(d) All delegations of authority, orders, regulations, directives, or other official actions, with respect to the benefits and allowances provided by such section 235 of title 38, United States Code, shall continue in full force and effect until modified, amended, superseded, or revoked.

Approved October 28, 1965.

Public Law 89-301

October 29, 1965
[H. R. 10281]

AN ACT

To adjust the rates of basic compensation of 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 "Federal Employees Salary Act of 1965".

Federal Employees Salary Act of 1965.

EMPLOYEES SUBJECT TO CLASSIFICATION ACT OF 1949

SEC. 2. (a) Section 603(b) of the Classification Act of 1949, as amended (78 Stat. 400; 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	$3,507	$3,626	$3,745	$3,864	$3,983	$4,102	$4,221	$4,340	$4,459	$4,578
GS-2	3,814	3,943	4,072	4,201	4,330	4,459	4,588	4,717	4,846	4,975
GS-3	4,149	4,289	4,429	4,569	4,709	4,849	4,989	5,129	5,269	5,409
GS-4	4,641	4,797	4,953	5,109	5,265	5,421	5,577	5,733	5,889	6,045
GS-5	5,181	5,352	5,523	5,694	5,865	6,036	6,207	6,378	6,549	6,720
GS-6	5,702	5,894	6,086	6,278	6,470	6,662	6,854	7,046	7,238	7,430
GS-7	6,269	6,476	6,683	6,890	7,097	7,304	7,511	7,718	7,925	8,132
GS-8	6,869	7,097	7,325	7,553	7,781	8,009	8,237	8,465	8,693	8,921
GS-9	7,479	7,733	7,987	8,241	8,495	8,749	9,003	9,257	9,511	9,765
GS-10	8,184	8,464	8,744	9,024	9,304	9,584	9,864	10,144	10,424	10,704
GS-11	8,961	9,267	9,573	9,879	10,185	10,491	10,797	11,103	11,409	11,715
GS-12	10,619	10,987	11,355	11,723	12,091	12,459	12,827	13,195	13,563	13,931
GS-13	12,510	12,945	13,380	13,815	14,250	14,685	15,120	15,555	15,990	16,425
GS-14	14,680	15,188	15,696	16,204	16,712	17,220	17,728	18,236	18,744	19,252
GS-15	17,055	17,645	18,235	18,825	19,415	20,005	20,595	21,185	21,775	22,365
GS-16	19,619	20,297	20,975	21,653	22,331	23,009	23,687	24,365	25,043	--------
GS-17	22,217	22,994	23,771	24,548	25,325	--------	--------	--------	--------	--------
GS-18	25,382	--------	--------	--------	--------	--------	--------	--------	--------	-------- ".

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.

78 Stat. 400.

(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.

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(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.

69 Stat. 173. 5 USC 1113 note. 5 USC 926 note.

(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.

68 Stat. 1111. 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.

REDETERMINATIONS OF ACCEPTABLE LEVELS OF COMPETENCE

76 Stat. 847.

SEC. 3. Section 701 of the Classification Act of 1949, as amended (5 U.S.C. 1121), is amended by adding the following new subsection at the end thereof:

"(c) Whenever a determination is made under subsection (a) of this section that the work of an officer or employee is not of an acceptable level of competence, he shall be given prompt written notice of that determination and an opportunity for reconsideration of the determination within his department under uniform procedures established by the Commission. If the determination is affirmed upon reconsideration, the employee shall have a right of appeal to the Commission. If the reconsideration or appeal results in a reversal of the earlier determination, the new determination shall supersede the earlier determination and shall be deemed to have been made as of the date of the earlier determination. The authority of the Commission to establish procedures and the right of appeal by the officer or employee to the Commission shall not apply to determinations of acceptable level of competence made by the Librarian of Congress."

Commission authority, limitation.

POSTAL FIELD SERVICE EMPLOYEES

SEC. 4. (a) Section 3542(a) of title 39, United States Code, is amended to read as follows:

Postal Field Service Schedule. 78 Stat. 406.

"(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 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	$4,086	$4,221	$4,356	$4,491	$4,626	$4,761	$4,896	$5,031	$5,166	$5,301	$5,436	$5,571
2	4,424	4,569	4,714	4,859	5,004	5,149	5,294	5,439	5,584	5,729	5,874	6,019
3	4,780	4,941	5,102	5,263	5,424	5,585	5,746	5,907	6,068	6,229	6,390	6,551
4	5,181	5,352	5,523	5,694	5,865	6,036	6,207	6,378	6,549	6,720	6,891	7,062
5	5,536	5,722	5,908	6,094	6,280	6,466	6,652	6,838	7,024	7,210	7,396	7,582
6	5,941	6,138	6,335	6,532	6,729	6,926	7,123	7,320	7,517	7,714	7,911	8,108
7	6,361	6,573	6,785	6,997	7,209	7,421	7,633	7,845	8,057	8,269	8,481	------
8	6,888	7,116	7,344	7,572	7,800	8,028	8,256	8,484	8,712	8,940	------	------
9	7,449	7,697	7,945	8,193	8,441	8,689	8,937	9,185	9,433	9,681	------	------
10	8,110	8,385	8,660	8,935	9,210	9,485	9,760	10,035	10,310	10,585	------	------
11	8,961	9,267	9,573	9,879	10,185	10,491	10,797	11,103	11,409	11,715	------	------
12	9,914	10,251	10,588	10,925	11,262	11,599	11,936	12,273	12,610	12,947	------	------
13	10,956	11,334	11,712	12,090	12,468	12,846	13,224	13,602	13,980	14,358	------	------
14	12,077	12,497	12,917	13,337	13,757	14,177	14,597	15,017	15,437	15,857	------	------
15	13,349	13,810	14,271	14,732	15,193	15,654	16,115	16,576	17,037	17,498	------	------
16	14,751	15,264	15,777	16,290	16,803	17,316	17,829	18,342	18,855	19,368	------	------
17	16,320	16,890	17,460	18,030	18,600	19,170	19,740	20,310	20,880	21,450	------	------
18	18,078	18,710	19,342	19,974	20,606	21,238	21,870	22,502	23,134	23,766	------	------
19	20,042	20,741	21,440	22,139	22,838	23,537	24,236	24,935	------	------	------	------
20	22,217	22,994	23,771	24,548	25,325	------	------	------	------	------	------	------".

(b) Section 3543(a) of title 39, United States Code, is amended to read as follows:

Rural Carrier Schedule. 78 Stat. 406.

"(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	$2,301	$2,412	$2,523	$2,634	$2,745	$2,856	$2,967	$3,078	$3,189	$3,300	$3,411	$3,522
Compensation per mile per annum for each mile up to 30 miles of route	86	88	90	92	94	96	98	100	102	104	106	108
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:

Fourth Class Office Schedule.

"(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 36	$3,906	$4,035	$4,164	$4,293	$4,422	$4,551	$4,680	$4,809	$4,938	$5,067	$5,196	$5,325
24 but fewer than 30	3,610	3,729	3,848	3,967	4,086	4,205	4,324	4,443	4,562	4,681	4,800	4,919
18 but fewer than 24	2,978	3,079	3,180	3,281	3,382	3,483	3,584	3,685	3,786	3,887	3,988	4,089
12 but fewer than 18	2,339	2,415	2,491	2,567	2,643	2,719	2,795	2,871	2,947	3,023	3,099	3,175
6 but fewer than 12	1,687	1,741	1,795	1,849	1,903	1,957	2,011	2,065	2,119	2,173	2,227	2,281
Fewer than 6	1,359	1,403	1,447	1,491	1,535	1,579	1,623	1,667	1,711	1,755	1,799	1,843".

(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.

POSTAL SERVICE OVERTIME AND HOLIDAY COMPENSATION

74 Stat. 651.

SEC. 5. (a) Section 3571 of title 39, United States Code, is amended to read as follows:

"§ 3571. Maximum hours of work

"(a) A basic workweek is established for all postal field service employees consisting of five eight-hour days. The work schedule of employees shall be regulated so that the eight hours of service does not extend over a longer period than ten consecutive hours.

"(b) The Postmaster General shall establish work schedules in advance for annual rate regular employees consisting of five eight-hour days in each week.

"(c) Except for emergencies as determined by the Postmaster General, the hours of service of any employee shall not extend over a longer period than twelve consecutive hours, and no employee may be required to work more than twelve hours in one day.

"(d) To the maximum extent practicable, senior regular employees shall be assigned to a basic workweek Monday through Friday, inclusive, except for those who express a preference for another basic workweek."

(b) Section 3573 of title 39, United States Code, is amended to read as follows:

"§ 3573. Compensatory time, overtime, and holidays

"(a) In emergencies or if the needs of the service require, the Postmaster General may require employees to perform overtime work or to work on holidays. Overtime work is any work officially ordered or approved which is performed by—

"(1) an annual rate regular employee in excess of his regular work schedule,

"(2) an hourly rate regular employee in excess of eight hours in a day or forty hours in a week, and

"(3) a substitute employee in excess of forty hours in a week. The Postmaster General shall determine the day and week used in computing overtime work.

"(b) For each hour of overtime work the Postmaster General shall compensate an employee in the 'PFS' Schedule as follows:

"(1) He shall pay each employee in or below salary level PFS-7 compensation at the rate of 150 per centum of the hourly rate of basic compensation for his level and step computed by dividing the scheduled annual rate of basic compensation by two thousand and eighty.

"(2) He shall grant each employee in or above salary level PFS-8 compensatory time equal to the overtime worked, or in his discretion in lieu thereof pay such employee compensation at the rate of 150 per centum of the hourly rate of basic compensation of the employee or of the hourly rate of the basic compensation for the highest step of salary level PFS-7, whichever is the lesser.

"(c) For officially ordered or approved time worked on a day referred to as a holiday in the Act of December 26, 1941 (55 Stat. 862; 5 U.S.C. 87b), or on a day designated by Executive order as a holiday for Federal employees, under regulations prescribed by the Postmaster General, an employee in the PFS schedule shall receive extra compensation, in addition to any other compensation provided for by law, as follows:

"(1) Each regular employee in or below salary level PFS-7 shall be paid extra compensation at the rate of 100 per centum of the hourly rate of basic compensation for his level and step computed by dividing the scheduled annual rate of basic compensation by two thousand and eighty.

"(2) Each regular employee in or above salary level PFS-8 shall be granted compensatory time in an amount equal to the time worked on such holiday within thirty working days thereafter or, in the discretion of the Postmaster General, in lieu thereof shall be paid extra compensation for the time so worked at the rate of 100 per centum of the hourly rate of basic compensation for his level and step computed by dividing the scheduled annual rate of basic compensation by two thousand and eighty.

"(3) For work performed on Christmas Day (A) each regular employee shall be paid extra compensation at the rate of 150 per centum of the hourly rate of basic compensation for his level and step, computed by dividing the scheduled annual rate of basic compensation by two thousand and eighty, and (B) each substitute employee shall be paid extra compensation at the rate of 50 per centum of the hourly rate of basic compensation for his level and step.

"(d) The Postmaster General shall establish conditions for the use of compensatory time earned and the payment of compensation for unused compensatory time.

"(e) Each regular employee 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.

"(f) If an employee is entitled under this section to unused compensatory time at the time of his death, the Postmaster General shall pay at the rate prescribed in this section, but not less than a sum equal to the employee's hourly basic compensation, for each hour of such unused compensatory time to the person or persons surviving at the date of such employee's death. Such payment shall be made in the order of precedence prescribed in the first section of the Act of August 3, 1950 (5 U.S.C. 61f), and shall be a bar to recovery by any other persons of amounts so paid.

64 Stat. 395.

"(g) Notwithstanding any provision of this section other than subsection (f), no employee shall be paid overtime or extra compensation for a pay period which when added to his basic compensation for the pay period exceeds one twenty-sixth of the annual rate of basic compensation for the highest step of salary level PFS-17.

Definitions.
Ante, p. 1114.

"(h) For the purposes of this section and section 3571 of this title—

"(1) 'Annual rate regular employee' means an employee for whom the Postmaster General has established a regular work schedule consisting of five eight-hour days in accordance with section 3571 of this title.

"(2) 'Hourly rate regular employee' means an employee for whom the Postmaster General has established a regular work schedule consisting of not more than forty hours a week.

"(3) 'Substitute employee' means an employee for whom the Postmaster General has not established a regular work schedule."

74 Stat. 652.

(c) Section 3575 of title 39, United States Code, is amended to read as follows:

"§ 3575. Exemptions

"(a) Sections 3571, 3573 and 3574 of this title do not apply to postmasters, rural carriers, postal inspectors, and employees in salary level PFS-15 and above.

"(b) Sections 3571 and 3573 of this title do not apply to employees referred to in section 3581 of this title.

"(c) Sections 3571 (a), (b), and (d), and 3573(e) of this title do not apply to substitute employees.

"(d) Section 3571(b) of this title does not apply to hourly rate regular employees."

POSTAL EMPLOYEES RELOCATION EXPENSES

39 USC 3101 *et seq.*

SEC. 6. (a) That part of chapter 41 of title 39, United States Code, which precedes the center heading "Special Classes of Employees" and section 3111 thereof, is amended by inserting at the end thereof the following new section:

"§ 3107. Postal employees relocation expenses

"Notwithstanding any other provision of law, each employee in the postal field service who is transferred or relocated from one official station to another shall, under regulations promulgated by the Postmaster General, be granted the following allowances and expenses:

"(1) Per diem allowance, in lieu of subsistence expenses, for each member of his immediate family while en route between his old and new official stations, not in excess of the maximum per diem rates prescribed by or pursuant to law for employees of the Federal Government.

"(2) Subsistence expenses of the employee and each member of his immediate family for a period of not to exceed thirty days while occupying temporary quarters at the place of his new official duty station, but not in excess of the maximum per diem rates prescribed by or pursuant to law for employees of the Federal Government.

"(3) Five days of leave with pay which shall not be charged to any other leave to which he is entitled under existing law."

(b) That part of the table of contents of such chapter 41 under the heading **"Employees Generally"** is amended by inserting

"3107. Postal employees relocation expenses."

immediately below

"3106. Special compensation rules.".

EMPLOYEES IN THE DEPARTMENT OF MEDICINE AND SURGERY OF THE VETERANS' ADMINISTRATION

SEC. 7. 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: 78 Stat. 410.

"§ 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, $25,382.

"Medical Director, $22,217 minimum to $25,325 maximum.

"Director of Nursing Service, $17,055 minimum to $22,365 maximum.

"Director of Chaplain Service, $17,055 minimum to $22,365 maximum.

"Chief Pharmacist, $17,055 minimum to $22,365 maximum.

"Chief Dietitian, $17,055 minimum to $22,365 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, $19,619 minimum to $25,043 maximum.

"Executive grade, $18,291 minimum to $24,024 maximum.

"Chief grade, $17,055 minimum to $22,365 maximum.

"Senior grade, $14,680 minimum to $19,252 maximum.

"Intermediate grade, $12,510 minimum to $16,425 maximum.

"Full grade, $10,619 minimum to $13,931 maximum.

"Associate grade, $8,961 minimum to $11,715 maximum.

"NURSE SCHEDULE

"Assistant Director grade, $14,680 minimum to $19,252 maximum.

"Chief grade, $12,510 minimum to $16,425 maximum.

"Senior grade, $10,619 minimum to $13,931 maximum.

"Intermediate grade, $8,961 minimum to $11,715 maximum.

"Full grade, $7,479 minimum to $9,765 maximum.

"Associate grade, $6,540 minimum to $8,502 maximum.

"Junior grade, $5,702 minimum to $7,430 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

78 Stat. 411.

SEC. 8. (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	$23,465	$24,284	$25,382				
Class 2	18,954	19,612	20,270	$20,928	$21,586	$22,244	$22,902
Class 3	15,395	15,929	16,463	16,997	17,531	18,065	18,599
Class 4	12,510	12,945	13,380	13,815	14,250	14,685	15,120
Class 5	10,303	10,661	11,019	11,377	11,735	12,093	12,451
Class 6	8,594	8,889	9,184	9,479	9,774	10,069	10,364
Class 7	7,262	7,506	7,750	7,994	8,238	8,482	8,726
Class 8	6,269	6,476	6,683	6,890	7,097	7,304	7,511"

(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	$15,395	$15,929	$16,463	$16,997	$17,531	$18,065	$18,599	$19,133	$19,667	$20,201
Class 2	12,510	12,945	13,380	13,815	14,250	14,685	15,120	15,555	15,990	16,425
Class 3	10,303	10,661	11,019	11,377	11,735	12,093	12,451	12,809	13,167	13,525
Class 4	8,594	8,889	9,184	9,479	9,774	10,069	10,364	10,659	10,954	11,249
Class 5	7,749	8,013	8,277	8,541	8,805	9,069	9,333	9,597	9,861	10,125
Class 6	6,998	7,231	7,464	7,697	7,930	8,163	8,396	8,629	8,862	9,095
Class 7	6,428	6,640	6,852	7,064	7,276	7,488	7,700	7,912	8,124	8,336
Class 8	5,688	5,880	6,072	6,264	6,456	6,648	6,840	7,032	7,224	7,416
Class 9	5,190	5,361	5,532	5,703	5,874	6,045	6,216	6,387	6,558	6,729
Class 10	4,641	4,797	4,953	5,109	5,265	5,421	5,577	5,733	5,889	6,045"

(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.

SEVERANCE PAY

Applicability.

SEC. 9. (a) Except as provided in subsection (b) of this section, this section applies to each civilian officer or employee in or under—

(1) the executive branch of the Government of the United States, including each corporation wholly owned or controlled by the United States;

(2) the Library of Congress;

(3) the Government Printing Office;

(4) the General Accounting Office; or

(5) the municipal government of the District of Columbia.

This section also applies to 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)), and the Secretary of Agriculture is authorized and directed to prescribe and issue such regulations as may be necessary to provide a means of effecting the application and operations of the provisions of this section with respect to such persons.

52 Stat. 31.

Exception.

(b) This section does not apply to—

(1) an officer or employee whose rate of basic compensation is fixed at a rate provided for one of the levels of the Federal Executive Salary Schedule or is in excess of the highest rate of grade 18 of the General Schedule of the Classification Act of 1949, as amended;

Ante, p. 1111.

(2) an officer or employee serving under an appointment with a definite time limitation, except one so appointed for full-time

employment, without a break in service or after a separation of three days or less, following service under an appointment without time limitation;

(3) an alien employee who occupies a position outside the several States, the District of Columbia, and the Canal Zone;

(4) an officer or employee who is subject to the Civil Service Retirement Act, as amended, or any other retirement law or retirement system applicable to Federal officers or employees or members of the uniformed services, and who, at the time of separation from the service, has fulfilled the requirements for immediate annuity under any such law or system;

70 Stat. 743. 5 USC 2251 note.

(5) an officer or employee who, at the time of separation from the service, is receiving compensation under the Federal Employees' Compensation Act, as amended, except one receiving this compensation concurrently with salary or on account of the death of another person;

39 Stat. 742; 63 Stat. 854. 5 USC 751 note.

(6) an officer or employee who, at the time of separation from the service, is entitled to receive other severance pay from the Government;

(7) officers and employees of the Tennessee Valley Authority; and

(8) such other officers or employees as may be excluded by rules and regulations of the President or of such officer or agency as he may designate.

(c) An officer or employee to whom this section applies who is involuntarily separated from the service, on or after the effective date of this section, not by removal for cause on charges of misconduct, delinquency, or inefficiency, shall, under rules and regulations prescribed by the President or such officer or agency as he may designate, be paid severance pay in regular pay periods by the department, independent establishment, corporation, or other governmental unit, from which separated.

Computation.

(d) Severance pay shall consist of two elements, a basic severance allowance and an age adjustment allowance. The basic severance allowance shall be computed on the basis of one week's basic compensation at the rate received immediately before separation for each year of civilian service up to and including ten years for which severance pay has not been received under this or any other authority and two weeks' basic compensation at such rate for each year of civilian service beyond ten years for which severance pay has not been received under this or any other authority. The age adjustment allowance shall be computed on the basis of 10 per centum of the total basic severance allowance for each year by which the age of the recipient exceeds forty years at the time of separation. Total severance pay received under this section shall not exceed one year's pay at the rate received immediately before separation.

Twelve months requirement.

(e) An officer or employee may be paid severance pay only after having been employed currently for a continuous period of at least twelve months.

Reemployment, termination of pay.

(f) If an officer or employee is reemployed by the Federal Government or the municipal government of the District of Columbia before the expiration of the period covered by payments of severance pay, the payments shall be discontinued beginning with the date of reemployment and the service represented by the unexpired portion of the period shall be recredited to the officer or employee for use in any subsequent computations of severance pay. For the purposes of subsection (e), reemployment which causes severance pay to be discontinued shall be considered as employment continuous with that serving as the basis for the severance pay.

Payments to survivors.

(g) If the officer or employee dies before the expiration of the period covered by payments of severance pay, the payments of severance pay with respect to such officer or employee shall be continued as if such officer or employee were living and shall be paid on a pay period basis to the survivor or survivors of such officer or employee in accordance with the first section of the Act of August 3, 1950 (5 U.S.C. 61f).

64 Stat. 395.

(h) Severance pay under this section shall not be a basis for payment, nor be included in the basis for computation, of any other type of Federal or District of Columbia Government benefits, and any period covered by severance pay shall not be regarded as a period of Federal or District of Columbia Government service or employment.

AGRICULTURAL STABILIZATION AND CONSERVATION COUNTY COMMITTEE EMPLOYEES

SEC. 10. 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 2(a) of this Act for corresponding rates of compensation.

52 Stat. 31; 78 Stat. 412.

Ante, p. 1111.

LEGISLATIVE BRANCH

SEC. 11. (a) Except as otherwise provided in this section, 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 3.6 per centum of his gross rate of compensation (basic compensation plus additional compensation authorized by law).

60 Stat. 217; 78 Stat. 413. 5 USC 931, 932.

House 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 and is not increased by reason of any other provision of this section, shall be increased by an amount which is equal to the amount of the increase provided by subsection (a) of this section; except that this section shall not apply to the compensation of student congressional interns authorized by H. Res. 416 of the Eighty-ninth Congress.

(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; Public Law 88-652; 2 U.S.C. 291-303) shall be increased by amounts equal, as nearly as may be practicable, to the increases provided by subsection (a) of this section; except, that this section shall not apply to the compensation of those employees whose compensation is fixed by the House Wage Schedule of such Act.

(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 the following).

70 Stat. 743; *Ante*, p. 840.

Members of Congress, etc.

78 Stat. 415.

(e) Section 601(a) of the Legislative Reorganization Act of 1946, as amended (2 U.S.C. 31), is amended to read as follows:

"(a) The compensation of Senators, Representatives in Congress, and the Resident Commissioner from Puerto Rico shall be at the rate of $30,000 per annum each. The compensation of the Speaker of the House of Representatives shall be at the rate of $43,000 per annum. The compensation of the Majority Leader and the Minority Leader of the Senate and the Majority Leader and the Minority Leader of the House of Representatives shall be at the rate of $35,000 per annum each."

(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.

Senate employees.

(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 3.6 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 "$22,945" and inserting in lieu thereof "$23,770".

Salary limitations, increase.

78 Stat. 414.
2 USC 60a 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 3.6 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.

FEDERAL JUDICIAL SALARIES

SEC. 12. (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 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 2(a) of this Act in corresponding rates of compensation for officers and employees subject to the Classification Act of 1949, as amended. The rates of

60 Stat. 329;
62 Stat. 843.

65 Stat. 725;
62 Stat. 918, 914.
78 Stat. 433.
Ante, p. 1111.

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 2(a) of this Act in corresponding rates of compensation for officers and employees subject to the Classification Act of 1949, as amended.

62 Stat. 914.

Ante, p. 1111.

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 2(a) of this Act in corresponding rates of compensation for officers and employees subject to the Classification Act of 1949, as amended.

Court reporters.
78 Stat. 434.

(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 2(a) of this Act in corresponding rates of compensation for officers and employees subject to the Classification Act of 1949, as amended.

INCREASED UNIFORM ALLOWANCE

SEC. 13. The Federal Employees Uniform Allowance Act, as amended (68 Stat. 1114; 5 U.S.C. 2131), is amended by striking out "$100" wherever it appears therein and inserting in lieu thereof "$125".

MAXIMUM SALARY INCREASE LIMITATION

SEC. 14. Except as otherwise provided in section 11(e), no rate of salary shall be increased, by reason of the enactment of this Act, 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.

ADJUSTMENT OF SALARY RATES FIXED BY ADMINISTRATIVE ACTION

SEC. 15. (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 by 3.6 per centum effective on the first day of the first pay period which begins on or after October 1, 1965.

78 Stat. 428.

(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 or after the first day of the first pay period which begins on or after October 1, 1965, by amounts not to exceed the increases provided by this Act for corresponding rates of compensation in the appropriate schedule or scale of pay.

(c) Nothing contained in this section shall be deemed 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.

TRAVEL ON OFFICIAL DUTY TIME

SEC. 16. Section 204 of the Federal Employees Pay Act of 1945, as amended (68 Stat. 1110; 5 U.S.C. 912b), is amended by adding at the end thereof the following sentence: "To the maximum extent practicable, the head of any department, independent establishment, or agency, including Government-owned or controlled corporations, or of the municipal government of the District of Columbia, or the head of any legislative or judicial agency to which this title applies, shall schedule the time to be spent by an officer or employee in a travel status away from his official duty station within the regularly scheduled workweek of such officer or employee.".

EFFECTIVE DATES

SEC. 17. This Act shall become effective as follows:

(1) This section and sections 1, 9, 13, 15, 16, and 18, and section 3107(3) of title 39, United States Code, as contained in the amendment made by section 6(a) of this Act, shall become effective on the date of enactment of this Act.

(2) Section 5 shall become effective on the first day of the first pay period which begins on or after the date of enactment of this Act.

(3) Sections 2, 4, 7, 8, 10, 11, 12, and 14 shall become effective on the first day of the first pay period which begins on or after October 1, 1965.

(4) Section 3 shall become effective on the ninetieth day following the date of enactment of this Act.

(5) Section 6(b), and section 3107 (1) and (2) of title 39, United States Code, as contained in the amendment made by section 6(a) of this Act, shall become effective as of July 1, 1965.

(6) 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.

68 Stat. 736.
5 USC 2091 note.

PAYMENT OF RETROACTIVE SALARY

SEC. 18. (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 effective date prescribed by section 17(3) 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 effective date prescribed by section 17(3) 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

64 Stat. 395.

70 Stat. 743.
5 USC 2251 note.

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.

(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.

Approved October 29, 1965.

Public Law 89-302

October 30, 1965
[S. 1735]

AN ACT

Relating to the use by the Secretary of the Interior of land at La Jolla, California, donated by the University of California for a marine biological research laboratory, and for other purposes.

Marine biological research laboratory, Calif.
Land reconveyance provisions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to carry out the understanding between the Secretary of the Interior and the Regents of the University of California when the latter donated approximately two and four-tenths acres of land situated on the San Diego Campus of the University of California, for establishment thereon by the United States of a marine biological research laboratory, and in recognition of the restriction in the deed conveying the land to the United States which requires the land "to be used exclusively for research on the living resources of the sea or their environment; or for purposes compatible with activities of the * * * Scripps Institution of Oceanography (situated on said Campus) or for any other purpose expressly approved by the Grantor", the Secretary of the Interior is authorized and directed to reconvey to the Regents of the University of California, or their successors, title to the donated land and the improvements constructed or placed thereon:

(a) Whenever he determines that the land and improvements are not in his judgment needed by the United States for the limited uses permitted by the deed, such determination to be made after receiving the views of other Federal agencies regarding their possible use of the land consistent with the limitations in the deed; or

(b) Whenever the United States ceases to use the land and improvements for more than two years exclusively for such limited uses.

Approved October 30, 1965.

Public Law 89-303

October 30, 1965
[H. R. 10198]

AN ACT

To amend the requirements relating to lumber under the Shipping Act, 1916.

Lumber.
Tariff filings.
75 Stat. 764;
77 Stat. 129.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 18(b)(1) of the Shipping Act, 1916 (46 U.S.C. 817(b)(1)), is amended by inserting before the word "lumber" wherever it appears in this section the word "softwood".

Approved October 30, 1965.