoted upon completion of college work, to positions in the United States for which there is determined by the Civil Service Commission to be a manpower shortage, and for expenses of transportation of their immediate families and their household goods and personal effects and for advances of funds to the extent authorized by section 1 (a) and (b) of this Act, from their places of actual residence at time of selection or promotion to their duty station. Travel and transportation